# Not Waving but Drowning: Gender Mainstreaming and Human Rights in the United Nations

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I was much further out than you thought
And not waving but drowning
—Stevie Smith[1]

## I. INTRODUCTION

The term "gender mainstreaming" has become a mantra in international institutions as a technique for responding to inequalities between women and men. The force of the term derives from its implied contrast with the notion of specializing in issues of gender, or what might be called "gender sidestreaming." The idea behind gender mainstreaming is that questions of gender must be taken seriously in central, mainstream, "normal" institutional activities and not simply left in a marginalized, peripheral backwater of specialist women's institutions. The strategy implicates what Olympe de Gouges identified in the eighteenth century as the paradox of feminism: whether women's rights are best protected through general norms or through specific norms applicable only to women.[2] This dilemma pervades modern international legal responses to the unequal position of women: the attempt to improve women's lives through general laws can allow women's concerns to be submerged in what are deemed more global issues; however, the price of creating separate institutional mechanisms for women has been the building of a "women's ghetto" with less power, resources, and priority than the "general" human rights bodies.[3]

1. Stevie Smith, *Not Waving But Drowning*, in OXFORD BOOK OF TWENTIETH CENTURY ENGLISH VERSE 341 (Philip Larkin ed., 1973).

2. SARI KOUVO, MAKING JUST RIGHTS?: MAINSTREAMING WOMEN'S HUMAN RIGHTS AND A GENDER PERSPECTIVE 104 (2004).

3. *See* HILARY CHARLESWORTH & CHRISTINE CHINKIN, THE BOUNDARIES OF INTERNATIONAL LAW: A FEMINIST ANALYSIS 219 (2000).

In this Article, I seek to question the rather bland, bureaucratic acceptance of the method of gender mainstreaming in international institutions and to suggest that it detracts attention from the ways that sexed and gendered inequalities are woven into the international system. The strategy of gender mainstreaming has deployed the idea of gender in a very limited way and has allowed the mainstream to tame and deradicalize claims to equality. The use of gender mainstreaming as a reform strategy has made issues of inequality between women and men harder to identify and to deal with. In this sense, mainstreaming has effectively drowned out the project of equality between women and men.

The Article focuses on gender mainstreaming in the U.N. human rights system, although the technique has been embraced by many other institutions, both national and international. Mainstreaming as a methodology has also become popular in a broad range of areas. For example, international institutions have adopted the jargon of environmental mainstreaming, HIV/AIDS mainstreaming, and indeed human rights mainstreaming.[4]

## II. THE CONCEPT AND HISTORY OF GENDER MAINSTREAMING

The term "mainstreaming" was first used in the 1970s in the educational literature to describe an educational method that includes many different kinds of learners in the same classroom, instead of separating students according to their learning abilities. It describes classrooms where students with disabilities and students who do not have disabilities are taught together.[5]

The rather ungainly term "gender mainstreaming" seeped into institutional discourse from the development sphere. The U.N. Decade for Women, launched in Mexico in 1975, prompted concerns about the effect of aid development policies on women. The prevailing approach to women and development aid, usually labeled "women in development" ("WID"), began to be criticized as inadequate because it identified women as a special interest group within the development sphere needing particular accommodation. WID strategies encouraged the integration of women into the existing structures of development, and did not question the biases built into these structures. The "gender and development" ("GAD") approach superseded WID. GAD was seen as an advance on WID because it drew attention to the impact of relations between women and men on development policies. Its aim was to change the practice of development to prevent inequality between women and men.[6] In this context, *gender mainstreaming* was presented as a mecha-

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4. *See, e.g., Report of the United Nations High Commissioner for Human Rights*, U.N. GAOR, 55th Sess., Supp. No. 36, U.S. Doc. A/55/36 (2000); GEF Council *Mainstream Global Environmental Issues: Report of UNDP to the GEF Council* (1998), *available at* http://www.gefweb.org/COUNCIL/GEF_C12/pdf/c12_4.pdf (last visited Feb. 3, 2005); OXFAM, *Mainstreaming HIV and AIDS: Practical Examples from Malawi, at* http://www.oxfam.org.uk/what_we_do/issues/hivaids/mainstrmalawi.htm (last visited Feb. 3, 2005).

5. *See, e.g.,* Kidshealth.org, *Mainstreaming in Classrooms, at* http://kidshealth.org/kid/grow/school_stuff/mainstreaming.html (last visited Feb. 3, 2005).

6. ROUNAQ JAHAN, THE ELUSIVE AGENDA: MAINSTREAMING WOMEN IN DEVELOPMENT (1995).

nism to broaden the concept of development to respond to women's lives.[7] It soon took on a broader significance beyond the development sphere.

The idea of mainstreaming concerns of women first made the transition into the work of the U.N. in the Forward-Looking Strategies for the Advancement of Women adopted at the Third World Conference on Women, which took place in Nairobi in 1985. The Strategies called for "[e]ffective participation of women in development [to] be integrated in the formulation and implementation of mainstream programs and projects."[8]

Ten years later, at the Fourth World Conference on Women held in Beijing in 1995, it was clear that the term "gender mainstreaming" had achieved great popularity.[9] It appeared throughout the lengthy Platform for Action as a strategy to redress women's unequal position in the twelve critical areas of concern, including education,[10] health,[11] as victims of violence,[12] armed conflict,[13] the economy,[14] decision-making,[15] and human rights.[16] The technique is described in a uniform way in every context: "Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects for women and men, respectively."[17] Perhaps the attraction of gender mainstreaming as a strategy lay in its apparent concreteness: it seemed to offer a clear and relatively measurable direction to international policymakers.

The Beijing Platform commitment to gender mainstreaming was taken up by the U.N. Commission on the Status of Women,[18] the U.N. Secretary-General,[19] and then by the U.N. Economic and Social Council ("ECOSOC"), which organized a high-level panel discussion on gender mainstreaming in

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7. *See* World Bank, *Mainstreaming Gender and Development in the World Bank: Progress and Recommendations* 3 (1998), *at* http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2000/02/24/000094946_99030406260119/Rendered/PDF/multi_page.pdf (last visited Feb. 3, 2005).

8. *The Nairobi Forward-Looking Strategies for the Advancement of Women, in* WORLD CONFERENCE TO REVIEW AND APPRAISE THE ACHIEVEMENTS OF THE UNITED NATIONS DECADE FOR WOMEN (United Nations, New York, N.Y.) July 27, 1985, ¶ 114.

