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Walden University

COLLEGE OF SOCIAL AND BEHAVIORAL SCIENCES

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David Kenneth Waldman

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Walden University
2011

Abstract

A Situational Analysis of Human Rights and Cultural Effects on Gender Justice for Girls

by

David Kenneth Waldman

MA, Golden Gate University, 2001

BS, Queens College, 1976

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Public Administration

Walden University

May 2011

Abstract

Evidence suggests that despite repeated mandates by the United Nations (UN) for gender equality, local gender justice for girls has been elusive. Conceptually drawn from Merry's human rights-cultural particularism dissonance and Sen's comparative justice theories, the purpose of this grounded theory study, supported by Clarke's situational analysis, was to investigate how local religious and cultural practices impedes a gender equality outcome for girls. The primary research question involved identifying characteristics and situations of actors who focused solely on gender, culture, and human rights issues at the international and national level. A qualitative research design was used in this study of 8 experts in gender, human rights, and cultural issues who were interviewed in-depth in person and on the telephone. A line-by-line analysis of participants' responses identified specific sub theme situations related to the study that included sociocultural, socioeconomic, and intercultural elements. In addition, open and selected coding of participants' responses uncovered critical gender related themes that included democracy, political governance, and fatherhood responsibility. Implications for social change include indentifying a gender justice approach to human rights in which to implement integrated gender focused programs advocated by civil society and the UN to fill gaps left by governments.The findings suggest that obtaining children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality. This can result in advancement of gender justice, which research indicates can substantially improve local and global communities socially, economically, and politically.

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Dedication

This is dedicated to the girl child living in the developing world. You are the raison d'être for my work.

I am saddened that my parents Rebecca and Mack are not alive to share the nachas (joy) of my Pd.D. I was raised to follow the Jewish cultural tradition of תיקון עולם (Tikkun olam), Hebrew for "repairing the world." I honor their memory by devoting my life's work to Tikkun olam.

To Former Ugandan Minister of Gender, Labour, and Social Development, Honorable Bakoko Bakoru Zoe, Isaac Mbaziira, and David Mbuvi my friends and colleagues at To Love Children. My infinite admiration and respect for your wisdom, determination, and hope. Together we will establish positive social change for girl children.

My deepest and most heartfelt indebtedness for my friend and colleague Margaret Meador, who never wavered in her conviction of the importance of our work for the girl child. Meg offered ongoing encouragement and assistance while I was in pursuit of my doctorate. In spite of her own demanding professional and personal life. I am forever in her debt.

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It should be no secret that the eventual success of a dissertation is based on the relationship that a doctoral candidate has with his/her dissertation editor. I had the best of the best; Tobias Ball. Tobias exemplified the meaning of the phrase going above and beyond the call of duty. Thank you, you were solid ground under my feet that I could always depend on.

There are few heroes in my life, but Robert F. Kennedy inspired how I would come to visualize social change: “Human history is shaped each time a man stands up for an ideal or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope. Some men see things as they are and ask why? I dream things that never were and ask, Why not?”

To Sally Engle Merry, whose book inspired me to rethink the role of culture and universal human rights. To Nobel Laureate, Amartya Sen, whose theory of justice informed my concept of gender justice. Thank you for your voiceless guidance.

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Chapter 1: Introduction to the Study

Despite multiple United Nations (UN) human rights resolutions, government involvement, and civil society participation, the goal to assimilate gender equality, gender justice, and disparate cultures remains elusive. Local community actors' interpretations of cultural norms directly influence whether or not human rights standards are implemented (Kaime, 2009; Merry, 2006). Hofstede (2003) argued that no society should apply its normative social behavior to another society, even when it believes itself to be morally superior. There is an urgent need to bridge the gap between international human rights legal treaties and rights in practice because presently, there are no state level enforcement mechanism agreements for gender justice at the community level.

The problem under study was that community-imposed negative cultural gender bias was the reason the UN determined, impeded realization of the human rights intent of the Convention on the Rights of the Child (1989) for girls (United Nations General Assembly, 2009d). Hashemi (2007) posited that a society's cultural constructs of gender influenced a nation to impose its prerogative to assert reservations to the Convention on the Rights of the Child (CRC). A nation's reservations affect the human rights intention of the CRC (Harris-Short, 2003). This study may contribute to a new perspective of the UN's ability to inform national social policy based on an integrated human rights and gender justice-based approach to gender equality.

Gender justice is an epistemic approach to frame emergent universal human rights norms in a context with local cultural norms. Toufayan (2010) argued that protection of an individual's human rights by a local or national judicial system is dependent on a

nation's commitment to democracy. Toufayan reasoned that universal human rights laws are problematic in that they have not taken into account the pragmatism of day-to-day life in favor of the flawed belief of an ideal universal human rights approach. The paradox that emerges between cultural norms and universal human rights norms has prevented girls from accessing gender justice and achieving gender equality.

One role of the CRC and culture is to inform UN human rights methodology to combine, development and democratic concepts and principles in order to reach the goal of universal gender equality for every girl. A conceptual underpinning of this study was formed around a three dimensional thematic framework that consists of (a) gender justice, (b) human rights, and (c) gender equality. The advantage of a thematic approach was that it enabled consideration of global perspectives of human rights, gender equality, and gender justice approaches to gender equality with local culture countervailing influences.

Background of the Problem

Although human rights for children have become a popular social justice issue only in the past 2 decades, rules to establish human rights and justice have cultural and religious foundations. Levinson (2006) suggested that Hammurabi's code of ethics was the first written code of justice. Mosaic Law (1312 B.C.E.) was known as the five books of Moses or the Pentateuch, established the Jewish concept of justice with the instruction to "love thy neighbor as thyself" (Sherman & Salisbury, 2006, p. 32). These early deontological or philosophic perspectives of justice obligated a person to behave morally is considered the preliminary modern start of the guarantee of justice (Shameem, 2006).

The cultural perspective of Tikkun olam, a Hebrew proverb, is a social imperative for Jews to restore the world where they find injustice or inequality (Dorff, 2009). This social philosophy has shaped the cultural focus of social justice for Jews for thousands of years. The Jewish concept Tikkun olam is a paradigmatic case in point of how the effects of culture on the integration into a Jewish social rights philosophy can have a positive influence on human rights. Anecdotally, while Orthodox Jewish females have freedom of speech, access to education, and are treated with justice, they are at the same time restricted by tradition to different family duties from males.

