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Transnational Human Rights and Local Activism: Mapping the Middle

ABSTRACT How do transnational ideas such as human rights approaches to violence against women become meaningful in local social settings? How do they move across the gap between a cosmopolitan awareness of human rights and local sociocultural understandings of gender and family? Intermediaries such as community leaders, nongovernmental organization participants, and social movement activists play a critical role in translating ideas from the global arena down and from local arenas up. These are people who understand both the worlds of transnational human rights and local cultural practices and who can look both ways. They are powerful in that they serve as knowledge brokers between culturally distinct social worlds, but they are also vulnerable to manipulation and subversion by states and communities. In this article, I theorize the process of translation and argue that anthropological analysis of translators helps to explain how human rights ideas and interventions circulate around the world and transform social life. [Keywords: human rights, translation, globalization, legal anthropology, transnationalism]

HOW ARE TRANSNATIONAL IDEAS such as human rights approaches to violence against women adopted in local social settings? How do they move across the gap between a cosmopolitan awareness of human rights and local sociocultural understandings of gender, family, and justice? Ethnographic research shows that human rights ideas and practices developed in one locality are being adopted or imposed transnationally in a variety of ways. Legal documents and policy statements produced in transnational sites such as UN conferences circulate globally through the work of movement activists and states. Although the historical foundations of human rights and much of their content are Western, they are currently important for social justice movements in many parts of the world. Groups such as indigenous peoples, ethnic minorities, and women (e.g., Cowan et al. 2001), as well as military officials and government employees in Columbia and the United States (Tate 2004), use human rights language and techniques. Mark Goodale (2002) describes a local activist in rural Bolivia who delivers a long lecture on women's human rights to each couple he marries. Celestine Nyamu-Musembi (2002) shows how women's human rights claims to land ownership affect local administrative forums in Kenya. Hussaina J. Abdullah (2002:152–153) describes the growth of human rights and civil liberties activism in Nigeria while noting that the religious revivalism and authoritarian state feminism emerging at the same time have re-

inforced patriarchal structures, undermining the challenges posed by the explosion in human rights activism.

There is also active resistance to these human rights claims by elites who fear loss of power, states unwilling to have their activities exposed, and men who want to retain their authority over women. Some local justice officials find that human rights ideas undermine their capacity to deliver justice in ways that they find reasonable. For example, Shannon Speed and Jane Collier (2000) describe the conflicts between understandings of justice shared by judges in an indigenous community in Mexico and those of human rights advocates who criticize local justice. Marilyn Strathern (2004:201–206) discusses a similar conflict in Papua New Guinea: A woman acquiesced to being given in marriage to another tribal group in compensation for a death, but human rights activists objected that this was a violation of fundamental human rights and persuaded a judge to overturn the settlement. The judge sought to promote a vision of modernity based on choice. Women's groups in northern Nigeria that talk about implementing women's rights increasingly refer to women's rights under Shari'a rather than under international human rights law, which does not challenge gender inequality (Abdullah 2002:169–171). Local leaders in many parts of the world resist the human rights claims of subordinated groups by asserting that this is an alien, Western import not suited to local normative systems, a position framed most strongly in the

claim that “Asian values” are distinct from human rights (see Bauer and Bell 1999).

In this article, I explore the practice of human rights, focusing on where and how human rights concepts and institutions are produced, how they circulate, and how they shape everyday lives and actions. It is part of a move within anthropology to skirt the universalism–relativism debate, which preoccupied anthropologists in the 1990s, and to focus instead on the social processes of human rights implementation and resistance. It does not debate the universality of human rights or the theoretical opposition between culture and rights. Instead of asking if human rights are a good idea, it explores what difference they make (see Cowan et al. 2001; Rajagopal 2003; Wilson 1997).

Understanding how human rights circulate and are transplanted raises larger questions about how cultural life is changing in response to globalization and its deepening inequalities in wealth and power. It is not clear how the spread of human rights institutions and discourses is reshaping these inequalities. Is human rights law simply a strategic weapon used by powerful groups to legitimate their power grabs—a window dressing for *real politik*? Is it a form of neoimperialism by which the West claims to save the benighted, savage peoples of the rest of the world while actually pursuing its own interests? Is it increasing global cultural homogeneity by introducing a discourse of social justice based on rights rather than reconciliation or responsibility, foregrounding individuals at the expense of communities? To what extent does it provide an emancipatory tool for vulnerable people such as women, racial minorities, or indigenous peoples? To what extent does it contribute to diminishing the oppressive control that community leaders or the state exercise over the marginalized and poor? Are there ways it promotes social equality, the rule of law, and protection against the ravages of the market? Does it help women contest the structures of patriarchy that govern their lives? Clearly, there are no simple answers to these pressing questions, but in this article, I seek to develop an analytical framework for studying the localization of human rights that facilitates addressing these questions.

In this article, I use empirical examples of the appropriation of women’s human rights to analyze the process by which human rights are remade in the vernacular, contributing to the development of an ethnography of the practice of human rights. Women’s human rights are a distinctive facet of human rights in that they are still new and regarded as marginal by many human rights institutions. The central focus of women’s rights activism has been on violence against women. The causes of this violence are social, economic, and political, often involving poverty, displacement, armed conflict, and state policies, but the human rights system conceptualizes violence against women largely as individual injuries. Indeed, feminists have long been skeptical about rights approaches to gender violence because of the narrow conception of the problem embedded in this discourse.

As ideas from transnational sources travel to small communities, they are typically *vernacularized*, or adapted to local institutions and meanings. The concept of “vernacularization” was developed to explain the 19th-century process by which national languages in Europe separated, moving away from the medieval transnational use of Latin and creating a new and more differentiated sense of nationhood in Europe (Anderson 1983). Human rights language is similarly extracted from the universal and adapted to national and local communities. The term *indigenization* refers to shifts in meaning—particularly to the way new ideas are framed and presented in terms of existing cultural norms, values, and practices. Indigenization is the symbolic dimension of vernacularization. It is commonly used in development programs as well as human rights implementation. For example, Kim Berry (2003:86–87) describes how, in India, a nongovernmental organization (NGO) that focuses on women’s development employs slides of pre-Aryan goddesses to develop a concept of “feminine spiritual power,” or *shakti*, as a way for women to imagine their power to contest all forms of oppression. The NGO staff members interweave practices and discourses from the locality, from elsewhere in the country, and from outside India to produce a hybrid feminist discourse of *shakti*. This discourse produces new subjectivities that are embraced by members and negotiated along with prior ones (Berry 2003: 94–96).

A key dimension of the process of vernacularization is the people in the middle: those who translate the discourses and practices from the arena of international law and legal institutions to specific situations of suffering and violation. Intermediaries or translators work at various levels to negotiate between local, regional, national, and global systems of meaning. Translators refashion global rights agendas for local contexts and reframe local grievances in terms of global human rights principles and activities. However, the source of global ideas and institutions is usually another locality that has developed an idea or practice that is translated into a form that circulates globally and is then transplanted into another locality. This work is done by actors who move between the discourses of the localities they work with, taking ideas from one place and redefining them or adapting them to another.¹ Multiple translators connect transnationally circulating discourses and particular social contexts.

The term *local* is, of course, deeply problematic here, as is its oppositional twin *global*. In the context of discussions of transnationalism, *local* tends to stand for a lack of mobility, wealth, education, and cosmopolitanism, as well as recalcitrant particularity, whereas *global* encompasses the ability to move across borders, to adopt universal moral frameworks, and to share in the affluence, education, and cosmopolitan awareness of elites from other parts of the world. Thus, social class, education, travel, and transnational consciousness blend with geography in defining these terms. Clearly, the cluster of ideas evoked by *local* and *global* goes far beyond spatial referents. Their wider array of meanings

is relevant to understanding the process of localizing human rights. Despite considerable critique of the use of the terms *global* and *local* and numerous studies that show that things we call “global” are often circulating locals, these terms have a recalcitrant tendency to shape discussions of transnational phenomenon.