9. *See Beijing Declaration and Platform for Action, in* 1 REPORT OF THE FOURTH WORLD CONFERENCE ON WOMEN, BEIJING, 4–15 SEPTEMBER, 1995, U.N. Doc. A/CONF.177/20/REV.1, U.N. Sales No. 96.IV.13 (1996) [hereinafter *Beijing Platform for Action*].

10. *Id.* ¶ 79.

11. *Id.* ¶ 105.

12. *Id.* ¶ 123.

13. *Id.* ¶ 141.

14. *Id.* ¶ 164.

15. *Id.* ¶ 189.

16. *Id.* ¶ 229.

17. This wording appears in all the Beijing paragraphs noted above.

18. FOREIGN & COMMONWEALTH OFFICE (U.K.), INCLUSIVE GOVERNMENT: MAINSTREAMING GENDER INTO FOREIGN POLICY (2004), *available at* http://www.fco.gov.uk/Files/kfile/Gender.pdf (last visited Feb. 18, 2005).

19. *Coordination of the Policies and Activities of the Specialized Agencies and Other Bodies of the United Nations System: Mainstreaming the Gender Perspective into all Policies and Programmes in the United Nations System: Report of the Secretary-General*, U.N. ESCOR, 1997 Substantive Sess., U.N. Doc. E/1997/66 (1997).

1997.[20] ECOSOC then called on the U.N. to "promote an active and visible policy of mainstreaming a gender perspective."[21] It also "encouraged" the General Assembly to direct all of its committees and bodies "to the need to mainstream a gender perspective systematically into all areas of their work, in particular in such areas as macroeconomic questions, operational activities for development, poverty eradication, human rights, humanitarian assistance, budgeting, disarmament, peace and security, and legal and political matters."[22]

    Most such commitments to gender mainstreaming draw on the definition adopted by ECOSOC in 1997:

> Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.[23]

ECOSOC went on to identify a series of principles to follow in mainstreaming a gender perspective in the U.N. system. These were:

> Issues across all areas of activity should be defined in such a manner that gender differences can be diagnosed—that is, an assumption of gender-neutrality should not be made.
>
> Responsibility for translating gender mainstreaming into practice is system-wide and rests at the highest levels. Accountability for outcomes needs to be monitored constantly.
>
> Gender mainstreaming also requires that every effort be made to broaden women's participation at all levels of decision-making.
> Gender mainstreaming must be institutionalized through concrete steps, mechanisms and processes in all parts of the United Nations system.
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> Gender mainstreaming does not replace the need for targeted, women-specific policies and programmes or positive legislation, nor does it substitute for gender units or focal points.

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20. *Provisional Summary Record of the 20th Meeting*, U.N. ESCOR, 1997 Substantive Sess., U.N. Doc. E/1997/SR.20 (1997).

21. *Report of the Economic and Social Council for the Year 1997*, U.N. GAOR, 52nd Sess., Supp. No. 3, at 24, U.N. Doc. A/52/3/Rev.1 (1997).

22. *Id.* at 25.

23. *Id.* at 24. Compare the definition adopted by the European Union in 1996; see European Commission, Communication: Incorporating Equal Opportunities for Women and Men into All Community Policies and Activities, COM(96)67 final, at I.1, available in relevant part at http://europa.eu.int/comm/employment_social/equ_opp/gms_en.html#def (last visited Feb. 26, 2005).

> Clear political will and the allocation of adequate and, if need be, additional human and financial resources for gender mainstreaming from all available funding sources are important for the successful translation of the concept into practice.[24]

ECOSOC also set out various institutional requirements for gender mainstreaming, including the use of directives, rather than discretionary guidelines, and the creation of mechanisms for monitoring, evaluation, and accountability. The collection of gender-disaggregated statistics and indicators was also encouraged. ECOSOC further emphasized the need for extensive "gender training" throughout the U.N. system. "Gender balance" within the U.N. was presented as another central aim of the gender mainstreaming project, with a 50/50 gender distribution of staff to be achieved by 2000, especially at the level of D-1 and above.[25]

The Secretary-General's 2004 review of the 1997 ECOSOC document in 2004 gave gender mainstreaming in the U.N. a generally positive report, although the review noted a gap between policy and practice.[26] The review also observed that areas of U.N. work, such as poverty eradication, macroeconomic development, energy, sanitation, infrastructure, rural development, and peace and security, had not yet integrated a gender perspective.[27] The review endorsed the 1997 ECOSOC definition and framework and called for a more "active and visible use of gender mainstreaming as a complement to women-focused strategies" and greater commitment, support, and accountability for the strategy at the institution's highest levels.[28]

Today, the vocabulary of gender mainstreaming is omnipresent in the international arena. Almost all U.N. bodies and agencies have formally endorsed it. For example, the gender policy of the World Health Organization ("WHO") states that the "WHO will, as a matter of policy and good public health practice, integrate gender considerations in all facets of its work."[29] The policy indicates that the "integration of gender considerations, that is gender mainstreaming, must become standard practice in all policies and programmes."[30] This language is repeated in almost identical form in mission

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24. *Report of the Economic and Social Council for the Year 1997, supra* note 21, at 24.

25. *Id. See also Review of Economic and Social Council Agreed Conclusions 1997/2 on Mainstreaming of the Gender Perspective into All Policies and Programmes in the United Nations System*, E.S.C. Res. 2004/4, *reprinted in Resolutions and Decisions Adopted by the Economic and Social Council at its Substantive Session for 2004*, U.N. ESCOR, 2004 Substantive Sess., U.N. Doc. E/2004/INF/2/ADD.2 (2004).

26. *Review and Appraisal of the System-Wide Implementation of the Economic and Social Council's Agreed Conclusions on Mainstreaming a Gender Perspective Into All Policies and Programmes in the United Nations System: Report of the Secretary-General*, U.N. ESCOR, 2004 Substantive Sess., U.N. Doc. E/2004/59 (2004) [hereinafter *Appraisal of the System-Wide Implementation of 1997/2*].

27. *Id.* ¶ 10.

28. *Id.* ¶ 80.

29. WHO, WHO GENDER POLICY: INTEGRATING GENDER PERSPECTIVES IN THE WORK OF WHO 1 (2002), *available at* http://www.afro.who.int/drh/gender_women/gender_policy_cabinet_final.pdf (last visited Feb. 18, 2005).