In more recent times Roosevelt (1941), when asked how he defined the term "freedom from want," replied that it was the removal of cultural obstacles between nations. The concept of freedom from want has become a prelude to efforts to achieve universal human rights (Borgwardt, 2008; Sen, 1983b). Roosevelt's Four Freedoms speech first introduced the concept of human rights as an indivisible and universally accepted fact for all human beings (Borgwardt, 2008). The speech was the beginning point for the drafting of the United Nations Declaration of Human Rights in 1948.

Few researchers have examined the role that culture has played in the pursuit of justice and its effect on gender equality for girls. Pietilä (2007) chronicled the modern history of the women's rights movement with the first UN World Conference on Women in Mexico City in 1975. The United Nations General Assembly (2010a) declared that human rights and gender equality were now to become the core of all programs, treaties, and UN agencies. Researchers who want to study gender inequality now have access to an empirical database to study "gender development and empowerment indices" (Caprioli

et al., 2009, p. 840) that empirically encapsulate the multidimensional meaning of the gender concept of a woman.

A little over 40 years later, in the 1990s, the UN reached consensus on assimilating the human rights issue into a "mainstreaming" (Alston, 2005, p. 825) rubric. This resulted in the CRC (1989) which every nation has since ratified except the United States and Somalia. The ability of a nation to define justice and injustice would hypothetically support the CRC if a judiciary system based decisions on the definition of justice that people would care as much for other people as they do themselves (Sen, 2009a).

Diplomats have also failed to instruct national policymakers and encourage legal jurisprudence to investigate documents that affect cultural particularism and universal human rights ideals to achieve gender equality (Kaime, 2009; Merry, 2006; Radacic, 2008). Current UN human rights documents appear to constrain the ability of local culture to attain gender equality though national social policy. Kaime (2009) did not agree with Universalists that individual rights should triumph over cultural differentiation. Kaime argued in view of the lack of research on "cultural foundation of human rights" (p. 129), the urgency is "only scholarship has proper cultural foundations but is also the core instruments protecting the rights of the child" (p. 129).

Merry (2006) posited that the concept of universal human rights should first adapt to local cultural perceptions of human rights while becoming part of local community institutions. Human rights actors at the international level have not yet integrated time-honored local cultural interpretations of gender justice into the global goals for gender

equality and development (Alston, 2005; Merry, 2006, Millennium Development Goals, Goal, 2/3, 2000).

Merry (2006) argued that the solution for an integration of human rights into a local culture is to align rights within a local cultures' definition of gender justice. A lack of scholarship on gender justice research has created an opportunity to examine gender policymakers to better adapt to the demands of local particularism philosophy into the UN's universal framework of human rights. One exception is the examination of the rights of ASEAN states' reservations to the CRC to preserve a "sui generis ASEAN perspective on women and children [which will be a repackaging of the passé Asian Values position that] needs to be strenuously resisted" (Linton, 2008, p. 492).

A dominant cultural view informs national social policymakers to adhere to current societal practice and exclude particular and specific intent for gender equality, enshrined in the CRC. According to Herr (2008), local women are more than capable of altering their own social, cultural, political, and ethical models for a more just world than liberal gender advocates at the UN. Herr exemplified the significance that women "advocate cultural claims and defend seemingly problematic minority practices/norms because they, as culturally immersed insiders, recognize the democratic potential of their nonliberal culture" (p. 48).

International human rights law creation of UN treaties provides local communities opportunities to merge community and national cultural interpretations of human rights but not necessarily to create westernized democratic institutions (Herr, 2008). In this transnational "discursive process, an epistemic community emerges through ongoing

dialogue among middle-level foreign service representatives, speaking both as representatives of nations and for themselves as raced and gendered persons" (Merry, 2006, p. 60).

The goal was to conduct a study in order to develop a theory which explained the positions of international as well as national actors and stakeholders of both genders who are actively involved in the development of gender justice and gender equality issues for girls (United Nations Division for the Advancement of Women, 2008). Knowledge from national gender and cultural actors was required to analyze the legislative outcome for gender justice and equality for girls. Without a transdisciplinary policy, the approach to gender justice for girls will remain elusive. The purpose of the study was to generate evidence and insights that could be used in development of gender equality policy to help countries provide girls achieve increased access to gender justice.

The premise of the research questions for data collection is detailed in chapter 3 under Sen (2009a) theory of justice and study of the systemic problems of the girl child such as lack of access to justice (Merry, 2006). Additionally, it includes the impact of institutions, poverty, national social policy, gender, and childhood from a feminist perspective (Heidemann & Ferguson, 2009). A transdisciplinary empirical research process informs data collection (Caprioli et al., 2009).

Statement of the Problem

The plight of the world's children is dire, especially for girls, who lack the rights afforded to boys (Heidemann & Ferguson, 2009). The problem is that the rights of the child, as recognized by the CRC, have been unevenly adopted in policy and practice by

nations, and some states have ignored rights entirely as incompatible with their cultural beliefs. This presents a challenge to gender advocates to implement the Convention on the Rights of the Child as a United Nations gender equality policy instrument. Specifically, the problem is how to achieve universal gender equality when cultural reservations block the human rights intent of the CRC. Consequently, there is a need to examine gender justice effects on girls decided by cultural expectations of social behavior contrary to a government's international legal obligation to implement the CRC.

There are many possible reasons contributing to this problem, among which are a lack of access to justice, negative cultural gender bias, and a westernized human rights approach interpreted by nonwestern cultures. The UN initiated the CRC to address these concerns, yet adherence to the CRC is uneven, and some nations resist conforming to or implementing it on cultural grounds (Kaime, 2009). Gender inequality in two-thirds of the nations of the world denies girls schooling (United Nations Educational, Scientific, and Cultural Organization, [UNESCO] 2010).

Trying to enforce universal human rights for girls would probably not end negative bias or violence, and discrimination against girls, as local culture would prevail (Merry, 2006). A preliminary review of the literature disclosed that gender justice for girls could be explained in terms of access to social, political, and economic opportunities. For that reason, even though the UN's approach to human rights for children has acknowledged increased global awareness for children's rights, a dilemma remains on how to create actionable policy solutions to implement gender justice in light of cultural resistance to the CRC. A gender justice approach appears crucial to further the

human rights foundation of the CRC and learn how to effectively apply incentives to countries to counter their intransigence.