Translators are both powerful and vulnerable. They work in a field of conflict and contradiction, able to manipulate others who have less knowledge than they do but still subject to exploitation by those who installed them. As knowledge brokers, translators channel the flow of information but they are often distrusted, because their ultimate loyalties are ambiguous and they may be double agents. They are powerful in that they have mastered both of the discourses of the interchange, but they are vulnerable to charges of disloyalty or double-dealing. Their translation skills can undermine the communities they represent, as in the famous cases of La Malinche and Sacajawea. They usually have greater knowledge and commitment to one side than the other. Translation takes place within fields of unequal power. Translators’ work is influenced by who is funding them; their ethnic, gender, or other social commitments; and institutional frameworks that create opportunities for wealth and power. They may have greater interest in the source than the target of the transaction or vice versa. Moreover, translators work within established discursive fields that constrain the repertoire of ideas and practices available to them.

Translators are not always successful. New ideas and practices may be ignored, rejected, or folded into preexisting institutions to create a more hybrid discourse and organization. Or they may be subverted: seized and transformed into something quite different from the transnational concept, out of the reach of the global legal system but nevertheless called by the same name. Some of those who talk about women’s human rights under Shari’a in northern Nigeria, for example, envision a different set of rights from those articulated in international human rights conventions. The leader of an Islamic women’s organization in northern Nigeria told me that one reason women suffer fistula problems from protracted childbirth is that when their husbands are away they cannot get permission to leave the house to seek medical care. They teach young women that they have rights under Shari’a to leave the house under these circumstances, but they do not talk about women’s human rights under international law. In the context of the recent politicized expansion of Shari’a criminal law in many northern Nigerian states, references to women’s rights under Shari’a are more likely to be accepted than human rights arguments. In this context, women’s human rights become women’s rights under Shari’a.

WOMEN’S HUMAN RIGHTS

Violence against women has been a key issue for women’s movements in many parts of the world, but only recently

has it been defined as a human rights violation. The battered women’s movement that began in Europe and North America in the 1970s sought to improve the position of women through a variety of social interventions such as counseling, shelters, and the strengthening of laws and enforcement practices at the local and national level (Schechter 1982). Similar movements focusing on violence against women developed in other parts of the world at the same time (see Basu 1995; Butalia 2002). After a decade of mobilization and pressure, in 1993 women’s groups succeeded in persuading the world conference on human rights in Vienna to declare that women’s rights are human rights (Friedman 1995). The Fourth World Conference on Women in 1995, often called the “Beijing Conference,” produced an influential policy document, “The Platform for Action,” which defined violence against women and women’s human rights as two of 12 key areas for action from governments, the international community, and civil society (United Nations 1996:33–34; see also Riles 1998). The major women’s human rights convention, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), included this issue with a new general recommendation in 1992. Many women’s groups around the world worked to establish the idea that violence against women is a human rights violation, but battered women’s groups still put priority on providing shelter and social services to battered women, passing national laws against domestic violence, enhancing the criminal justice response, and raising public awareness of the problem.

Although it had begun earlier, during the 1990s and 2000s, core human rights principles concerning women spread more extensively from their global sites of production in New York and Geneva to local settings around the world. How did these ideas travel? What are the paths by which human rights ideas become relevant to local settings? How are states, the entities responsible for enforcing human rights and often the major violators, involved in the process? The intense debates between universalists and relativists of the 1990s highlighted the question of how human rights ideas move across cultural contexts. Universalists claimed that human rights are powerful because of their universality and should be adopted in all cultural contexts despite differences from local normative systems, whereas relativists argued that human rights ideas should not be imposed on societies with different value systems. Activists point out that human rights will spread more effectively and with greater legitimacy if they are adapted to local cultural contexts and systems of law (see An-Na’im 1992; An-Na’im and Hammond 2002; Coomaraswamy 1994). There has been little anthropological attention to the process by which universal human rights ideas are adopted and applied locally, particularly in areas other than indigenous rights (but see Cowan et al. 2001). The nature of cultural translation is an old anthropological problem, but the globalization of human rights discourse raises it in a new guise.

ANTHROPOLOGICAL AND SOCIOLOGICAL PERSPECTIVES ON TRANSLATION

The theoretical question—how do human rights ideas become adopted in a wide variety of culturally distinct communities?—is one instance of a broader question about how ideas and institutions move from one sociocultural setting to another. It raises the question of how concepts can be translated between social and cultural contexts. Understanding when and how cultural translation is possible has long been an issue in anthropology. The famous Gluckman–Bohannan debate in legal anthropology was ostensibly about how to do comparative research but was fundamentally about the difficulties of translation. Max Gluckman argued that it was possible to interpret the legal behavior of the Barotse people through the categories of Western law to make comparisons between Lozi and Western law (1955, 1997). He identified broadly similar features of legal reasoning between Barotse and European law such as the idea of the “reasonable man.”

Paul Bohannan countered, on the basis of his research on the Tiv, that legal categories are folk categories that should be understood in their own terms (1997). He peppered his ethnography of Tiv law with Tiv words, arguing that translating them into English terms to make comparisons distorted their meaning (Bohannan 1957). Bohannan accused Gluckman of doing “backward translation” by reading Lozi law through Western legal terms (Bohannan 1997:411). This enabled Gluckman to show that the Lozi judicial process was similar to that of Western society, yet Bohannan claimed that these similarities appeared because Gluckman had used Western law to understand Lozi law in the first place (1997:411). As anthropologists recognized the difference between folk terms and analytic terms and that comparison relies on analytic categories, the debate subsided (see Nader 1997). However, the underlying question regarding how translating one set of cultural categories and meanings into another transforms them has not been resolved. Nevertheless, ideas and institutions now circulate globally at a dizzying speed, and translations and mistranslations happen all the time.

One approach to understanding the adoption of rights discourse is through the concept of “framing,” which was developed by social movement theorists to analyze what makes an idea persuasive in a social movement. Frames are not themselves ideas but ways of packaging and presenting ideas that generate shared beliefs, motivate collective action, and define appropriate strategies of action (Snow et al. 1986; Tarrow 1998). David Snow uses the term *framing* to refer to the signifying work of social movement activists: “They frame, or assign meaning to and interpret relevant events and conditions in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demobilize antagonists” (Snow and Benford 1988:198). The frame is an interpretive package surrounding a core idea (Ferree 2003:308). It can produce significant change in individual consciousness about an issue or prob-

lem or more broadly in a wider domain in a manner similar to religious conversion (Snow 2004:394). Indigenization occurs when an innovation is framed in terms of local symbols and terminology. In social movements, the products of this framing activity are called “collective action frames.” These frames can have powerful effects on the way situations are understood and on the tactics their supporters deploy (Kha-gram et al. 2002:12–13).

Social movement theorists point out that the frame needs to be resonant with cultural traditions and narratives to be appealing (Snow 2004:401). Snow et al. argue that—all else being equal—the higher the degree of frame resonance, the greater the likelihood it will be successful (1986:477). However, Myra Marx Ferree counters that resonant discourses are less radical than nonresonant ones, and that some movement leaders may chose the nonresonant approach to induce greater social change in the long run (2003:305). Indeed, resonance is a costly choice because it may limit the possibility of long-term change. Choosing resonance requires sacrificing ideals, limiting demands on authorities, and possibly excluding significant groups and their demands from the movement (Ferree 2003:340).

This is precisely the problem human rights activists confront: If they present human rights as compatible with existing ways of thinking, these ideas will not induce change. It is only their capacity to challenge existing power relations that offers radical possibilities (see Chanock 2000). For example, the success of the battered women’s movement in the United States depended on fundamentally changing the way women understood violence from their partners, shifting it from discipline to abuse. However, to be adopted, human rights ideas must be framed in indigenous cultural categories. Translators must assess to what extent they can challenge existing modes of thinking and to what extent they must conceal radical ideas in familiar packages.

Frame theory has been criticized for its overly fixed understanding of frames, however. Mark Steinberg argues that the metaphors of frame and package suggest that these discourses operate as bounded and linked issue statements, ignoring the continuous contestation over meanings, their ambiguity, and their susceptibility to change (1999:740). He suggests talking about collective action discourses as repertoires rather than frames (Steinberg 1999:750). Frame analysis neglects the constraints that discourse imposes on actors, who must work within established, often hegemonic, discursive fields that determine which frameworks are available. Actors have unequal power to reshape these fields (Steinberg 1999:742, 747–748). Steinberg advocates a more dialogic analysis that sees the production of meaning as contested, shaped both by group conflict and by the internal dynamics of the discourse itself (1999:737). From a social semiotic perspective, meanings are produced by the interaction between systems of signs and social action, so that words may be interpreted differently by activists and their targets. Given the multivocality of messages, it is possible for actors and targets to interpret these signs differently

than intended. There are limits to the capacity of the producers of these discourses to control their meanings.