30. *Id.*

statements from the U.N. Development Programme ("UNDP"), U.N. Edu-
cational, Scientific and Cultural Organization ("UNESCO"), the Food and Ag-
ricultural Organization ("FAO"), the World Bank, and the International
Labour Organization ("ILO").[31] Gender mainstreaming has also taken the
European Union by storm since its official adoption in 1996.[32] The Organi-
zation for Security and Cooperation in Europe and the Commonwealth have
endorsed the strategy.[33] It is now regularly adopted at the national level.[34]

## III. THE IMPACT OF GENDER MAINSTREAMING ON HUMAN RIGHTS

Feminist critiques of the international human rights system in the early
1990s argued that it had effectively become a structure to protect men's
rights.[35] Scholars argued that both the substance of human rights norms and
the institutions devised to protect them were skewed to give preference to
the lives of men. Non-government organizations also documented the in-
adequacies of the human rights canon with respect to women.[36] Perhaps
prompted by these developments, the Second World Conference on Human
Rights in 1993 accepted that the human rights of women should form "an
integral part of the United Nations human rights activities."[37] This com-
mitment was then translated into the language of gender mainstreaming at
the Beijing Conference.[38]

The gender mainstreaming strategy has affected the U.N. human rights
structures. For example, the Office of the High Commissioner for Human
Rights has reported on efforts to integrate gender into all human rights ac-
tivities, with the co-operation of the Division for the Advancement of
Women.[39] Approaches to "mainstream" gender perspectives in the U.N. human
rights system were developed in 1995 by a meeting of experts.[40] These ap-

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31. *See, e.g.*, ILO ACTION PLAN ON GENDER EQUALITY AND GENDER MAINSTREAMING (1999), *avail-able at* http://www.ilo.org/public/english/bureau/gender/newsite2002/about/action.htm (last visited Feb. 1, 2005).

32. *See* European Commission, *supra* note 23. *See also* Mark A. Pollack & Emilie Hafner-Burton, *Main-streaming Gender in the European Union*, 7 J. EUR. PUB. POL'Y 432 (2000); Jill Rubery, *Gender Mainstream-ing and Gender Equality in the EU: The Impact of the EU Employment Strategy*, 33 IND. REL. J. 500 (2002); Jill Rubery et al., *The Ups and Downs of European Gender Equality Policy*, 35 IND. REL. J. 603 (2004).

33. CHRISTINE CHINKIN, COMMONWEALTH SECRETARIAT (UK), GENDER MAINSTREAMING IN LE-GAL AND CONSTITUTIONAL AFFAIRS 1 (2001).

34. *See, e.g.*, FOREIGN & COMMONWEALTH OFFICE, *supra* note 18.

35. *See, e.g.*, HUMAN RIGHTS OF WOMEN: NATIONAL AND INTERNATIONAL PERSPECTIVES (Rebecca Cook ed., 1994).

36. *See, e.g.*, AMNESTY INTERNATIONAL, HUMAN RIGHTS ARE WOMEN'S RIGHTS (1995).

37. *Vienna Declaration and Programme of Action: Note by the Secretariat*, World Conference on Human Rights, Part I, ¶ 18, U.N. Doc. A/CONF.157/23 (1993); *see also id.* Part II, ¶ 37.

38. *See Beijing Platform for Action, supra* note 9.

39. *See The Question of Integrating the Human Rights of Women Throughout the United Nations System: Report of the Secretary-General*, U.N. ESCOR, 54th Sess., U.N. Doc. E/CN.4/1998/49 (1998); *Integration of the Human Rights of Women and the Gender Perspective, Report of the Secretary-General*, U.N. ESCOR, 60th Sess., ¶¶ 22–38, U.N. Doc. E/CN.4/2004/64 (2004).

40. *Report of the Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspec-tives into Human Rights Activities and Programmes*, U.N. ESCOR, 52nd Sess., U.N. Doc E/CN.4/1996/105

proaches were expressed in general terms and included the collection of "gender-disaggregated data," attention to "gender-specific aspects of [human rights] violations, as well as violations of the human rights of women," and the use of "gender inclusive" language. The Commission on Human Rights has adopted several resolutions over a number of years on "Integrating the Human Rights of Women Throughout the United Nations' System."[41] These resolutions expressed concern that the Vienna and Beijing calls for mainstreaming had little impact and renewed calls for all components of the U.N. human rights system to "regularly and systematically take a gender perspective into account in the implementation of their mandates."[42] The resolutions specified the responsibility of the human rights treaty bodies to integrate a gender perspective, with reference to "gender-sensitive guidelines" in reviewing states' reports, preparing general comments and issuing recommendations and concluding observations. ECOSOC and the Commission on Human Rights have also requested that the country-specific and thematic Special Rapporteurs, experts, and working groups include sex-disaggregated data in their reports, to address women-specific violations of human rights and to cooperate and exchange information with the Special Rapporteur on Violence Against Women.[43]

The response to calls for gender mainstreaming in the U.N. human rights system has been muted.[44] This is to some extent the product of the low representation of women in the system. For example, in 2004, women made up approximately 40% of the overall membership of the human rights treaty bodies,[45] but most of the women (74%) were concentrated in two committees: the Committee on the Elimination of Discrimination Against Women and the Committee on the Rights of the Child. The overall proportion of women in the other, mainstream committees was 15%. The call for greater participation by women, which is itself part of the gender mainstreaming strategy, has thus had little impact. Responsiveness to the gender mainstream-

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(1995).

41. *See, e.g.*, *Integrating the Human Rights of Women Throughout the United Nations System*, U.N. ESCOR, Comm'n on Hum. Rts., 54th Sess., 52d mtg, U.N. Doc. E/CN.4/1998/L.69 (1998); *Integration of the Human Rights of Women and the Gender Perspective*, U.N. ESCOR, Comm'n on Hum. Rts., 55th Sess., 55th mtg, U.N. Doc. E/CN.4/1999/L.51 (1999); *Integration of the Human Rights of Women and the Gender Perspective*, U.N. ESCOR, Comm'n on Hum. Rts., 56th Sess., 65th mtg, U.N. Doc. E/CN.4/2000/L.61 (2000).

42. *Integrating the Human Rights of Women Throughout the United Nations System*, U.N. ESCOR, Comm'n on Hum. Rts., 53d Sess., 57th mtg, ¶ 4, U.N. Doc. E/CN.4/1997/L.75 (1997).