Purpose of the Study

The purpose of this qualitative situational analysis study was to generate evidence and insights which could be used in development of gender equality policy to help countries provide girls achieve increased access to gender justice. In addition, an attempt (a) to identify local civil society solutions to readdress a nation's right to reservations to the CRC based on religion and culture, and (b) to identify culturally appropriate legal enforcement to ensure continual progress of the implementation of the CRC.

The phenomenon is the UN's human rights approach to implement the intent of the CRC to include local cultural discourses about gender equality by UN gender experts and international civil society actors. In order to advance the concept of local cultural cohesion at the local level, international policymakers will be required to provide insight into how to better frame gender justice based on the CRC. This exploratory study provided both a theoretical and conceptual map for civil society, parliaments, and stakeholders at the UN to develop a human rights intercultural gender justice model (Zuloaga, 2008).

Research Question

The goal was to use the answers to the questions to develop an understanding for a broader transdisciplinary, postmodern, feminist, political, and cultural discourse will be needed to avoid becoming embroiled in just the dominant gender and human rights discourses (Allen & Faigley 1995). The following questions guided the study.

Primary Question

What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes?

Sub Questions

1. What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level?
2. What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC?
3. How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC?
4. What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations?

Conceptual Framework

Qualitative research includes epistemology and a methodology that employs a rigorous focus on inquiry (Creswell, 2007; Carter & Little, 2007). The conceptual framework shows which ideas from the literature ground the research related to girls and not women or just the methodology. The framework includes a cross-section of concepts from a transdisciplinary perspective and requires the researcher to "scaffold research" (Smyth, 2004, para. 4) for clarity. Within time and resources devoted to a research study, it is not possible to investigate thoroughly how to integrate a Western concept of human

rights into one developing nation's national social policy process (Piantanida, Tananis, & Grubs, 2002).

The human rights ardor currently acted out in everyday social interactions among UN actors has influenced social behavior. Yet there remains an awareness of emotional and rational appeals to gender equality (Gherardi, Nicolini, & Strati, 2007). Situational analysis based also on the theories of Merry (2006) and Sen (2009a) increases the range of acceptable forms of knowledge and also comes with the possibility of emotional analysis of issues that evoke strong reactions from all actors (Gherardi et al., 2007).

Nature of the Study

Clarke (2005) stated that situational analysis after the postmodern turn included grounded theory. Situational analysis includes the Straussian concept of social worlds, arenas, and discourses. Situational analysis, according to Clarke is the most pragmatic methodology for scaffolding multiple narratives. Its unique characteristics mean that it need not be solely based on the current UN discourses of human rights, gender equality, and gender justice. Clarke argued that to "understand a particular social world, one must understand all the arenas in which that world participates and the other worlds in those arenas and the related discourses, as they are all mutually influential/constitutive of that world" (p.48).

Situational analysis methodology enabled a better understanding of the role of culture to determine how to achieve a gender equality outcome for girls. Secondly, situational analysis was open to multiple contexts. As soon as a research methodology connects with the needs of the participants the emergent data allows for building

theoretical constructs from a less biased and more inclusive methodology of policy making (Clarke, 2005).

Situational analysis mapping is meant to be conducted without bias, but unlike grounded theory, usually uses existing knowledge. Data collected were used to discover new perspectives and to examine extant ones (Glaser & Strauss, 1967; Hart, 1998). Glaser and Strauss warned about reading the literature or gaining preconceived ideas to inform the coding method, while (Clarke, 2005; Heath, 2008) favored prior gathering of a broad scope of knowledge to best inform the range of alternative directions for research. Another benefit of situational analysis methodology is that it is assumed to be aligned with an interpretation of the empirical approach to transdisciplinary action research based on Lewin (Lewin, 1997; Stokols, 2006).

Lewin (1997) referred to the extant "gender cultural atmosphere" (p. 15) as the environment in which all situations occur. Changing political dynamics of pre World War II necessitated "distinguish [in among] the ideals and principles" (p. 15) that are the dominant discourse from the reality of the extant research methodologies that could have been selected and placed with similar types of studies. The transformative model was not selected in spite of the advantage of it being a mixed research model in which to collect local perspectives to examine gender justice. The researcher in this methodology is an active actor in order to construct meaningful social change (Merton, 2007), in a similar manner to the research ontology of action research, (Lewin, 1947). However, the transformative mixed model paradigm first assumes that a central factor of the research is one of power. Power has its own literature and would take the research focus off culture.

In contrast, situational analysis (Clarke, 2005) has integrated the constant comparative method of qualitative analysis into the collection of data (Glaser & Strauss, 1967). This method has the advantage of a mixed model that "combines, by an analytic procedure of constant comparison, the explicit coding procedure" (p. 102) in which to test through analyzing data a hypothesis and reinventing from the data theory. Grounded theory provides an inductive approach for examining data as an iterative process.

Situational analysis was used to map the transdisciplinary approach for an examination of culture, gender justice, and gender equality (Clarke, 2005). Research questions emerged from an iterative process of situational mapping, which became a part of an analysis of cultural and religious customs. Cheung and Chan (2007) and Vickers (2006) commented on the urgency to examine the concept of universal human rights, women's rights, gender equality, and cultural particularism.

The research focus, however, was on the effects of culture on the CRC, gender justice, and gender equality for girls. Situation analysis is meant to specifically address the interrelated complexity of international, national, and local sectors to produce a plan of action for social change (Clarke, 2005; Merry, 2006; Stokols, 2006). Passion is required by a researcher to effect social change beyond rhetoric and theories. The involvement of a researcher becomes part of the data collection and the insights that come in the process (Clarke, 2006).

The goal of data collection was to augment knowledge and theory to aid in analysis. Careful attention was needed to rationalize, justify, and present a clear

description of multiple factors and definitions that could have an influence in the data collection process. A qualitative approach should provide trustworthy data. Effective evaluation and assessment methods that could be merged to enhance public social policy at the international and national level were shared by some of the participants.