Human rights translators work in situations of this kind, within the constraints of existing discursive fields whose complex and multivocal messages are open to various, and uncontrollable, interpretations. Human rights intermediaries put global human rights ideas into familiar symbolic terms and use stories of local indignities and violations to give life and power to global movements. They hold a double consciousness, combining both transnational human rights concepts and local ways of thinking about grievances. They may be local activists, human rights lawyers, feminist NGO leaders, academics, or a host of other people who have one foot in the transnational community and one at home. They are constrained by the human rights discourse and by the cultural meanings of the situation where they are working.

Translators negotiate the middle in a field of power and opportunity. On the one hand, they have to speak the language of international human rights preferred by international donors to get funds and global media attention. On the other hand, they have to present their initiatives in cultural terms that will be acceptable to at least some of the local community. As they scramble for funds, they need to select issues that international donors are interested in—such as female genital cutting, women's empowerment, or the trafficking of women and children—and connect these agendas to problems that interest local populations—such as clean drinking water, more jobs, or good roads. State policies may silence these efforts or subvert them into reinforcing forms of male authority even as they seem to be promoting women's human rights.

These people translate up and down. They reframe local grievances up by portraying them as human rights violations. They translate transnational ideas and practices down as ways of grappling with particular local problems. In other words, they remake transnational ideas in local terms. At the same time, they reinterpret local ideas and grievances in the language of national and international human rights. Those occupying the middle are no longer the village headmen of colonial indirect rule but activists providing services and advocacy to local communities. They work within national and transnational movements and discourses of justice and seek to place the experiences of poor people in urban and rural areas in these frameworks.

This process of cultural translation is familiar to anthropologists, who typically translate the cultural worlds of the people they study into the cultural worlds of their readers and students. Cultural translation is also central to the work of applied anthropologists, who often mediate between groups such as indigenous peoples and the state or corporations. As anthropologists pay increasing attention to the inequalities in power involved in this process, they are more reflexive about their own practice (see, e.g., Abu-Lughod 1993; Clifford and Marcus 1986). As Talal Asad (1986:163–164) notes, languages themselves are unequal in power, as a result of global inequalities of wealth and power.

Translating from a “weaker” language into a “stronger” one, such as from a “Third World” into a “First World” language, means translating from a less powerful language to a more powerful one. Because of these differences among languages, determined by professional, national, and international factors, the process of “cultural translation” can be an act of power, especially when it means reinterpreting one set of experiences and categories in terms of another more powerful one. Just as anthropologists translate local experiences into written texts or films in dominant global languages, so human rights translators take local grievances and translate them up into the more powerful language of transnational human rights. This usually means framing the stories differently than the victims do, but the target actors, such as states, may be more responsive to demands framed this way.²

Anthropologists have long been fascinated with people who occupy middle positions, translating between worlds above and worlds below. Max Gluckman's analysis of the position of the village headman in British Central Africa under British colonial governance is a classic example (1949:93–94). After delineating the importance of the village headman in many societies of Central Africa, he notes that there is a tension between the headman's position in the village, which uneasily pairs his leadership in a web of kinship ordered by diffuse moral sanctions with his political power supported by legal and political authority. The latter includes his role as a key (although unpaid) official in the British colonial administration. The headman and his followers in the village share a common set of values but do not accept those of the British. Nevertheless, the headman is held responsible by the British for reporting suspicious deaths, illnesses, and strangers and for making sure that his villagers keep the village clean, hoe paths, use latrines, follow agricultural and veterinary regulations, and pay taxes. Gluckman notes that the headman is no more eager than the villagers to accept these as good practices, but he must nevertheless enforce the rules because if he does not, he is liable to be punished by fining, imprisonment, and ultimately deposition by the state. “As he applies these unwelcome and unaccepted rules, his position becomes subject to still greater strains” (1949:94).

Thus, Gluckman's analysis of the headman provides insight into the dilemma of intermediaries, more generally: They hold power by virtue of their ability to look both ways and work with conflicting value systems. Yet they are vulnerable because the power delegated by higher authorities demands concessions resisted by villagers while the villagers make demands unacceptable to the colonial authorities. An intermediary in a colonial situation is readily exploited by those who put him or her into this position of power, but he or she is also capable of exploiting those under his or her control. The possibilities of manipulation run both ways. The headman, like other intermediaries, is constrained by those who endowed him with authority and his followers' suspicion but has new opportunities to control others and to enrich himself. In British colonial Africa, village

headmen often used their power to retain or assert male control over land and resources, incorporating assumptions of male authority brought by the British.

The position of the development consultant is in many ways parallel to that of the human rights activist. In development as in human rights implementation, competing ideas of action, objectivity, and value coexist and must be translated in situations of substantial inequality. The consultant, as broker and translator, is caught in the middle. In his fascinating ethnographic study of an organizational improvement project in Ruritania, funded by Normland, Richard Rottenburg (2002) describes the tensions created by differences in perspectives, classifications, and priorities that various actors and organizations bring to the project.³ The development bank, the national development ministry, the Normland consultant, the water ministry, the regional and urban administration, and finally the management of the Ruritanian urban water utilities all held differing expectations. After 20 years of investing in the country's water supply system, Normland's development bank wanted to solve the water system's lack of economic viability rather than building new capacity. The key problem was the small percentage of consumers who actually paid for their water—only about 30 percent. However, generating an accurate list of customers proved a political as well as administrative nightmare, for which the language of technical development was completely inadequate. Nevertheless, the demands of a structure that required collaboration between the African water engineers and the development consultants meant that this issue remained the subject of a purely technical conversation. A “metacode” based on ideas of development, progress, and technical expertise dominated discussions, although the problems were largely based on political and organizational arrangements rather than the technologies of water production (Rottenburg 2002:232).

In his analysis of this development project, Rottenburg describes chains of translation (*Uebersetzungsketten*) along which interpretations of situations and facts are developed at various stages of reporting results, which then become the basis for further interpretations. These chains stretch from the situation in the urban water utilities of Ruritania to the headquarters of the development bank to the political process in Normland where politicians must justify the expenditure of tax money on development projects (Rottenburg 2002:228–229). At each point, facts are gathered, classified, and separated into individual units that have been delineated in the project documents, subject always to further subdivision and reclassification within a particular context. As data is subdivided and reclassified, its underlying fragility and unreliability is converted into an appearance of stability and solidity. This leads in some cases to a transformation of the data into forms that promote the ultimate goal of the project and avoid the appearance of mistakes.

The consultant is in the position of negotiating between the donor and the recipient. The recipients, who have resisted supplying the information on customers and the details of the water supply system, see the consultant

as Other and are suspicious of him, but at the same time ask him to produce the numbers necessary for the project to proceed. The donor wants the project to go forward, so he ignores the concerns of the consultant that the customer data is not forthcoming. Both leave the consultant apparently responsible for the failure of the project. The intermediary becomes the “fall guy.” The African water officials claim he failed to provide adequate data and view him suspiciously as the source of development problems while the donor sees him as failing to meet project goals in time (Rottenburg 2002:70–83).

Ironically, the African managers are the strongest advocates of a universal approach to water utility management and standards of objectivity. This allows them to present themselves as worthy partners in development yet insulates them from the European managers by assuring them they are carrying out the work according to universal principles so that further intervention and inspection are unnecessary. The universalist facade obscures the fact that things are still being done in local ways.

Rottenburg's study highlights the creative work of intermediaries navigating between different and incompatible perspectives on a shared task as well as their vulnerability to those who refuse to cooperate or maintain unrealistic expectations of the other side. The intermediaries exercise power in their mastery of the technicalities of report writing, yet they are vulnerable as they sift and sort flawed data to fit into predetermined goals.