43. For details of progress in this regard, see *The Question of Integrating the Human Rights of Women Throughout the United Nations System: Report of the Secretary-General, supra* note 39, ¶¶ 43–53; *Integration of the Human Rights of Women and the Gender Perspective, supra* note 39, ¶¶ 4–18.

44. For details of the response of all the human rights treaty bodies, see *The Question of Integrating the Human Rights of Women Throughout the United Nations System: Report of the Secretary-General, supra* note 39, ¶¶ 23–41. For a study of the period 1995–1997, see Anne Gallagher, *Ending the Marginalization: Strategies for Incorporating Women into the United Nations Human Rights System*, 19 HUM. RTS. Q. 283 (1997). For a survey of six of the treaty bodies' work in this area, see KUOVO, *supra* note 2, at 257–82.

45. *Integrating the Human Rights of Women Throughout the United Nations System: Report of the Secretary-General*, U.N. ESCOR, 61st Sess., U.N. Doc. E/CN.4/2005/68.

ing mandate seems to depend on the presence of at least one or two committee members who have a strong commitment to the issue. For example, the Committee on Economic, Social, and Cultural Rights has addressed the task of gender mainstreaming to a limited degree, at least insofar as it refers to the position of women in its Concluding Observations on states parties' reports and in its General Comments.[46] Gender mainstreaming appears in these contexts as exhortations to non-discrimination on the basis of sex and the inclusion of women in relevant decision-making, and as references to the special burdens women face with respect to access to the right in question. The Committee's reporting guidelines are uneven, however, with respect to women and gender issues. Some guidelines request information on the situation of women, but others do not. For example, the guidelines do not refer to the position of girls with respect to the right to free primary education.[47]

The Committee on the Elimination of Racial Discrimination ("CERD") was initially reluctant to refer to gender considerations in its Concluding Observations or General Recommendations. Indeed, the Chairman of CERD stated in 1996 that directives to integrate gender into states parties' reports were fundamentally misconceived."[48] In 2000, however, CERD adopted a General Recommendation on "the gender-related dimensions of racial discrimination."[49] The document is brief and desultory. It notes that racial discrimination may not always affect women and men in the same way. It then simply announces the intention of the Committee to "enhance its efforts to integrate gender perspectives, incorporate gender analysis and encourage the use of gender-inclusive language."[50] The General Recommendation also calls for gender-disaggregated data to be included in states parties' reports.[51] One result of the Recommendation was the Committee's revision of its guidelines to request states to include information in their reports about the situation of women.[52] Concluding Observations adopted by CERD since 2000 sometimes include a request for more information about the position of women, but they do not go beyond this to comment on the way that understandings of sex and gender affect racial discrimination.[53] Overall, the Committee's

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46. *See, e.g., General Comment No. 14: The Right to the Highest Attainable Standard of Health,* U.N. ESCOR, Comm. on Econ., Cultural, and Soc. Rts., 22nd Sess., Agenda Item 3, U.N. Doc. E/C.12/2000/4 (2000); *see also General Comment No. 15: The Right to Water,* U.N. ESCOR, Comm. on Econ., Cultural, and Soc. Rts., 29th Sess., Agenda Item 3, U.N. Doc. E/C.12/2002/11 (2002). *See* KOUVO, *supra* note 2, at 268–71, for analysis of the work of the Committee.

47. *See generally* Gallagher, *supra* note 44, at 301–02.

48. *Id.* at 304.

49. *Report of the Committee on the Elimination of Racial Discrimination,* U.N. GAOR, 55th Sess., Supp. No. 18, Annex V, at 152, U.N. Doc. A/55/18 (2000) (General Recommendation XXV).

50. *Id.*

51. *Id.* at 153.

52. International Convention on the Elimination of all Forms of Racial Discrimination, *adopted* Dec. 21, 1965, art. 19, ¶ 9, 660 U.N.T.S. 195 (entered into force Jan. 4, 1969).

53. *See, e.g., Concluding Observations of the Committee on the Elimination of Racial Discrimination, Albania, 63rd Sess.,* ¶ 20, U.N. Doc. CERD/C/63/CO/1 (2003). For other examples, see KOUVO, *supra* note 2, at 263–64.

approach to gender has been described as "inconclusive," and it has thus far failed to identify the gender-based aspects of racial discrimination.[54]

The Human Rights Committee, which monitors the International Covenant on Civil and Political Rights ("ICCPR"), has adopted some General Comments on articles of the treaty that express an interest in the position of women. The most explicit is General Comment 28 on Article 3 of the ICCPR, adopted in 2000.[55] This document examines each of the rights set out in the Covenant and comments on the way in which they might affect women's lives. In 1995, the Committee amended its reporting guidelines to request states parties to provide information on the position of women. The Committee is not, however, consistent in its concern about women or gender.[56] For example, a General Comment on torture adopted in 1996 did not examine the gendered dimensions of the right to be free from torture, although it did refer to the need for states parties to address the issue of the infliction of torture or cruel, inhuman, or degrading treatment by private actors.[57] A General Comment on article 4 of the ICCPR addressing derogation in times of emergency contains no reference to the position of women during public emergencies or the impact of gendered assumptions on the definition of an emergency.[58]

The Human Rights Committee has occasionally used its adoption of Concluding Observations to raise concerns about women's lives. For example, Concluding Comments on Peru's 1996 periodic report under the ICCPR drew attention to the criminalization of abortion even in cases of rape, which had resulted in "backyard" abortions becoming the major cause of maternal mortality. The Committee stated that "these provisions not only mean that women are subject to inhumane treatment but are possibly incompatible with articles 3 [the right of men and women to equal enjoyment of the rights set out in the ICCPR], 6 [the right to life] and 7 [the right to be free from torture and cruel, degrading and inhuman treatment] of the Covenant."[59] Generally, however, the Human Rights Committee confines itself to occasional questions and comments about the number of women in public life and seeks more statistical information on women.[60] There is little evidence of more probing questions about the impact of gender on the enjoyment of human rights.

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54. KOUVO, *supra* note 2, at 264.

55. *General Comment 28 on Article 3 of the ICCPR: Equality of Rights Between Men and Women*, U.N. CCPR, Hum. Rts. Comm., 68th Sess., U.N. Doc. CCPR/C/21/Rev.1/Add.10 (2000).