The CRC has increased global awareness of children's rights. However, there still remains a gap between intention and action, espoused theories and theories in use, and aspiration and practice in which to assimilate global girls' rights to overcome specific religious and cultural failure to acknowledge and embrace particular concepts as an impediment to gender justice (Merry, 2006). This study was an evidence based-analysis which created a better understanding of how gender equality policies, human rights development programs, and civil society partnerships translated into outcomes for gender justice. The goal was to raise the policy profile of gender justice and gender disparities in policy outcomes could facilitate a process for steering human rights development.

Focus of the Study

The focal point of the study emerged from an extensive review of the literature, which revealed a dearth of studies connecting gender justice to the implementation of the CRC. The literature, however, was replete with themes related to gender equality such as (a) culture, (b) gender justice, and (c) universal human rights to describe the rationale of the UN human rights methodology and how universal human rights, human development, and democratic principles work in harmony to achieve the goal of gender equality for girls.

The focus was twofold: to construct a narrative that could allow CRC's legal ability to overcome cultural obstacles to secure gender justice for girls and to examine the UN gender human rights architecture effort to explore the causes of resistance and effect of beliefs to see if a new integrated theory of human rights and gender justice to achieve gender equality can emerge.

Operational Definitions of Terminology

Gender justice: The obligation and acceptance of a nation that ratified the CRC to enact access to justice as an obligation to the best welfare for the public good for children. Although it is difficult to find definitive values and definitions for the concept of human rights, culture, and gender justice, there is need for a common denominator in which all cultures accept the conceptual framework of the CRC (Merry, 2006; Sen, 2009).

Girl child: Ward (1982) used the term girl child which gave gender to the term children to denote that girls were mostly the victims of family violence or rape. The UN adopted the term to mean a classification of girls that are the poorest, most vulnerable, and marginalized in the world (Ponte, 2006). Because cultural circumstances impede gender equality for girls depending on where they live, the UN places girl children in a separate class of children that require additional protection and attention to their human, social, economic, and political rights (UN General Assembly, 2009d).

Universal human rights: The UN concept that grants indivisible rights to all individuals that is not to be taken away by law or cultural practice (UN Development Fund for Women, 2007g).

Postmodern turn: The reality of seeing the world from multiple perspectives that means a social-psychological lens and subjective rather than the objective view of the positivist (Clarke, 2005).

Gender equality: The UN's most recent gender policy pays "special attention to the girl child" (UN Economic and Social Council, 2010c, Policy 1.A. (c), p. 2) and also comprises "the need to include gender issues' effect on men and boys" (Policy 1.A. (c), p. 2). In this study, the assumption of gender is female unless specified in context to mean both genders. Gender is a social construct and does not universal definitional value other than to specify male or female.

Nonhuman actor: The need to provide in grounded theory analysis nonhuman objects (technologies, discourses, historical documents) combined with human actors to make up a "situation of inquiry" (Clarke, p. xxxv) and "provoke analysis of relations among them" (p. xxxv). For the purpose of this study, non human actants are defined as UN CRC and the African Charter on the Rights and Welfare of the Child.

Assumptions

The degree that a society benefits from the education of the girl child in the developing world is a function of the effects of access to gender justice and a culture's response to its interpretation of gender equality. Currently, the global response has been the implementation of a human rights approach with conflicting understanding of full human rights granted to all human beings, and it is ineffective because of those conflicts (Alderson, 2008), the European Convention on Human Rights (Besson, 2007; Stalford & Drywood 2009), and the imposition of religion-oriented reservations by Muslim states

(Hashemi, p. 194). The issue of the African Charter on the Rights and Welfare of the Child is a justification of regional politics better situated to assimilate universal human rights to children into an "African cultural context" (Kaime, 2009, p. 136). In a related case study of the government of Bangladesh, excuses of "poverty, resource constraints, community ignorance, banning harmful traditional practices, and the persistence of culturally specific practices and values were justifications and explanations for its inaction in implementing the full range of CRC rights and protections" (Banks, 2007, p. 412).

The research method was based on both subjective and objective philosophical assumptions, ontological, epistemological, and axiological to differentiate among the perception of the participants. The following are the three main assumptions:

- A gender justice methodology is presumed required to educate all policy actors to integrate cultural rights with the CRC.
- Dewey's (1916/1944) theory of education is mutually inclusive with a nation's best interest to implement social rights for the public good .
- Some dictatorships want to fulfill its social responsibility for the public good with the exception of failed states.

This research consisted of gender experts working at the UN, civil society, academia, and national government. Each participant was asked to sign an informed consent form to preserve confidentiality. Therefore all responses from participants are presumed to be accurate and honest. The sample size of participants is representative of the population of gender experts under study. The purpose of the research questions was

to investigate situations in which UN actors interpret local cultural gender expectations of behavior with a national government's legal obligation to the CRC. Participation in the research was voluntary and this meant that if a participant decided to be in the study the participant could still have changed their mind during the research.

Delimitations

The factors of power, poverty, hunger, health, local wars, economic, and nonwestern democratic governance institutions that restrain the UN from developing effective human rights based on national social policy for the girl child was not included in the study. New perspectives informed by the past that combine conceptual gender discourse with an empirical approach open a multidisciplinary study of history, current events, institutions, and individuals. The many barriers to gender equality in education, such as lack of access to justice, stem from a lack of political will. Nations obliged by their perceived national responsibility sign human rights treaties, but tradition and cultural forces maintain power and have control over the implementation of a government's enforcement of the CRC (Miller, 2007). A cultural practice limits the effectiveness of the CRC to fully affect rights. One example is the European Convention on Human Rights which is a contradiction of cultural restrictions and human rights (Lyon, 2007).

The intention was not to study the perspective of economic empowerment research to gender equality or quantitative measurement of nations who are favorable to women's rights. Also not included was an examination of interdependency of an emergent and extant global society and women empowerment issues to ensure "etic

judgments are informed by, and sensitive to, emic values, if the voice and agency of subordinated groups is not to be suppressed by powerful outsiders who may have only a tenuous grasp on their realities" (Kabeer, 1999, p iv).

A lack of a transdisciplinary interpretive analysis of gender justice, human rights, and cultural approach to the CRC in which to affect a developing nation's social policy is an obstacle to a girl's social development. A gender justice approach for the public good has historically been a government's approach to advancing social but not democratic rights (Rousseau, 1762/2005a). This study was not to become a treatise on universal human rights, and instead I examined and described movements toward inclusion and implementation of a gender justice framework to advance gender equality for girls.