There are clear parallels with the translation of human rights ideas from a transnational metacode of human rights law to local situations. Local leaders are often eager to appear compliant with human rights expectations while continuing to act in noncompliant ways. Following the form and language of human rights while ignoring local violations is a common practice for government leaders. Human rights translators, like development consultants, are often caught in the middle. As Stacy Pigg observes, however, the development process itself, with its emphasis on transnational expertise juxtaposed to local “traditional culture,” creates the stark oppositions that then require mediators to negotiate (1997:265). Human rights discourse similarly juxtaposes a transnational expertise to the problems posed by “culture,” which include “harmful traditional practices.”

SHIFTING SUBJECTIVITIES?

To what extent the adoption of human rights concepts leads to a shift in subjectivity is a complicated question. Translators can produce a dramatic shift in subjectivity, analogous to conversion. For example, I watched a translator help a battered woman in Hawai'i understand her experiences in new ways. When she described to a women's support group that her partner had forced her to have sexual relations, the leader of the group pointed out that this was a case of rape. The speaker paused, then said with some surprise in her voice that it had felt like rape, so that must be what it was. She saw the act differently when it was called

“rape.” It became a violation of her body and her rights rather than a performance of wifely duty. However, it is probably more common for people to adopt human rights frameworks pragmatically and strategically than through conversion. In a social movement against male-only inheritance of family land in the New Territories of Hong Kong in 1993, for example, Hong Kong feminist activists persuaded a group of indigenous women to see their exclusion from houses and land as gender discrimination and a human rights violation rather than only as poor treatment by their male kin (Merry and Stern 2005). This framing enabled them to mobilize protest in a way that was heard by the public and by the Legislative Council but did not lead to long-term changes in their rights subjectivity.

Battered women and others who experience injuries that can be defined as rights violations tend to adopt this new framework by layering it over others such as fair treatment by kinsmen (see Merry 2006). The new interpretation rarely displaces older ones. Just as the battered woman in Hawai‘i came to see herself as violated by her partner as well as a victim of a crime, so the indigenous women in Hong Kong came to see themselves as abused by their male kin who failed to endow them with the right to inherit land equally with male relatives or to take care of them. Whether the rights layer of understanding endures or not depends in part on the institutional response claimants receive. My research on battered women suggested that they generally took a pragmatic approach, trying out a rights framework but dropping it if the courts, police, and prosecutors trivialized their problems (Merry 2003). In Hong Kong, the indigenous women’s enthusiasm for rights activism dropped off after they discovered that the new inheritance law did not benefit them personally (Merry and Stern 2005).

FORMS OF VERNACULARIZATION

Vernacularization falls along a continuum depending on how extensively local cultural forms and practices are incorporated into imported institutions. At one end is replication, a process in which the imported institution remains largely unchanged from its transnational prototype. The adaptation is superficial and primarily decorative. At the other end is hybridization, a process that merges imported institutions and symbols with local ones, sometimes uneasily. These differences are a matter of degree. Of course, imported ideas and institutions may be rejected outright. Sometimes they are subverted, such as occurs when the name and transnational referent are retained but the content of the ideas and the structure of the organization is dramatically changed.

Replication

In translation by replication, the transnational model sets the overall organization, mission, and ideology of an intervention while the local context provides its distinctive content. The transnational idea remains the same, but local cultural understandings shape the way the work is carried

out. Of course, the global prototype has been developed in another local situation before being launched into global circulation. Some of its original content is stripped away in the process, although some remains. One example is the effort to adapt a U.S. batterer’s treatment program to Chinese concepts of masculinity. This program was developed by a women’s center in Hong Kong. Women’s centers first developed in the late 1970s and early 1980s in North America and Europe to encourage and educate women that they had the right not to be hit and to take their batterers to court. Most centers provide counseling for women, legal assistance, and in some cases temporary housing. Some also offer training programs for the men who are violent. This is in effect a human rights intervention because the training is justified as the protection of women’s human rights. The technology of batterer-treatment programs comes from Euro-American traditions of therapeutic intervention in family situations and from law: Men are taught how to recognize their anger and identify their feelings and are told that their partners have rights to equality and freedom from violence (Merry 1995, 2001). They are told that their violence is a crime. This movement began outside the state, although it increasingly relies on state resources to run shelters and women’s support programs; however, it must continually exert pressure on states to maintain these resources.

By 1985, Hong Kong opened its first center for battered women, which was named “Harmony House.” It was started by U.S. and British activists, who employed models from the United States and the United Kingdom, as well as by Hong Kong residents who had experience working in the battered women’s movement in North America. When I interviewed the executive director in 2002, she told me that she had spent ten years in Canada working on family violence before coming to Harmony House. At first, the center described its program as promoting women’s welfare rights rather than human rights to deflect opposition to a “Western”-sounding human rights approach (interview with author, March 2002). Subsequently, the program talked more about human rights. By 2002, three other centers had opened in Hong Kong, offering shelter; hotlines; counseling; legal, financial, and housing assistance; support groups; and tutorial groups for children. All the centers were operated with considerable private funding and limited state support (Tang et al. 1999; Yeung 1991:35). When I interviewed them in 2002, several staff members of women’s centers in Hong Kong told me that it was important to indigenize these institutions.

In 1995, one of these centers initiated a treatment program for men who batter their wives. The idea of training men who batter not to use violence against their spouses developed in several cities in the United States and the United Kingdom in the early 1980s. Some of the best known are Emerge in Boston and the Duluth, Minnesota, Domestic Abuse Intervention Program with its iconic “power/control wheel,” expressing the theory that battering is fundamentally about power and control (Pence and Paymar 1993). U.S. programs for batterers focus on teaching anger

management, violence control, and gender equality, and they employ feminist theories that see domestic violence as an expression of patriarchy. They teach men how to avoid using power and control tactics against their partners. Many of the programs are mandated by courts when a batterer has been convicted or is the subject of a restraining order (see Merry 1995).

In 1997, Chan Ko Ling, a graduate social work student at the University of Hong Kong, began research on programs for batterers. His goal was to develop an indigenous batterer treatment program grounded in the values of Chinese masculinity. He hoped this approach would help social workers understand why men had such difficulty talking about their problems with violence and suggest a more culturally appropriate strategy for working with these men. He was, in other words, transplanting a local North American program into the Hong Kong context but adapting it to Chinese culture. His dissertation (Chan 2000) describes his exploration of Chinese conceptions of honor, family, relationships, and achievement, then explains how these ideas prevent men from talking to others about their problems and seeking help for their violence. In 2002, I interviewed him in Hong Kong about his research and his dissertation.

Chan participated with two social workers in running two groups, each of which had a two-hour session once a week for eight weeks. He interviewed 19 men before and after the program.⁴ Chan argues that it is very difficult for these men to talk about their violence, given Chinese conceptions of gender, face, and marital relationships. In North America, when men refuse to talk about their violence, the leaders see this as denial and minimization of the violence. However, Chan suggests accepting the Hong Kong men's stories in their own terms, including ideas of "face" and "rightness" (*yi*), rather than reacting in a judgmental way, which encourages the men to talk (2000:166). He explores Confucian, Taoist, and Buddhist traditions of family life, emphasizing the importance of the concept of "yi" as the place in which a program should begin (Chan 2000:146). The idea of a "yi husband and following wife" means that men are to be committed to and responsible for the marriage relationship and expect their wives to be obedient and submissive. When marital relations do not follow this pattern, men sometimes become violent (Chan 2000:318). The concept of "face," the public representation of one's self, is also important because personal success is linked to "face" (Chan 2000:130, 148). Because an individual receives help from others depending on how they perceive his power and status, maintaining face in front of others is critical (Chan 2000:144). A man's face is affected by the actions of his wife, who can diminish his face and therefore his power in social relationships. Aggression is the strongest form of face-saving strategy. Interpreting domestic violence in this way shifts responsibility for the violence to the woman, who is viewed as responsible for the loss of face (Chan 2000:148–153).