56. Jane Connors, *General Human Rights Instruments and their Relevance to Women*, in ADVANCING THE HUMAN RIGHTS OF WOMEN: USING INTERNATIONAL HUMAN RIGHTS STANDARDS IN DOMESTIC LITIGATION 27, 33 (Andrew Byrnes et al. eds., 1997).

57. *General Comment 7 on Article 7 of the ICCPR, reprinted in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies*, U.N. Doc. HRI/GEN/1/Rev.2 (1996).

58. *General Comment 28 on Article 3 of the ICCPR: Equality of Rights Between Men and Women, supra* note 55, ¶ 7.

59. Christine Ainetter Brautigam, *Mainstreaming a Gender Perspective in the Work of the United Nations Human Rights Treaty Bodies*, 91 AM. SOC'Y INT'L L. PROC. 389, 393 (1997).

60. *See, e.g., List of Issues to be Taken Up in Connection with the Consideration of the Fifth Periodic Report of Morocco*, U.N. CCPR, Hum. Rts. Comm., 81st Sess., U.N. Doc. CCPR/C/82/L/MAR (2004).

The records of the annual meetings of the Chairpersons of the human rights treaty bodies suggest that there is no regular discussion of gender mainstreaming.[61] Draft guidelines on states parties' reports to the treaty bodies adopted by the Chairpersons in June 2004 also do not refer to the strategy of gender mainstreaming.[62] The Commission on Human Rights has regularly called for the integration of women's human rights into the work of the Special Rapporteurs on human rights.[63] The reports of these experts suggest, however, a resistance to, or misunderstanding of, gender mainstreaming. At best, they may give information about individual cases where women were victims of human rights abuses, but there is no analysis of the relationship between these harms and women's status in public and private life.[64] The Special Rapporteurs also tend to use and refer to the category of "women and children," reinforcing women's identity and value as mothers.[65] Indeed, by far the most significant Special Rapporteur with respect to women and gender is the specialized Special Rapporteur on the Elimination of Violence against Women.[66] Few women are appointed to the "mainstream" Special Rapporteur positions, despite constant calls for better representation.[67] Gender mainstreaming is most often understood as requiring attention to how many women were affected by the right or situation in question.[68] Information about women, for example in the reports of successive Special Rapporteurs on the Situation of Human Rights in Afghanistan, has tended to be brief and broad-brushed, involving general statements without any analysis.[69] Overall, attention to questions of women and gender in the U.N. human rights system has been haphazard. At best, there is attention to the position of women in particular contexts, mainly in statistical terms, but there is no attempt to understand the way in which stereotypes about sex and gender

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61. *See, e.g., Report of the Chairpersons of the Human Rights Treaty Bodies on their Sixteenth Meeting*, U.N. GAOR, 59th Sess., Provisional Agenda Item 107(a), ¶¶ 23–25, U.N. Doc. A/59/254 (2004).

62. *Guidelines on an Expanded Core Document and Treaty-Specific Targeted Reports and Harmonized Guidelines on Reporting Under the International Human Rights Treaties: Report of the Secretariat*, Sixteenth Meeting of Chairpersons of the Human Rights Treaty Bodies, U.N. Doc. HRI/MC/2004/3 (2004).

63. *See The Question of Integrating the Human Rights of Women Throughout the United Nations System, supra* note 39. *See also Letter Dated 21 March 1997 from the Director of the United Nations Development Fund for Women Addressed to the Chairman of the Commission on Human Rights*, Annex: Integration of Women's Human Rights into the Work of the Special Rapporteurs, U.N. ESCOR, 53d Sess., Agenda Item 9(a), U.N. Doc. E/CN.4/1997/131 (1997).

64. *Id.* ¶ 14.

65. *Id.* ¶ 18.

66. *Integrating the Rights of Women into the Human Rights Mechanisms of the United Nations*, U.N. ESCOR, Comm'n on Hum. Rts., Res. 1994/45, ¶ 6, U.N. Doc. E/CN.4/1994/L.8/Rev.1 (1995) (commissioning the position of Special Rapporteur on the Elimination of Violence Against Women). For an example of an annual report of the Special Rapporteur, see *Integration of the Human Rights of Women and the Gender Perspective, Violence Against Women*, U.N. ESCOR, Comm'n on Hum. Rts., U.N. Doc. E/CN.4/2004/66 (2003).

67. Of seventeen Special Rapporteurs currently listed on the website of the Commission on Human Rights, five are women. Similarly, few women are members of the Commission on Human Rights working groups. *See* U.N. OHCHR, Fact Sheet 27, at 6, *available at* http://www.ohchr.org/english/about/publications/docs/factsheet27.pdf (last visited Feb. 21, 2005).

68. KOUVO, *supra* note 2, at 235–36.

69. *Id.* at 248–51.

roles can affect the human right in question. Violations of women's human rights are typically presented as an aspect of women's inherent vulnerability, as if this attribute were a biological fact.

## IV. THE VALUE OF GENDER MAINSTREAMING

This overview of how the strategy of gender mainstreaming is being used in the U.N. human rights system illustrates more general problems with use of the concept as a tool of progressive reform.

### A. Institutional Impact

Almost a decade of gender mainstreaming practice has revealed its limited impact. Although it has not been difficult to encourage the adoption of the vocabulary of mainstreaming, there is little evidence of monitoring or follow-up. A consistent problem for all the organizations that have adopted gender mainstreaming is the translation of the commitment into action. Progress is variable and there are signs of gender mainstreaming fatigue within the U.N., caused by a lack of adequate training and support.[70]

In the most readily measurable area, the United Nations' employment of women in professional and managerial posts, progress has been glacial. In 2004, women held 37.4% of these positions. The annual growth rate toward the fifty percent target (originally mandated to be achieved through gender mainstreaming by 2000) is predicted to be 0.4%. On top of this slow growth, there is a considerable hierarchy based on sex. On June 30, 2004, women held 83.3% of positions at the lowest professional level, P-1, but just 16.7% at the highest staff level, Under–Secretary-General.[71]

Gender mainstreaming in practice has encountered sustained resistance. For example, a review of gender mainstreaming policy as implemented under the UNDP, World Bank, and ILO found inadequate budgeting for the gender components of projects, insufficient development of analytical skills, poor supervision of the implementation of gender components, and a general lack of political commitment both within the organization and at the country level.[72] At the World Bank, proponents of gender mainstreaming projects have been required to provide meticulous evidence of potential efficiency gains before they could proceed.[73] Another barrier to gender mainstreaming identified in

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70. *See id.* at 179–80; *Appraisal of the System-Wide Implementation of 1997/2, supra* note 26.