Limitations

The limitations of the literature review focused on an examination of the methodology of models of gender justice that were culturally appropriate. There was a need to be cognizant of the limitation on generalizability due to the influence culture and bias played in each society. The first limitation was to ensue from a case study of one nation's cultural traditions and access to gender justice that it would be analogous to all nations in Africa.

Such inferences in this study were exploratory and provisional based on additional research. The study methodology was limited to the examination of the effect of the UN integration of a westernized concept of universal human rights as enshrined in the CRC. It is self-evident of the push back from nations who will sign reservations to the Convention thus circumvent the intent of the treaty (Linton, 2008).

The limitations were models of gender justice that are culturally appropriate and did not focus on the influence of culture and bias. The methodology was limited to the examination of the effect of the UN integration of the Western concept of universal human rights as enshrined in the CRC. It is self-evident in the push back from nations who sign reservations to the Convention and thus circumvent the intent of the treaty (Linton, 2008). However, there was no suggestion that those nation's leaders or populations objected to reaching gender equality and access to justice for girls, as these variables are in constant flux.

Significance of the Study

The study connected the human rights intent of the CRC and the reality of changing the cultural expectations of societal behavior at the community level. The contravention of a universal human rights approach alone to gender empowerment is a barrier to gender equality outcomes for girls (UN Development Fund for Women, 2010a). The research problem was purposely selected because little attention was paid to the problem of community-imposed gender bias as the reason for the lack of realization of the human rights intent of the CRC.

A limited perspective from both international and civil society limited the scope of the study. Competing explanations for gender inequality: (a) national political power and corruption, (b) hunger, (c) health issues, (d) local wars, (e) nonwestern democratic governance institutions, and (f) lack of universal feminization of leadership were not included. The intent was to examine gender justice implications for gender equality affected by the way local cultures interpret international human rights. The focus was

centered on gender equality rather than social justice, which could become a natural outcome of the implementation of gender justice.

Implications for Positive Social Change

Positive social change may result from an integrated gender justice and human rights policy framework for the education of girl children that is culturally appropriate to each nation. The purpose was to incorporate universal human rights from the international level as espoused in the CRC, not as absolutes but implemented with culturally appropriate national and community level mechanisms for justice.

The research may provide evidence, insights, and networks that could be used in the reduction of gender inequities and other human rights development tools. It is important to stress that the central focus of the study was to provide empirical evidence on reduction strategies and policy interventions for countries where gender justice was presumed needed to achieve gender equality. This research may also have a positive social impact because it coincided with historical and unprecedented commitment of the UN community to defeat all social impediments to gender justice for girls as the means to achieve gender equality (Barton, 2005; Basu, 2008; Clark, 2010; Pietilä, 2007; United Nations Development Fund for Women, 2010a; United Nations Development Fund for Women, 2009c; United Nations Economic and Social Council, 2010d, and United Nations General Assembly, 2010a). The recommendations included how the CRC can bridge cultural gender expectations of social behavior for girls with a government's legal obligation to universal human rights to achieve gender justice outcomes.

Summary

The research problem addressed in this study was community-imposed cultural gender bias as a cause of gender inequality that impedes the realization of the human rights for girls. The absence of an effective transdisciplinary and integrated human rights, gender equality and cultural rights policymaking process at the UN is an obstacle to the advancement of human rights development for girls. National reservations to the CRC inhibit successful implementation of the human rights intent of the treaty. Factors such as power, social justice, gender, lack of civil society use of cross-cultural gender communication, poverty, hunger, health, clean water, local wars, lack of economic development for women, and violence against women and girls restrain the UN from implement effective human rights-based social policy for girls.

In chapter 1 the problem that the cultural differences around the globe makes it impossible to arrive at a singular perspective to address unequal human and social rights, particularly for girls was introduced. The need for the UN to determine the range of mutually shared human rights and cultural rights was also established.

In chapter 2 I reviewed the literature relative to a nation's obligations and international human rights commitment to the CRC and local cultural mores. The research design is described in chapter 3. Glaser and Strauss's (1967) qualitative traditional comparative analysis method will be matched with Clarke's (2005) purpose for situational analysis established in symbolic interactionism. Based on the criteria of the study, an explanation described how symbolic interactionism has pragmatic applications for gathering data from a diversity of cultural social worlds. A qualitative investigation

was needed to examine the paradox of the integration of a universal human rights concept with disparate cultural, religious, and legal systems.

Results of the research are found in chapter 4. Findings indicated that an integrated narrative was informed by the need of a narrative on the situation of human rights and cultural effects on the implementation of the CRC. Summary and conclusions are contained in chapter five included a hypothesis for an emergent girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, HR =*f* (GJ) + CR + SD = GE.

Chapter 2: Literature Review

Introduction

In the literature review, a transdisciplinary, thematic approach is used to describe emergent social narratives (Hart, 1998). The makeup of the CRC and its interconnected role with (a) culture, (b) gender justice, and (c) universal human rights to describe the rationale of the UN human rights methodology and how universal human rights, social development, and democratic principles work together to achieve the goal of universal gender equality for girls is analyzed. One theme that emerged from the literature is that human rights are inexorability linked to the ability of girls to access education and economic resources but not necessarily justice (Molina & Purser, 2010; UN 2009 World Survey on the Role of Women in Development).

The literature review search included seeking information about epistemological, ontological, historical, and theoretical understanding of the themes of culture, human rights, gender equality, and gender justice. I also sought examples of paradigmatic gender justice approaches from a local cultural perspective to support implementation of the CRC. Verification by triangulation from different disciplines, contexts, and social discourses will ensure reliability and validity of the review (Babbie, 2007).

Searches included empirical studies on the question of the role of culture in affecting gender inequality. The review also includes both the gender inequality practices in the developed and developing world defined by economics and not by values or culture. Even in societies with a long history of democracy and democratic institutions, culture becomes the measurement for enforcement of equality and human rights. An

example is the law in France against the wearing of the burqa for Muslim women (Erlanger, 2010; Wiles, 2007). The American reaction to building a mosque near the site of the destroyed World Trade Center assumes that cultural attitudes and expectations still inform social behavior.