This model of Chinese masculinity explains why Chinese men have difficulty seeking help. To talk about their

violence is to disclose family secrets and personal weaknesses, leading them to feel embarrassed and to lose face. They are reluctant to participate in this voluntary program. In 2002, Chan told me that his program had held only five groups in seven years, a total of about 30 participants, yet during the same period, 6,000 cases of spouse abuse were reported to the social welfare department, 90 percent of which were perpetrated by men. Perhaps making it more indigenous would increase its appeal. Chan also advocates shifting the programs to be more similar to their U.S. prototypes: "Mandatory counseling for batterers, aimed at managing the emotions, anger control and abusive beliefs of batterers, should be encouraged by the government" (2000:430).

Chan theorizes that Chinese batterers suffer from an impaired ability to differentiate the self, citing a U.S. text on family therapy. In the Chinese context, the undifferentiated self is the product of rigid cultural beliefs of *yi* and putting the pursuit of *yi* over the fulfillment of personal needs (Chan 2000:387). Chan concludes: "The more rigid the definition of masculinity in *yi*, the more serious the *undifferentiation of self*, and thus the lower is the capacity of conflict resolution. As a result, the higher will be the probability of using violence against their female partners" (2000:421). He told me that the problem is not traditional beliefs but the rigidity with which these men hold them. He emphasizes the positive side of traditional values, such as nonviolence, as well as the value of greater flexibility in beliefs.

Chan describes a program with local cultural content but imported structure, aims, and methods. Despite references to Chinese tradition, it is still a group-therapy program with two-hour weekly meetings where people talk about feelings. Western ideas that the self must be disentangled from others to deal with conflict shape his approach, along with Chinese conceptions of masculinity. Chan advocates making the program mandatory, parallel to U.S. initiatives that treat problems such as drug use and battering with therapeutic discussions in the shadow of the law. Theoretically and analytically, this work builds on Western social science. The "local cultural content" is also complicated. Given the British colonial past and current global connections of Hong Kong residents, Chinese masculinity is hardly a stable entity rooted in past religious beliefs. The city is at the center of international trade networks and highly cosmopolitan. Conceptions of masculinity for the working-class clients differ from those of business elites and again from that of poor mainland Chinese immigrants.

As a doctoral student and now professor of social work and social administration at the University of Hong Kong, Chan is a translator. He is fluent in both English and Cantonese, U.S. theories of psychology and domestic violence, and Chinese conceptions of masculinity. Chan frequently visits North America for conferences and works with a leading family violence researcher in the United States.⁵ In his dissertation, he says that participating in the program and listening to the men helped him to reflect on being a man

in his social context: "Surprisingly, I found that we shared common beliefs of masculinity, though we acted out differently" (Chan 2000:v). He says he has learned how to be nonabusive and nondominating in his relationship with his wife. Thus, he is a bridge between conceptions of masculinity and violence in North America and China. His study shows how a transplanted program can be symbolically indigenized but remain fundamentally unchanged in organization, ideology, and practices. Indeed, a program imported from the West is likely to appeal to "local" conceptions of modernity, particularly among Hong Kong's feminist men and women.

In 2000, during my research on domestic violence in Hawai'i, I twice visited a program developed in 1995 by a Native Hawaiian Christian pastor who offered anger management programs and took referrals from the courts. The meetings took place in his kitchen next to the large room that served as the church meeting room. His program combined prayer, singing, and discussions of sin and forgiveness with an analysis of the way Native Hawaiians have been oppressed by colonialism. At one meeting, the pastor pointed out that Hawaiians have legitimate reasons to be angry about the way they have been treated, but that it is wrong to take that anger out on loved ones. He talked about the ideal of the warrior as a person violent in war but not at home. He discussed male violence from the perspective of the Hawaiian sovereignty movement as well as Christian ideas that every person is worthy in the eyes of God and can change given enough time, prayer, and the power of God. His approach blends the discursive fields of global Pentecostalism, the transnational indigenous rights movement, and feminist understandings of domestic violence. Yet he retains the two-hour weekly group meeting format and mandatory court referrals. The pastor must take attendance and inform the probation officer when he thinks a person is finished, but he resists the court's control and oversight as much as he can.

Both of these programs replicate North American theories of domestic violence as learned behavior and practices of therapeutic intervention in the shadow of the law while adopting alternative cultural models of masculinity and identity. Both are grounded in local culture as well as transnational practices such as Chinese tradition, Hong Kong modernity, Hawaiian identity, or evangelical Christianity. However, there seems to be less local cultural content in the Hong Kong program, whose translator is closer to the source than the target, than in the Hawaiian program, where the translator is closer to the target.

Hybridity

Vernacularization can take a more interactive form, with symbols, ideologies, and organizational forms generated in one locality merging with those of other localities to produce new, hybrid institutions. One example is the *nari adalats*, or women's courts, that emerged in India in the mid-1990s to promote women's human rights. A national

women's development program encouraged the formation of poor village women's collectives, and because violence in the home was a major concern to many of the village women, the women's collectives developed women's courts to handle domestic violence, divorce, and other family conflicts. The development program encouraged women's empowerment and human rights while the women leaders of the courts blended these ideas with local norms, reliance on government authority, and references to human rights.

The parent program, called "Mahila Samakhya," is a national-level rural women's "empowerment" program started by the Department of Education of the Government of India in 1989 with funding from the Dutch government (International Center for Research on Women [ICRW] 1999–2002; Narayanan 2002; Sharma in press). Mahila Samakhya (hereafter, MS) endeavored to promote gender equality, development, and social change by empowering poor women and providing them the knowledge and self-confidence to make changes (ICRW 1999–2002:32–65; Poonacha and Pandey 1999:161; Sharma in press). The program introduced human rights ideas to its clientele of poor, illiterate women, many of whom are tribals or Dalits, low-caste people.⁶

The philosophy of the MS program is that decision making should rest with local-level collectives. The program depends on a cadre of women activists, or *sahyoginis*, who develop and encourage women's collectives, or *sanghas*, in each village. Each *sahyogini* works with a cluster of ten villages and is supported by a more formal, government-supported leadership structure. This includes a program coordinator and four resource persons at the district level and a program office with a director and resource personnel at the state level. The MS staff is expected to bring skills and commitments to women's issues (Narayanan 2002:299). Many come from NGO backgrounds and some have moved more recently to leadership positions in other NGOs promoting women's human rights (Sharma in press; interviews with author, January 2005). The MS program straddles the government–NGO divide, claiming whichever identity seems most helpful at the moment (Sharma in press). It functions in the autonomous fashion of an NGO in some contexts and as a government program in others. Although *Sahyoginis* are paid by the government, they are not government employees and earn less than government workers (Sharma in press). The largely female work force lacks job security, pensions, and health benefits, and is poorly paid.⁷ Ironically, some were fired when they tried to unionize to demand their rights to higher wages, suggesting limitations on their ability to translate human rights ideas into their local situations.

Nari adalats emerged in Gujarat in 1995 and in Uttar Pradesh in 1998 as informal courts to handle women's legal problems (ICRW 1999–2002:34). A 2001 study reported that in the six years since they were initiated, the four *nari adalats* in the Vadodara district handled about 1,200 cases of marital violence, harassment, divorce, maintenance,

property, and child custody, and successfully resolved a majority of these. The clients were mostly low-caste and tribal women (Krishnamurthy 2002:3, on the basis of MS Annual Reports). In the early 1990s, during the first years of the MS program, local leaders were trained by Jagori, a feminist resource and training center in Delhi. When the need for a way of dealing with violence against women became clear, the women received legal training (Krishnamurthy 2002:42).⁸ When I visited Jagori in 2001, the director said that the program puts a strong emphasis on women's rights and refers to international conventions and treaties; nevertheless, Indian sources of rights concepts are more important.

The nari adalat consists of a core team of sahyoginis and selected sangha women, most of whom have poor literacy skills and many of whom are dalits, people of low-caste status (ICRW 1999–2002:36). The members of the nari adalat tour the district, meeting at regular days and times in public places near government offices to dispense legal advice and settle marital disputes (Poonacha and Pandey 1999:161–178). For example, in 2005, a nari adalat in Gujarat met next to the government court and police station, both of which were supportive of the women's efforts. The women leaders, who tend to rely on collective leadership, are not paid and their transportation is not covered. They have no legal authority but rely on pressure and shaming. Like the parent MS program, they straddle the government–NGO divide, claiming either identity as it seems helpful (Sharma in press).