71. *See Improvement of the Status of Women in the United Nations System: Report of the Secretary-General,* UNGAOR, 59th Sess. U.N. Doc. A/59/357 (2004).

72. Shahra Razavi & Carol Miller, *Gender Mainstreaming: A Study of Efforts by the UNDP, the World Bank and the ILO to Institutionalize Gender Issues,* Occasional Paper 4, United Nations Research Institute for Social Development, at 65 (1995), *available at* http://www.unrisd.org/unrisd/website/document.nsf/0/FC107B 64C7577F9280256B67005B6B16?OpenDocument (last visited Feb. 26, 2005). *See also Appraisal of the System-Wide Implementation of 1997/2, supra* note 26.

73. Razavi & Miller, *supra* note 72, at 66; *see also* World Bank, *Integrating Gender in the World Bank's Work: A Strategy for Action* (2002), *available at* http://siteresources.worldbank.org/INTGENDER/Resources/ strategypaper.pdf (opening its analysis with "The Business Case for Mainstreaming Gender") (last visited

the European Union, and equally applicable to the United Nations, is the fact
that the concept is not easy to translate into languages other than English. Be-
cause all language groups are forced to use the English term, the concept faces
"uncontrollable currents of resistance unrelated to gender."[74] In the context of
the United Nations, opposition includes resentment of the domination of the
institutional agenda by English-speaking nations such as the United States.

The story of a fish farming project run by the U.N.'s Food and Agricultural
Organization ("FAO") in sub-Saharan Africa shows how easily "gender issues"
can end up being marginalized.[75] The failure of the project, which identified
gender mainstreaming as a prominent goal, did not result simply from male
resistance or organizational inadequacies. Rather, the interpretation of the gen-
der mandate came to vary greatly among the stakeholders in the project, from
those in the FAO in Rome to field workers and local farmers in Africa. Gender
is not an easily transmissible technical concept and can also be very threatening
to those already holding power. In the FAO project, "gender policy" became
radically simplified. In the field, it ended up consisting of little more than col-
lection of information on the numbers of women involved in fish farming and
the goal of including more, without any thought to revising technical plan-
ning. Local project workers could not understand the pressure to include women
in farming projects and resented it as irrelevant and inconvenient.[76]

Another example of the difficulties in implementing a "gender" mandate
is the case of the U.N. Transitional Administration in East Timor ("UN-
TAET"). UNTAET was established by the U.N. Security Council, which in
a historic move called for the inclusion of gender specialists on its staff.[77] There
was institutional reluctance, however, to establish a dedicated gender affairs
unit ("GAU") because of budget priorities.[78] The unit was only established
after high-level intervention by two senior women U.N. officials, Angela
King and Mary Robinson, but the GAU was not even given its own opera-
tional budget. It suffered from an ill-defined and obscure mandate, poor
funding, marginalization, and lack of institutional support. There was little
evidence of attention to gender issues in UNTAET outside the small GAU
office.[79] Despite some important initiatives undertaken by the GAU, for
example, the analysis of regulations proposed by UNTAET for their respon-

Feb. 12, 2005).

74. Alison Woodward, *Gender Mainstreaming in European Policy: Innovation or Deception?*, Wissen-
schaftszentrum Berlin fur Sozialforschung [Science Center for Social Research], Discussion Paper FS I 01-
103, at 15 (2001). *See also* KOUVO, *supra* note 2, at 165–71 (discussing the problems of translating the
word "gender").

75. Elizabeth Harrison, *Fish, Feminists and the FAO: Translating "Gender" Through Different Institutions
in the Development Process, in* GETTING INSTITUTIONS RIGHT FOR WOMEN IN DEVELOPMENT 61 (Anne
Marie Goetz ed., 1997).

76. *Id.* at 69–71.

77. S.C. Res. 1272, U.N. GAOR, 54th Sess., ¶ 15, U.N. Doc. S/Res/1272 (1999).

78. *See* Hilary Charlesworth & Mary Wood, *Women and Human Rights in the Rebuilding of East Timor*, 71
NORDIC J. INT'L L. 325, 340 (2002).

79. *Id.* at 340–46.

siveness to women's needs and interests, the obstacles it faced suggest that the policy of gender mainstreaming can quickly become a token exercise. To be taken seriously, gender mainstreaming in peace operations requires priority in planning, partnership between the U.N. and local groups, secure and adequate provision of resources, and an understanding that gender issues are as much about men as about women.

Very little work appears to have been undertaken in measuring the progress of gender mainstreaming: how do we know when gender concerns have been swept out of the side currents into the mainstream? Assessments of such progress tend to be imprecise and impressionistic.[80] Although "mainstreaming" appears to have had limited impact, the existence of this policy has nevertheless served to justify the reduction of resources for specialized women's units within U.N. agencies. Such reductions have also occurred in the European Union. For example, in 1998, the European Parliament's Commission on the Rights of Women was almost disbanded based on an argument that, because of gender mainstreaming policies, it no longer had a function.[81]

## B. *Definition of Gender Mainstreaming*

The notion of gender mainstreaming is both too broad and too narrow to serve as a useful tool in the international arena. In one sense, it has become an almost meaningless term. The 1997 ECOSOC definition, set out above, is so wide and inclusive that it is difficult to see how it can work. If gender mainstreaming is "the process of assessing the implications for women and men of any planned action," how can we assess what it means in any context and how does it call for anything different from a standard assessment of impact?

On the other hand, the ECOSOC definition is also a very narrow one: it reads as if animated by the conception of equality as equal treatment of women and men, assuming symmetry of position between women and men. It does not address the complex way in which gender is created and sustained by social and power relations. Treating women and men as though they face similar obstacles will only perpetuate existing disparities between them; and treating women and men as if their interests are always in sharp confrontation offers an impoverished account of relations between the sexes. In some accounts of gender mainstreaming, the strategy has simply become a head count of women in particular positions, a modest variation on the "equal opportunity" agenda.[82] While increasing women's participation in institutions is important, it does not of itself change institutional agendas.