Data Collection Plan

Databases including: SocIndex, Sage Full Text Collection, Education Resource Information Center (ERIC), LexisNexis Academic, JSTOR, and ProQuest Central accessed through Walden University Online Library. Additionally, I searched databases from the UN Official Documents System (ODS) website for recent and archived documents using ECOSOC, High Level Segment Meeting, Development Cooperation Forum, Ministerial Session, (2010), on the theme of universal human rights regarding gender equality at the UN in New York.

The data include a cross-disciplinary section of perspectives including gender equality, cultural rights, gender justice, and human rights in which to develop a logical argument. A conceptualization of the literature from a transdisciplinary perspective "grounded theory and situational analysis in symbolic interactionism as a theory/methods package" with a postmodern perspective (Clarke, 2005, p. 5) will center the unit of analysis on a particular situation of gender justice.

The search terms were *social justice, gender justice, educational development, human rights, democratic governance, culture, feminist, CRC, African Charter on the Rights and Welfare of the Child, girl child, universalism, cultural relativism, intercultural communication, gender equality, gender inequality, gender mainstreaming,*

women rights, Convention on the Elimination of Violence Against Women (CEDAW), Beijing Platform for Action, feminist leadership, national responsibility, national social policy, and *social ethics*.

Additional key terms were noted that were repeated in the sources, and following them helped to ensure covering pertinent themes. The themes yielded over 44,400 articles, which I narrowed to the past 5 years to a representational sample of 300 documents. Most articles focused specifically on qualitative studies. The goal was to discover articles of critical importance to create a full perspective of human rights and gender equality as it applies to females, particularly girls, in the world today (Randolph, 2009).

Organization of the Review

A transdisciplinary approach was used to review multiple sources of information to recognize multiple overlapping topics and explore the relationships among human rights, gender equality, and gender justice. This led to current and relevant policy methods for future adaptation of a gender justice solution. Presently, there is no integrated community-based gender justice approach to inform the UN human rights status quo approach to gender equality.

Epistemological Assumptions

Carter and Little (2007) argued that a researcher's epistemological input will affect (a) choice of methodology and the connection to the participant, (b) determine what data are accepted as knowledge and how to collect that data, and (c) the axiological value judgments within a specific cultural situation. Through the selection of preselected

search terms bias and presumptions were mitigated by using theories and knowledge learned at the UN and in the field in Uganda, Kenya, and India.

Conceptual Framework of Literature Review

The complexity of the research issue of human rights, culture, and gender equality fits best into a conceptual frame from Merry (2006). Merry informed the essential meaning of the research problem from the viewpoint of a scholar who has experience in both UN negotiations and in feminist organizations. Her theory places the local cultural discourse as a more central component when compared to the UN and feminist universal human rights approach to gender equality. Specifically, she holds that the local cultural vernacular about defining human rights and gender equality has significance often ignored by feminists, national leaders, UN diplomats, and transnational civil society organizations.

Applying Merry's (2006) theory will aid in understanding how to join global children's rights with specific religious and cultural resistance to gender equality and gender justice for the girl child. In particular, the theory dispels the assumption that actors in international forums are "speaking for 'national cultures' and that these national cultures are homogeneous." (p. 18). However, Merry also asserted that cultures can create obstacles that subjugate women and limit gender equality rights. Accordingly, Merry argued that the term *woman* is not a universal concept that could apply to all women but is a series of individually defined cultural constructs. Hinjtens (2008), when researching on the role of UN Development Fund for Women (UNIFEM), found that economic obligations of nations hinder the advancement of gender equality. Human rights concerns

in social policy interactions among UN actors have also influenced the direction of national gender equality implementation (Gherardi et al., 2007). The review includes examinations of how girls decide if they want be part of their international or local cultural interpretations of human rights. Evidence-based research is required for social scientists, diplomats, and civil society to shape positive social change, justice, and gender equality (Lewin, 1997; Merry, 2006; Nussbaum, 2003; Rawls, 1971; Robeyns 2005a/2005b; Sen, 2009a).

The theory that informed the literature review of gender justice is Sen's (2009) concept of the achievement of justice. Justice is an ongoing process and not a definitive state or definition that justice is the act of enhancing social good and the elimination of injustice. Merry (2006) argued that the:

> Human rights system has developed a global cultural world in which interactions between local and transnational culture are essential for the understanding of culture challenges of those who claim that reforms violate their culture at the same time it encourages activists to take seriously meaning and practice within local contexts. (p. 228)

At the national level, cultural rights and access to gender justice inform the phenomena of the lack of gender equality for girls irrespective of the CRC. The rationale for the review is based on Merry's (2006) hypothesis that "instead of viewing human rights as a form of global law that imposes rules, it is better as a cultural practice, as a means of producing new cultural understandings and actions" (pp. 228-229). Chinkin

(2009) argued that the way rights can be assured is through implementation of international human rights legal frameworks.

The paradox of an integration of a universal human rights concept for girls though Clarke's (2005) lens of situational analysis will investigate the disparate cultural and religious customs that impede gender equality. A preliminary review suggested that differing cultural and religious customs enable national social policies to exclude the gender equality intent of the CRC. One late 20th century example of culture usurping all rights for girls was in Afghanistan under Taliban rule, where girls were denied access to schooling. However, some formal and nonformal educational settings have seen rising enrolments for girls (OHCHR, 2008).

Strategies for Searching the Literature

In congruence with Hart's (1998) review process, a thematic scheme was selected to ensure a coherent review that uses both a historical and issue-based approaches (McNabb, 2008). This system enables a search that can cover multiple disciplines. McNabb (2008) suggested a practical classification scheme to illustrate how human rights over time affected the role of a gender justice mechanism for gender equality. Research and seminal works that preceded 2005 and are assumed applicable today were also included in the review.

Research Questions for Review of the Literature

Research questions are the starting point of a literature review, as they bring together both the problem and purpose of a dissertation. Nowhere in the literature is there universal or national emphasis on gender justice as the main approach to the

implementation of the CRC. Evidence of this fact is UN Women, a gender architecture officially implemented in the summer of 2010 to correct this existing problem (UN General Assembly resolution, 2009b).

The research problem directs the examination of data in which to evaluate the CRC with national socially based-gender justice constructs at the local community level. The process is assumed to have a capacity to strengthen civil society, democratic governance institutions, and gender equality outcomes (Merry, 2006; Sen, 2009a).

Clarke (2005) posited that an extensive literature review on a particular social situation is a necessity for accountably. According to Clarke the situation, per se, becomes the ultimate unit of analysis and understanding its' elements and their relationships are the primary goals.