Krishnamurthy's ethnography describes how nari adalats move creatively between community and state to gain recognition in the villages and access to formal institutions (2002:12, 51). The women meet in government compounds close to police and local government offices; assert their status as part of the official MS program; use state symbols such as files, stamp paper, and seals; call on the police for protection; and cite formal laws to support their decisions, as they were trained to do by urban activists. Because they meet outside local government offices, they have considerable impact on government workers (see Sharma in press). At the same time, they reflect the communities from which they come. They use humor and shaming to pressure litigants, adjust their meeting times to the rhythms of village life, and use their knowledge of local practices, customs, and social networks to gather evidence and negotiate agreements. They do not try to end marriages but emphasize the rights of the woman within marriage (ICRW 1999–2002:51). Their authority is limited, and they seem to be most successful in helping women arrange divorces and escape violent marriages, particularly among poor families. They are less successful with wealthy families and with cases of rape and molestation, which require greater evidentiary effort (ICRW 1999–2002:99). Some police and courts support these organizations because they think they are a good way to deal with "women's issues."

An ICRW study in 1999–2000 indicated that the operation of these courts and the closely related women's councils

(*mahila panch*) made violence in the home a more open and public offense. ICRW evaluations of these programs indicate that sangha and sahyogini women and those who experienced the nari adalats were more aware of their rights and better able to speak up (1999–2002:40–41, 54). A counter-culture based on resisting violence in terms of the intrinsic rights of women is developing slowly, largely in local terms: "Research documented the innovative ways in which activists use their local knowledge to reshape and reinterpret community idioms, phrases and beliefs to create and persuade the community to adopt new perspectives" (ICRW 1999–2002:72). As they promote the ideology of human rights, some women say they have learned to stand up for themselves.

Although the nari adalat was a new initiative, it appropriated a familiar political structure. The panchayat, as the juridical institution of a caste (*jati*) or village, is a very old institution used for hearing complaints and negotiating solutions to conflicts (Mayaram 2002:394; Meschievitz and Galanter 1982:48–49). Many panchayats are caste based and handle conflicts within the caste community. These put caste interests first, focusing on maintaining caste honor and promoting upward social mobility (see Galanter 1989; Hayden 1987). In the late 19th century, the Indian government created simple judicial tribunals called *panchayat adalati* to hear small cases, thus using similar terminology (Meschievitz and Galanter 1982:50). After India's independence, "democratic" panchayats were instituted by the state and made responsible for local development. The lowest tier, the village panchayat, was directly elected, although still under the control of the state and local elites (Mayaram 2002:394).

In 1974, recognizing that village panchayats tend to consist of men of the dominant castes, the Government of India's Committee on the Status of Women issued a report that advocated creating women-only panchayats at the village level as a transitional measure to ensure women's participation. However, in subsequent years, the idea of creating reservations for women in existing panchayats became a major issue of the Indian women's movement, and in a 1992 amendment to the Indian Constitution, 33 percent of the seats in village panchayats were reserved for women. These quotas have opened panchayat participation to women to some extent, particularly in areas where the MS program has provided training, the sanghas have been supportive, and governments have been positive (Narayanan 2002:295; Mayaram 2002:396–397). However, there have been differential levels of implementation around the country and substantial resistance from males of dominant castes (see Kapadia 2002).

Thus, the idea of women's courts has a long history in India. The creation of nari adalats also reflects the Indian women's movement long-standing focus on violence against women. Since the 1970s, women's groups have worked to diminish dowry murders, rape in police custody, widow immolation (*sati*) and battering in families (Butalia 2002). The nari adalat is therefore an adaptation

of an existing structure, the panchayat, but it has women members rather than men and is focused on issues concerning women rather than caste or village. It introduces new ideas of women's empowerment and human rights, as promoted by the cosmopolitan feminist leaders of the MS program, and supports a woman's rights to the return of some of her dowry at divorce and protection from cruel treatment, ideas that are already embedded in Indian law and supported by the Indian women's movement.

Within the nari adalat system, the key translators are the sahyoginis and the leading sangha members. More educated and cosmopolitan Indian feminists working at the higher levels in the MS program translate feminism and human rights ideas to the sahyoginis they train and support. Although participation leads some poor women to stand up for themselves, whether many have adopted core human rights ideas such as equality, autonomy, and bodily integrity is questionable. The stories of women who participate in panchayats suggest that a few acquire a strong rights subjectivity, but that many retreat in the face of violence, social pressure, and resistance from their own families and caste communities when they take leadership positions (Anadhi 2002; Mayaram 2002). In some areas, the state is strongly opposed to women's leadership, and in many areas grassroots women leaders face resistance from local male elites.

CONCLUSION

Unlike replications, which are thinly adapted to local circumstances, hybrids such as the nari adalats are thickly shaped by local institutions and structures. Replications retain the basic structure of the imported institution such as therapy groups for batterers but overlay them with local symbols such as ideas of *yi* and *face*. Hybrids merge local structures such as councils with imported ideas such as women's human rights. They draw more extensively on local institutions, knowledge, idioms, and practices. In replications, the source is relatively dominant, whereas in hybrids, the target is more powerful. The hybrid seems to offer greater opportunity for subversion despite superficial compliance.

The positioning of the intermediaries, their loyalties and commitments, and their knowledge of both sides of the interchange shapes the vernacularization process. Translators committed to the target produce more hybrid transplants whereas those closer to the source create replicas. The sahyoginis who translated MS objectives into the nari adalats were village women whereas the creator of the Chinese batterer treatment program was a cosmopolitan university professor. The Native Hawaiian pastor who tailored his program to evangelical Christianity and Hawaiian experiences of colonial dispossession had closer connections to the Hawaiian community than the feminist leaders of the mainstream batterer treatment programs on the same island.⁹

These examples illustrate the power and vulnerability of the translator. The power of the translator is her ability to set the terms of the exchange and to channel it, but her vulnerability is her ability to persuade people with grievances to accept her definition of the problem and to extract financial and political support from states and donors. She may confront violence and other forms of resistance. She is constrained by her resources and institutional location. The translator must walk a fine line between too much replication, in which case the new ideas will lose their appeal to local communities, and too much hybridity, in which case the reforms will lose the support of the global community, including its funding and publicity.

Moreover, intermediaries are always suspect because they are not fully in one world or the other. Like the village headman in British Central Africa, they are vulnerable to accusations of disloyalty by either side. The consultants in Ruritania were viewed with suspicion by the African managers and held responsible for data problems by the Normland donor agency. The sahyoginis face criticism and even violence from male family members and male village elites for being too assertive, even though they are supported by village sanghas and the educated feminist MS leaders. The professor developing battering programs is supported by the transnational family violence movement but apparently has more difficulty winning the trust of the batterers.

These translators work within state systems whose commitment to women's rights is at best ambivalent. For example, the sahyoginis are not paid adequately and were prevented from running for panchayat seats on the grounds that they were state employees. Shail Mayaram (2002) describes how the radical women activists in a similar program in neighboring Rajasthan were disempowered and the program was ultimately eliminated by the state. The Hong Kong government failed to make batterer treatment programs mandatory. States often resist human rights laws and obligations and undermine initiatives that challenge patriarchy. Under these conditions, states maintain an appearance of compliance while doing nothing or while doing something that is quite different than what international law specifies as human rights.

Moreover, translators are restricted by the discursive fields within which they work. All the translators used human rights discourse, with its reference to international standards and its focus on individual injury and cultural oppression rather than structural violence. Despite the clear connections between poverty, social marginality, and domestic violence, the batterer treatment program in Hong Kong did not address these issues and the nari adalats were powerless to challenge caste, class, and gender hierarchies. Although individual women were helped to deal with violence and divorce, village inequalities remained untouched.

The larger structure of economic and political power that surrounds human rights activism means that translation is largely a top-down process from the transnational

to the local and the powerful to the less powerful. Because NGOs and social service programs are usually dependent on international foundations or foreign government funding, they need to present their work in a way that inspires these funders. Transnational human rights principles are effective in attracting international funding and garnering media attention. Organizations may adopt international human rights language even when they would rather take a different approach. Despite arguments that human rights must be translated into local webs of meaning based on religion, ethnicity, or place for them to appear both legitimate and appealing, translators must please their donors.¹⁰ As this analysis suggests, processes of vernacularization are intimately connected to the interests of states and funders as well as those of local communities.