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80. Emilie Hafner-Burton & Mark Pollack, *Mainstreaming Gender in Global Governance*, 8 EUR. J. INT'L REL. 339, 364 (2002). An example of this impressionistic style of measurement is the *Appraisal of the System-Wide Implementation of 1997/2*, *supra* note 26.

81. Woodward, *supra* note 74, at 22–23.

82. *Id.* at 22.

Moreover, the definition of gender mainstreaming in international institutions contemplates a limited sphere for its operation. It is regarded as primarily relevant to policy development in particular areas, such as development, human rights, and some aspects of labor markets. Other fields appear immune to gender-based scrutiny. For example, the European Union has not extended gender mainstreaming to competition policy.[83] Within the United Nations, most areas of law have been treated as if they were impervious to concerns of gender: gender mainstreaming mandates have not been given to either the International Law Commission or the International Court of Justice. The Statute of the International Criminal Court refers to "gender" in the definition of some of the crimes within the Court's jurisdiction, but defines it in a curiously restrictive way.[84]

Perhaps the most fundamental problem with the strategy of gender mainstreaming is that it rests on an insipid and bland concept of gender that has little cutting edge. In some contexts, the U.N. has followed the "second wave" of feminist thought in drawing a clear distinction between the concepts of "sex" and "gender."[85] It has thus defined sex as a matter of biology and gender as the constructed meaning of sex, and the designation of social roles.[86] This distinction has now come under scrutiny from feminist scholars, who have questioned whether the category of "sex" can be regarded as natural and uncontentious.[87]

In the case of gender mainstreaming, however, the sex/gender distinction has been elided. U.N. gender mainstreaming policies assume that "gender" is a synonym for women. This usage is evident in the influential ECOSOC definition, quoted above, and the work of the human rights system.[88] This

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83. Pollack & Hafner-Burton, *supra* note 32, at 447.

84. ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT, July 17, 1998, 37 I.L.M. 999 (1998) [hereinafter ROME STATUTE].

85. *See* Nicola Lacey, *Feminist Legal Theory and the Rights of Women, in* GENDER AND HUMAN RIGHTS 13, 14–15 (Karen Knop ed., 2004).

86. For example, The Office of the High Commissioner for Human Rights states:
   The distinction between the terms sex and gender is widely accepted. The term gender refers to how women and men are perceived and expected to think and act in a particular socio-economic, political and cultural context. Gender can be affected by other factors, such as age, race, class, or ethnicity. It is therefore, a socially defined or constructed expectation regarding roles, attitudes and values which communities and societies ascribe as appropriate for one sex or the other, in the "public" and "private" domain. The term sex, on the other hand, refers to the biological differences between women and men. Thus, gender differences exist because of the way society is organized, not because of biological differences.
U.N. OHCHR, *Women's Rights are Human Rights*, Introduction n.1, *at* http://www.unhchr.ch/html/menu2/womenpub2000.htm (last visited Feb. 5, 2005) (explaining the concept of "gender"). *See also Report of the Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives into Human Rights Activities and Programmes, supra* note 40, ¶¶ 13–14.

87. *See, e.g.*, Margaret Davies, *Taking the Inside Out: Sex and Gender in the Legal Subject, in* SEXING THE SUBJECT OF LAW 25, 27 (Ngaire Naffine & Rosemary Owens eds., 1997).

88. Another example of the reduction of gender to sex is found in FOREIGN & COMMONWEALTH OFFICE, *supra* note 18. The ten "quick steps" to mainstream gender it offers include checking that publicity photos used by United Kingdom diplomatic missions abroad "are not overwhelmingly of one sex" and inviting high profile men to launch women's sporting events. *Id.*

elision causes a number of problems. First, it links gender with biology, implying that gender is a fixed, objective fact about a person. It does not capture the ways in which gender is constructed in a particular society so as to make some actions seem natural and others controversial. It reaffirms the "naturalness" of female/male identities and bypasses the performative aspects of gender. Reading gender to be essentially about women does not capture the relational nature of gender, the role of power relations, and the way that structures of subordination are reproduced.[89] Such a narrow conception allows problems facing women to be understood as the product of particular cultures, lack of participation in public arenas, or lack of information or skills, and obscures the way that gender shapes our understanding of the world. It requires women to change, but not men. Most significantly, the association of the term "gender" primarily with women leaves both the roles of men and male gender identities unexamined, as though they were somehow natural and immutable.

An example of the depoliticization of the notion of gender is Security Council Resolution 1325 adopted on October 13, 2000. This resolution adds to a growing body of U.N.-sponsored declarations linking the attainment of peace and security with the achievement of equality between women and men and advocating that a "gender perspective" permeate all peace missions.[90] Many feminists have hailed Resolution 1325 as a significant success story for gender mainstreaming.[91] The commitment to gender mainstreaming as an integral aspect of all U.N. peace operations has indeed met no formal opposition from states. But what is a "gender perspective" in peace negotiations? Security Council Resolution 1325 defines it as giving attention to the special needs of women and girls during repatriation, supporting local women's peace initiatives, and protecting the human rights of women and girls in any new legal order. In this sense, Resolution 1325 presents gender as all about women and unconnected with masculine identities in times of conflict and the violent patterns of conduct that are accepted because they are coded as male. Ideas about gender are central to the way that international conflicts are identified and resolved,[92] but these assumptions are left untouched in the resolution. The U.N. Secretary-General's recent report on the implementation of Resolution 1325 similarly understands gender as essentially about

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89. Sally Baden & Anne Marie Goetz, *Who Needs {Sex} When You Can Have {Gender}?*, 56 FEMINIST REV. 3, 7 (1997).

90. *See, e.g.*, *Windhoek Declaration: The Namibia Plan of Action on "Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations,"* (May 31, 2000) (adopted at seminar on "Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations," in Windhoek, Namibia), *available at* http://www.reliefweb.int/library/GHARkit/FilesFeb2001/windhoek_declaration.htm.

91. *See, e.g.*, Jacqui True, *Mainstreaming Gender in Global Public Policy*, 5 INT'L FEMINIST J. POL. 368, 373 (2003).