1. How could cultural barriers by human actors/actants limit the intent of the CRC and its national responsibility to deliver human rights for girls?
2. How does implementation of gender justice, a nonhuman actant such as documents or discourses at a national level converge with the intent of the CRC?
3. What specific effects of cultural rights on human actors grant access to gender justice?

The complexity of the issue of human rights, culture, and gender equality also fits best into a conceptual frame based on Merry's (2006) text. Merry's thesis informs the essential meaning of the research problem based on experience in both UN human rights summits and in feminist organizations. Specifically, Merry holds that the local cultural vernacular on how to define human rights and gender equality has significance that is

often ignored by feminists, national leaders, UN diplomats, and transnational civil society organizations.

Merry's (2006) theory is a conceptual tool to answer the dilemma of how to join together universal rights for girls when confronted with specific religious and cultural resistance and practices which obstruct gender equality and gender justice. In particular, the theory dispels the extant assumption that actors in international forums are "speaking for "national cultures" and that these national cultures are homogeneous" (p.18).

Rational for Data Collection

The examination includes (a) the effect of access to gender justice and how it informs national social policy, (b) the role of gender actors and local civil society participation in gender equality, (c) evaluate how the CRC is a relevant human rights treaty to overcome cultural influences to promote gender inequality, (d) explore issues that international and national policymakers face: social, economic, cultural, and political objections to a gender equality policy, and (e) describe cultural obstacles to international human and social rights for girls.

Gender Equity

Bunch and Frost's (2010) thrust was to examine women who have to fight for gender rights in both their private and public lives. However, the missing variables in their study were a focus on evaluating the concept of providing access to gender justice to enforce rights already granted. Differing cultural and religious customs enable national social policy to exclude overall gender equality intent of the CRC (Merry, 2006).

Merry's (2006) argument was that the combined effects of international human

rights and cultural expectations on national policymaking, then, determine the legislative outcomes for social change for girls. Merry concluded that without a transdisciplinary human rights and cultural policy approach, access to justice for girls in the developing world will remain elusive. In spite of the fact that the CRC (1989) earned the distinction of being the most widely ratified convention in the history of the UN, progress measured by the number of girls who have advanced socially, economically, and in political rights has remained elusive (Economic and Social Council, 2010a).

Girls "more than 55 million worldwide" (Office of the High Commissioner for Human Rights [OHCHR], 2008, p. 25) are being denied access to an education. Regardless of an unprecedented global acceptance of an all-inclusive legal document of human rights for children, the CRC (1989), which created the example with an across-the-board acknowledgment of children as social actors, gaps in gender equality still obstruct access to justice for girls (UNICEF, 2009). There is a need to evaluate the United Nation's process to achieve gender equality as a human right to obtain gender justice for girls.

The Girl Child

Heidemann and Ferguson (2009) cited statistics of the potential impact for the gender equality issue, with an estimated 1 billion girls from birth to age 14 in the world today. Beekman (2008) took the perspective that girls living with inequality should at least be able to sanction any political organizations who argue on their behalf. One example is the assumption of the benefit of the UN classification *girl child*. The term has the advantage of appending a girl's perspective to a human rights based-national dialogue

(Beekman, 2008). Gender advocates at the UN argued that this has the possibility to become a cause of global attention to girls who are the most marginalized, living in poverty, and have no access to justice (Koenig, 2005).

Koenig's (2005) assessment is that the term girl child is difficult to characterize as each culture has its own interpretation of how it defines gender. Girl children have no say in the institutions that act to overcome the social barriers to gender equality. Children need to participate in the discourse of how to define who they are in the context of the cultural situation in which they become a woman (Beekman, 2008).

The extent of the issue of gender inequality for girls has heightened a UN commitment to gender equality. A new UN matrix outlined specific gender policy progress in order to focus on the girl child as a significant aspect of children's rights (UN Economic and Social Council, 2010c). Presumably, this will mark girls with their own special overlapping needs with children's rights as well as those that belong with women's rights (UN Economic and Social Council, 2010c). The UN General Assembly (2010a, 2010d) supported the concept of how the UN should advance toward an objective of legal protection for girls. Nonetheless, systemic cultural obstacles continue to deny a girl access to justice.

Gender gaps remain in part, due to recalcitrant cultural customs resistant to the international appeal for gender neutral policy (UN Economic and Social Council, 2010a). The UN Economic and Social Council (2010a) reported that in sub-Saharan Africa, Latin America, and the Caribbean, girls are more vulnerable to dying from pregnancy. In sub-Saharan Africa, girls are more likely to be infected with HIV/AIDS than males. Based on

UN empirical evidence on gender inequality over the course of 20 years, girls lack opportunity for access to an education that a boy by custom and practice normally has (United Nations Development Programme, 2010e). Further disadvantages for girls are obligations to domestic household work, including care of siblings.

Lack of resources and poverty also prevent girls from attending school, and in the UN literature, there is sufficient evidence of gender inequality (UN Economic and Social Council, 2010a). The UN Economic and Social Council (ECOSOC) cited World Health Organization evidence that girls lack access to legal remedies and political will with the fact that "150 million girls, compared with 73 million boys" (p. 82) have suffered from violent sexual attacks.

The Role of Civil Society

The international civil society community for over 20 years has been engaged in a mission to put into practice gender neutral programs as espoused by the CRC (Alberdi, 2010; UN Development Fund for Women 2010a). Both a universal and local legal mechanism system have the challenge to converge local cultural expectations while simultaneously implementing internationally agreed human rights treaty obligations (Economic and Social Council, 2010c; Merry, 2006).

Liu (2006), in a comparative analysis of China and India, showed that international human rights treaties do not directly influence national actors. Instead, local informal and contextual cultural interpretations of gender equality center on interpretations of informal law (Parashar, 2008). Merry (2006) argued that whatever solution is pursued, it has to come from civil society, as it is an organized and

intermediate solution for encompassing universal human rights. Civil society, according to Merry, is best situated to adapt to local customs and blend in with local cultural gender justice constructs.

Moghissi (2008) assumed that it would take time for a nation to adjust, in spite of civil society intervention, to consider wide-ranging local cultural policy factors. This then has caused universal human rights implementation to be prohibitively slow. Iran's national religious culture is in flux as it wishes to participate in economic globalization; but, has failed to propose a corresponding obligation to international human rights (Moghissi, 2008). Even in this context, women act on their own behalf and are able to keep minor improvements in gender rights, irrespective of the power of Islamic policy to the contrary.