Consequently, human rights ideas are not fully indigenized, even though this might make them more readily accepted. They are embedded in a distinctive vision of the good society that envisions the state as the provider of social justice and the individual as responsible for making rights claims on the state. This vision assumes that all people have equal rights, although all do not have equal needs. As human rights are vernacularized, these conceptions of person, state, and community remain the same. The failure to fully indigenize these ideas impedes their spread, yet to do so would undermine their potential for change. As Inderpal Grewal (1998:507) points out, human rights are Eurocentric in origin and inspiration, yet, at the same time, they are some of the only tools available to struggle for rights of the disenfranchised.

This is the paradox of making human rights in the vernacular: To be accepted, they have to be tailored to the local context and resonant with the local cultural framework. However, to be part of the human rights system, they must emphasize individualism, autonomy, choice, bodily integrity, and equality—ideas embedded in the legal documents that constitute human rights law. Whether this is the most effective approach to diminishing violence against women is still an open question. It is certainly an important part of the expansion of a modernist view of the individual and society embedded in the global North, which promotes it along with democracy, the rule of law, capitalism, and the free market. As translators vernacularize these transnational institutions and ideas, they promote this modernist view, with its emancipatory and homogenizing effects. Whether or not they achieve an expanded human rights subjectivity is far more uncertain.

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NOTES

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1. For example, Kim Berry discusses the way Indian policies toward women's development were shaped by the U.S. emphasis on the woman as housewife in the 1950s, which echoed ideas of some local elites in India that a family's honor is connected to a woman's confinement to the home. U.S. conceptualizations of female domesticity also dovetailed with Indian nationalist representations of women as mothers of the nation (Berry 2003:84-85).
2. Studies of the dilemmas activists face in trying to win asylum status for their clients underscore this dilemma. Both McKinley (1997) and Ticktin (1999) show, in different cases, how an African or South Asian woman's story of abuse had to be reframed as one in which she has been victimized by custom to win asylum status in the United States and the United Kingdom.
3. Ruritania is an unnamed African country and Normland an unnamed European one.
4. The men were mainly working class, but a few were middle class. Most reported significant job stress and financial difficulties (Chan 2000:195).
5. His vita on the web lists at least six visits to the United States and Canada, four to China, and one to Europe, all for the purpose of attending conferences or presenting papers.
6. It promoted women's equality along with health, literacy, and nonformal education, savings, political involvement, and community development initiatives. The program uses the terms *conscientization* and *empowerment* to describe the process by which women collectively become aware of their situations and take action to address their problems (Sharma in press).
7. In 1998, sahyoginis received only slightly above the government-stipulated minimum wage for skilled work (Sharma in press: see footnote xlii).
8. Seventeen women were trained as paralegals with a feminist critique of the legal system and offered feminist approaches to violence against women and divorce (ICRW 1999-2002:49).
9. Given the historical processes of colonialism in Hawai'i, Native Hawaiians' experiences are shaped by dispossession and displacement. The feminist program, although sympathetic to these grievances, focused primarily on gender oppression rather than colonialism.
10. Local programs developed in affluent nations such as the United States are more likely to circulate transnationally to poorer ones than vice versa. This uneven circulation is driven by funders and governments. Transnational imports are usually local conceptions from elsewhere launched into the transnational domain by the economic and political power of their creators.

REFERENCES CITED

- Abdullah, Hussaina J.
2002 Religious Revivalism, Human Rights Activism and the Struggle for Women's Rights in Nigeria. *In* Cultural Transformation and Human Rights in Africa. Abdullahi An-Na'im, ed. Pp. 151-191. London: Zed Books.
- Abu-Lughod, Lila
1993 *Writing Women's Worlds: Bedouin Stories*. Berkeley: University of California Press.
- Anandhi, S.
2002 Interlocking Patriarchies and Women in Governance: A Case Study of Panchayati Raj Institutions in Tamil Nadu. *In* The Violence of Development: The Politics of Identity, Gender and Social Inequalities in India. Karin Kapadia, ed. Pp. 425-459. London: Zed Books.
- Anderson, Benedict
1983 *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso Books.
- An-Na'im, Abdullahi
1992 Toward a Cross-Cultural Approach to Defining International Standards of Human Rights: The Meaning of Cruel, Inhuman, or Degrading Treatment or Punishment. *In* Human Rights in Cross-Cultural Perspectives: A Quest for Consensus.

- Abdullahi Ahmed An-Na'im, ed. Pp. 19–44. Philadelphia: University of Pennsylvania Press.
- An-Na'im, Abdullahi, and Jeffrey Hammond
2002 Cultural Transformation and Human Rights in African Societies. *In* Cultural Transformation and Human Rights in Africa. Abdullahi An-Na'im, ed. Pp. 13–38. London: Zed Books.
- Asad, Talal
1986 The Concept of Cultural Translation in British Social Anthropology. *In* Writing Culture: The Poetics and Politics of Ethnography. School of American Research Advanced Seminar. James Clifford and George E. Marcus, eds. Pp. 141–164. Berkeley: University of California Press.
- Basu, Amrita
1995 The Challenge of Local Feminisms: Women's Movements in Global Perspective. C. Elizabeth McGrory, ed. Boulder: Westview Press.
- Bauer, Joanne R., and Daniel A. Bell, eds.
1999 The East Asian Challenge for Human Rights. London: Cambridge University Press.
- Berry, Kim
2003 Developing Women: The Traffic in Ideas about Women and Their Needs in Kangra, India. *In* Regional Modernities: The Cultural Politics of Development in India. K. Sivaramakrishnan and Arun Agrawal, eds. Pp. 75–98. Stanford: Stanford University Press.
- Bohannan, Paul
1957 Justice and Judgment among the Tiv of Nigeria. London: Oxford University Press.
1997[1969] Ethnography and Comparison in Legal Anthropology. *In* Law in Culture and Society. Laura Nader, ed. Pp. 401–418. Berkeley: University of California Press.
- Butalia, Urvashi
2002 Confrontation and Negotiation: The Women's Movement's Responses to Violence against Women. *In* The Violence of Development: The Politics of Identity, Gender and Social Inequalities in India. Karin Kapadia, ed. Pp. 207–235. London: Zed Books.
- Chan Ko Ling
2000 Unraveling the Dynamics of Spousal Abuse through the Narrative Accounts of Chinese Male Batterers. Ph.D. dissertation (publication no. 61332), Department of Social Work and Social Welfare, University of Hong Kong.
- Chanock, Martin
2000 "Culture" and Human Rights: Orientalizing, Occidentalizing and Authenticity. *In* Beyond Rights Talk and Culture Talk. Mahmood Mamdani, ed. Pp. 15–37. New York: St. Martin's Press.
- Clifford, James, and George E. Marcus, eds.
1986 Writing Culture: The Poetics and Politics of Ethnography. Berkeley: University of California Press.
- Coomaraswamy, Radhika
1994 To Bellow like a Cow: Women, Ethnicity, and the Discourse of Rights. *In* Human Rights of Women: National and International Perspectives. Rebecca J. Cook, ed. Pp. 39–57. Philadelphia: University of Pennsylvania Press.
- Cowan, Jane K., Marie-Benedict Dembour, and Richard Wilson, eds.
2001 Culture and Rights. Cambridge: Cambridge University Press.
- Ferree, Myra Marx
2003 Resonance and Radicalism: Feminist Framing in the Abortion Debates of the United States and Germany. *American Journal of Sociology* 109(2):304–344.
- Friedman, Elisabeth
1995 Women's Human Rights: The Emergence of a Movement. *In* Women's Rights, Human Rights: International Feminist Perspectives. Julie Peters and Andrea Wolper, eds. Pp. 18–35. New York: Routledge.
- Galanter, Marc
1989 Law and Society in Modern India. Delhi: Oxford University Press.
- Gluckman, Max
1949 The Village Headman in British Central Africa: Introduction. *Africa* 19(2):89–94.
- 1955 The Judicial Process among the Barotse of Northern Rhodesia. Manchester: Manchester University Press for the Rhodes-Livingston Institute.
- 1997[1969] Concepts in the Comparative Study of Tribal Law. *In* Law in Culture and Society. Laura Nader, ed. Pp. 349–373. Berkeley: University of California Press.
- Goodale, Mark
2002 Legal Ethnography in an Era of Globalization: The Arrival of Western Human Rights Discourse to Rural Bolivia. *In* Practicing Ethnography in Law: New Dialogues, Enduring Methods. June Starr and Mark Goodale, eds. Pp. 50–72. New York: Palgrave Macmillan.
- Grewal, Inderpal
1998 On the New Global Feminism and the Family of Nations: Dilemmas of Transnational Feminist Practice. *In* Talking Visions: Multicultural Feminism in a Transnational Age. Ella Shohat, ed. Pp. 501–530. New York: New Museum of Contemporary Art.
- Hayden, Robert M.
1987 Turn-Taking, Overlap, and the Task at Hand: Ordering Speaking Turns in Legal Settings. *American Ethnologist* 14(2):251–270.
- International Center for Research on Women (ICRW)
1999–2002 Domestic Violence in India, vols. 1–5. Washington, DC: USAID/India.
- Kapadia, Karin
2002 Translocal Modernities and the Transformations of Gender and Caste. *In* The Violence of Development: The Politics of Identity, Gender and Social Inequalities in India. Karin Kapadia, ed. Pp. 142–182. London: Zed Books.
- Khagram, Sanjeev, James V. Riker, and Kathryn Sikkink, eds.
2002 Restructuring World Politics: Transnational Social Movements, Networks, and Norms. Minneapolis: University of Minnesota Press.
- Krishnamurthy, Mekhala
2002 In the Shadow of the State, in the Shade of a Tree: The Politics of the Possible in Rural Gujarat. BA thesis, Department of Social Sciences, Harvard University.
- Mayaram, Shail
2002 New Modes of Violence: The Backlash against Women. *In* The Violence of Development: The Politics of Identity, Gender and Social Inequalities in India. Karin Kapadia, ed. Pp. 393–424. London: Zed Books.
- McKinley, Michelle
1997 Life Stories, Disclosure, and the Law. *PoLAR: Political and Legal Anthropology Review* 20(2):70–83.
- Merry, Sally Engle
1995 Gender Violence and Legally Engendered Selves. *Identities: Global Studies in Culture and Power* 2:49–73.
2001 Rights, Religion, and Community: Approaches to Violence against Women in the Context of Globalization. *Law and Society Review* 35:39–88.
2003 Rights Talk and the Experience of Law: Implementing Women's Human Rights to Protection from Violence. *Human Rights Quarterly* 25(2):343–381.
2006 Human Rights and Gender Violence: Translating International Law into Local Justice. Chicago: University of Chicago Press.
- Merry, Sally Engle, and Rachel Stern
2005 The Female Inheritance Movement in Hong Kong: Theorizing the Local/Global Interface. *Current Anthropology* 46(3):387–409.
- Meschievitz, Catherine S., and Marc Galanter
1982 In Search of Nyaya Panchayats: The Politics of a Moribund Institution. *In* The Politics of Informal Justice, Comparative Studies, vol. 2. Richard L. Abel, ed. Pp. 47–77. New York: Academic Press.
- Nader, Laura, ed.
1997[1969] Law in Culture and Society. Berkeley: University of California Press.
- Narayanan, Revathi
2002 Grassroots, Gender and Governance: Panchayati Raj Experiences from Mahila Samakhya Karnataka. *In* The Violence of Development: The Politics of Identity, Gender and Social