92. Carol Cohn, *Wars, Wimps and Women: Talking Gender and Thinking War, in* GENDERING WAR TALK 227 (M. Cooke & A. Woollacott eds., 1993); Hilary Charlesworth & Christine Chinkin, *Sex, Gender and September 11*, 96 AM. J. INT'L L. 600, 604 (2002).

women, or, the even narrower meaning of "women and children."[93] "Gender perspectives" become, in the bureaucratese of the U.N., "the need to prioritize the proactive role women can play in peace-building,"[94] or "to take into consideration the special needs of women and girls,"[95] or increasing the number of women in national and international military forces.[96]

## V. CONCLUSION

The deployment of the language of gender mainstreaming in the area of human rights may appear successful, at least if measured by its omnipresence. The rapid spread of the concept, however, may also suggest its ambiguities, weakness, and lack of bite. Gender mainstreaming in the human rights field has been a mixed success, with institutional inertia and resistance effectively confining its impact to a rhetorical one. It has not led to any investigation of the gendered nature of international institutions themselves or any call for effective organizational change.

The technique of gender mainstreaming has stripped the feminist concept of "gender" of any radical or political potential. Gender has been defanged. Ironically, the term "gender" remains keenly contested internationally. In the negotiations leading up to the adoption of the Beijing Platform for Action, for example, there was great controversy over the use of the word "gender." Some countries were concerned that it might be understood as including homosexuality and even bestiality. An informal contact group of sixty states was established to devise an acceptable definition of the term. Annex IV to the Beijing Platform for Action contains the results of the contact group's deliberations. It states:

> Having considered the issue thoroughly, the contact group noted
> that: (1) the word "gender" had been commonly used and under-
> stood in its ordinary, accepted usage in numerous other United
> Nations forums and conferences; (2) there was no indication that
> any new meaning or connotation of the term, different from ac-
> cepted prior usage, was intended in the Platform for Action. Ac-
> cordingly, the contact group reaffirmed that the word "gender" as
> used in the Platform for Action was intended to be interpreted and
> understood as it was in ordinary, generally accepted usage.[97]

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93. *Women and Peace and Security: Report of the Secretary-General*, S.C. Res. 1365, U.N. Doc. S/2004/814 (2004).
94. *Id.* ¶ 13.
95. *Id.* ¶ 48.
96. *Id.* ¶ 90.
97. *Annex IV: Statement by the President of the Conference on the Commonly Understood Meaning of the Term "Gender," in* 218 REPORT OF THE FOURTH WORLD CONFERENCE ON WOMEN, BEIJING, 4–15 SEPTEMBER, 1995, U.N. Doc. A/CONF.177/20/REV.1, U.N. Sales No. 96.IV.13 (1996).

Given that the term "gender" is mainly used as a synonym for "woman" and "sex" in the Platform for Action, it is unclear whether Annex IV was designed to eliminate the possibility that gender might refer to socially constructed feminine and masculine roles. An interpretative statement recorded by the Holy See, the government of the Catholic Church, makes this understanding explicit:

> The term "gender" is understood by the Holy See as grounded in biological sexual identity, male or female. Furthermore, the Platform for Action itself clearly uses the term "Both genders."
>
> The Holy See thus excludes dubious interpretations based on world views which assert that sexual identity can be adapted indefinitely to suit new and different purposes.
>
> It also dissociates itself from the biological determinist notion that all the roles and relations of the two sexes are fixed in a single, static pattern.[98]

Debates over the meaning of "gender" were also prominent in the drafting of the Statute of the International Criminal Court. Islamic and Catholic states were adamant that the term should not be construed to include homosexuality.[99] The term was eventually defined as simply "the two sexes, male and female, within the context of society."[100]

The tale of gender mainstreaming and human rights illustrates the problem facing the use of feminist concepts once they are let loose in institutional and policy arenas. One issue is that as gender becomes mainstreamed, institutionally respectable, and more fundable, the area can be taken over by statisticians and economists who see gender as "an interesting statistical variable" but not a defining one.[101] Another problem, described by Nicola Lacey, concerns the complex interdependence of institutions, which can retard reform endeavors in any one single institution.[102] Lacey notes:

> Interventions within one set of practices often have unseen and sometimes adverse implications for others. And a concrete and specific attempt to redress . . . an imbalance of power in one area of social practice is unlikely to be successful if the configurations of power which it tries to reshape in fact characterize all or most of

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98. Pope John Paul II, Holy See's Final Statement at Women's Conference in Beijing (Sept. 15, 1995) (transcript *available at* http://www.udayton.edu/mary/resources/12holysee.html).

99. Cate Steains, *Gender Issues in the Statute of the International Criminal Court, in* THE INTERNATIONAL CRIMINAL COURT: THE MAKING OF THE ROME STATUTE—ISSUES, NEGOTIATIONS, RESULTS 357 (Roy Lee ed., 1999).

100. ROME STATUTE, *supra* note 84.

101. Baden & Goetz, *supra* note 89, at 7.

102. Lacey, *supra* note 85, at 45.

the social institutions which go to make up the relevant environ-
ment.[103]

This observation suggests that a commitment to gender mainstreaming in
one area of international institutional activity can be undermined by general
structures of power that are based on hierarchies of sex and gender. The tam-
ing of the concept of gender in the strategy of gender mainstreaming should
not, then, surprise. The notion of the "mainstream" is, after all, a conserva-
tive one. Its standard definition is "the ideas, attitudes, or activities that are
regarded as normal or conventional: the dominant trend in opinion, fashion,
or the arts."[104] Women, so often on the margins of the international arena,
are more likely to drown in, than wave from, the mainstream, unless they swim
with the current.

Changing the course of the mainstream requires more radical and difficult
interventions. Such a change would require a redefinition of the strategy of
gender mainstreaming so that its focus is on the complexity of gender rela-
tions in specific contexts. It must mean more than allowing women into
international institutions; it must require transforming the structures and
assumptions of the international order. It would involve working to change
men's behavior as much as women's. It would also require understanding the
relationship between critique, utopian thought, and policy reform.[105] In-
deed, the force of the term "gender mainstreaming" may now be so dissipated
that a new term is required. Gender mainstreaming connects the "rational"
tools of public administration to the "irrational" transformative goal of eradicat-
ing sexual inequality.[106] This linkage may be doomed to fail, and it may be
more profitable to identify less bureaucratic strategies to respond to inequal-
ity between women and men. This strategy will require re-grouping and
reflection on the less comfortable periphery, on the banks of the mainstream.

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103. *Id.*
104. NEW OXFORD DICTIONARY 1115 (1998).
105. Lacey, *supra* note 85, at 46.
106. Woodward, *supra* note 74, at 12.