- Inequalities in India. Karin Kapadia, ed. Pp. 295–351. London: Zed Books.
- Nyamu-Musembi, Celestine
2002 Are Local Norms and Practices Fences or Pathways? The Example of Women's Property Rights. *In* Cultural Transformation and Human Rights in Africa. Abdullahi An-Naim, ed. Pp. 126–150. London: Zed Books.
- Pence, Ellen, and Michael Paymar
1993 Education Groups for Men Who Batter: The Duluth Model. New York: Springer Publishing Company.
- Pigg, Stacy Leigh
1997 Found in Most Traditional Societies: Traditional Medical Practitioners between Culture and Development. *In* International Development and the Social Sciences: Essays on the History and Politics of Knowledge. Frederick Cooper and Randall Packard, eds. Pp. 259–290. Berkeley: University of California Press.
- Poonacha, Veena, and Divya Pandey
1999 Responses to Domestic Violence in the States of Karnataka and Gujarat. Mumbai: Research Centre for Women's Studies, SNDT Women's University.
- Rajagopal, Balakrishnan
2003 International Law from Below: Development, Social Movements, and Third World Resistance. Cambridge: Cambridge University Press.
- Riles, Annelise
1998 Infinity within the Brackets. *American Ethnologist* 25(3):378–398.
- Rottenburg, Richard
2002 Weit hergeholte Fakten: Eine Parabel der Entwicklungshilfe. (Far-fetched facts: A parable of development). Stuttgart: Lucius und Lucius.
- Schechter, Susan
1982 Women and Male Violence: The Visions and Struggles of the Battered Women's Movement. Boston: South End Press.
- Sharma, Aradhana
In press Crossbreeding Institutions, Breeding Struggle: Women's "Empowerment," Neoliberal Governmentality, and State (Re)Formation in India. *Cultural Anthropology*.
- Snow, David A.
2004 Framing Processes, Ideology, and Discursive Fields. *In* The Blackwell Companion to Social Movements. David A. Snow, Sarah A. Soule, and Hanspeter Kriesi, eds. Pp. 380–412. Malden, MA: Blackwell.
- Snow, David A., and Robert D. Benford
1988 Ideology, Frame Resonance, and Participant Mobilization. *International Social Movement Research* 1:197–217.
- Snow, David A., E. Burke Rochford Jr., Steven K. Worden, and Robert D. Benford
1986 Frame Alignment Processes, Micromobilization, and Movement Participation. *American Sociological Review* 51(4):464–481.
- Speed, Shannon, and Jane Collier
2000 Limiting Indigenous Autonomy in Chiapas, Mexico: The State Government's Use of Human Rights. *Human Rights Quarterly* 22:877–905.
- Strathern, Marilyn
2004 Losing (out on) Intellectual Resources. *In* Law, Anthropology, and the Constitution of the Social: Making Persons and Things. Alain Pottage and Martha Mundy, eds. Pp. 201–234. Cambridge: Cambridge University Press.
- Steinberg, Marc W.
1999 The Talk and Back Talk of Collective Action: A Dialogic Analysis of Repertoires of Discourse among Nineteenth-Century English Cotton Spinners. *American Journal of Sociology* 105:736–780.
- Tang, Catherine So-Kum, Antoinette Lee, and Fanny Mui-Ching Cheung
1999 Violence against Women in Hong Kong. *In* Breaking the Silence: Violence against Women in Asia. Fanny M. Cheung, Malavika Karlekar, Aurora De Dios, Juree Vichit-Vadakan, and Lourdes R. Quisumbing, eds. Pp. 38–58. Hong Kong: Equal Opportunities Commission in collaboration with Women in Asian Development and UNESCO National Commission of the Philippines.
- Tarrow, Sidney
1998 Power in Movements: Social Movements and Contentious Politics. 2nd edition. Cambridge: Cambridge University Press.
- Tate, Winifred
2004 Counting the Dead: Human Rights Claims and Counter-Claims in Columbia. Ph.D. dissertation, Department of Anthropology, New York University.
- Ticktin, Miriam
1999 Selling Suffering in the Courtroom and Marketplace: An Analysis of the Autobiography of Kiranjit Ahluwalia. *PoLAR: Political and Legal Anthropology Review* 22(1):24–42.
- United Nations
1996 The Beijing Declaration and the Platform for Action. New York: UN Department of Public Information.
- Wilson, Richard A., ed.
1997 Human Rights, Culture and Context: Anthropological Perspectives. London: Pluto Press.
- Yeung, Caroline
1991 Wife Abuse: A Brief Historical Review on Research and Intervention. *Hong Kong Journal of Social Work* 25:29–36.