Culture and Religion

The critical constituent factor explored in the literature review was the highlighting of gender justice as one of predetermined aspects of gender equality (Merry, 2006). Alldén (2007) underscored concerns of human rights in post conflict East Timor. Alldén assumed as a consequence a role of justice and rule of law at the local level was a prerequisite to enforce universal human rights that originated at the global level. Merry and Muedini (2010) noted that neither culture nor religion is necessarily an obstacle to a universal implementation of human rights. The inference is that neither culture nor religions become ipso facto an obvious obstacle to gender justice for girls.

Forster and Jivan (2008a), in a case study of public interest litigation in India and Australia, concluded with a recommendation for the requirement that women have access

to justice to benefit from the protection of international human rights treaties at the local level. Merry (2006) was one of the first scholars to argue how critical it was to implement a universal legal framework into local culture. The goal was that international gender equality policy matched the cultural behavior expectations of local women. In contrast, Hafner-Burton and Tsutsui (2007) illustrated that it was pointless to incorporate universal human rights into a cultural context.

With no acceptable universal legal paradigm for achieving gender equality, different researchers have examined democratic variables and found that nations with democratic institutions and an evolved civil society have the best likelihood for gender equality outcomes. A caveat was the inclusion of fair jurisprudence. Hafner-Burton and Tsutsui (2007) predicted that the most authoritarian governments do not change their practices because they have ratified a universal human rights treaty. In view of the debate about democracy and gender equality, Brettschneider (2010) argued in cases where religion interferes with individual rights that nations assume responsibility for the welfare of its citizens.

Brettschneider and Miller (2007) said that it is part of a duty of a nation to impose a human rights policy in contradiction to local religious bias against women's rights. Merry (2006) and Healy (2006) argued for inclusion of a local cultural discourse to assist as a partial remedy to discover a compromise solution to gender equality. Tezcür (2010) argued for a "comparative method of agreement" (p. 69) as a solution in which Islamists could support gender equality. An important avenue of research was the direction of

Lovett (2010), who explained that accommodation of cultural practices that first appear restrictive could be found acceptable if the practice lessened negative control.

Merry's (2006) position was not to argue for the elimination of cultural obstacles or diminish the importance of human rights as an avenue to economic development. Merry posited that there is a need for a new discourse about the role of individual acceptance of gender equality within the context of local culture. Merry understood the importance to impose universal human rights as the means to augment social development for girls and the acknowledged that local justice and rights historically have provided some measure of rights and dignity to females.

Boyle and Kim (2009) studied 99 poor to moderately poor nations from 1983 to 2001 and concluded that "States that ratified the International Covenant on Economic, Social, and Cultural Rights will show greater progress toward child rights" (p. 464). Yet it is significant that there is little evidence in the literature to support that the CRC has increased improvement of human rights for children (Boyle & Kim, 2009; Gauri, 2009). Finally, the controversial and difficult aspect of defining the intent of the CRC concerning human rights opens the door for a nation to discount, based on cultural argument, the full intent of some of the rights included in the CRC. Yet the fight for children's rights is improved when "the ratification of child rights treaties, as well as the adoption and implementation of structural adjustment agreements" are aligned (Boyle & Kim, 2009, p. 455).

Universalism and Cultural Particularism

UN gender advocates in the debate about the sensitive contradictory positions of universal human rights and cultural particularism have done little to attain global solutions for gender justice for girls (Merry, 2006). Saguy and Stuart's (2008) innovative examination of "law as culture" (p. 158) where "legality is conceptualized as interpretive cultural frameworks through which individuals come to understand their lives" (p. 158) has done little to assimilate local culture into international human rights law. Gender justice for girls will not exist for half of the world's population without a transdisciplinary human rights approach.

In a world of many components and classifications, Epstein (2007) addressed the issue of the social divide and the "global subordination of women" (p. 1). There are alternative research trends such as Roald's (2009) case of gender equality in Jordanian society determined that Islamists could agree to be pragmatic on granting certain rights to women. Spierings, Smits, and Verloo (2009) evaluated 45 Muslim countries and dispelled the perception of the Muslim world as a "homogeneous civilization that lacks democracy and gender equality" (p. 503). Forster and Jivan (2009b) reviewed the gender equality law of five southeast Asian nations and concluded that "establishment of legal rights and obligations is insufficient on its own unless the law also establishes and creates mechanisms and institutions equipped with appropriate powers and duties to ensure their realisation [sic] in practice" (p.116).

Barthel-Bouchier (2006) recommended that additional study be conducted on how a group's cultural right can be in harmony with global cultural rights such as human

rights. Devriese (2008) posited that education is still the optimal solution to alter the established global feminist approach for gender equality to that of a cultural focus in order to inform a more democratic pedagogy (Freire, Fraser, Macedo, McKinnon, & Stokes, 1997). The assumption is that women who select a religious way of life are forced to conform to traditional values and customs and should not also be coerced to conform to an international, liberal view of gender equality (Casanova & Phillips, 2010; Spinner-Halev, 2008). Religion is not the only variable that deters access to justice for girls.

Smith (2008) examined Afghanistan's many conflicting priorities other than imposing international human rights law. Cultural relativism was countered, according to Smith, when all actors in Afghanistan were aware of human rights. Then it was possible to counter intransigent nonsecular views of gender equality. Casanova and Phillips (2010) argued that "religions are not democracies, and a preemptive requirement that the laws of a country must follow particular religious prescriptions closes down the space for living as well as the space for debate" (p. 9). Without such debate, rights based on gender equality are not likely to be forthcoming (Moussa, 2008).

Casanova and Phillips (2010) also suggested guidelines for a gender equality discourse. They were not prescriptions but were meant to put forward the idea that gender equality is obtainable through legislation. The analysis included the concept that gender equality is for all women, secular as well as religious. Religious women should not be automatically perceived as victims and should not identify secular oriented women as lacking ethics. Until a woman is harmed, women need to respect each other's lifestyle.

Alvarez (2009) was concerned with the conflicts of individual rights within a multicultural context. Cultural practices that relegate women to gender inequality have both religious and nonreligious roots. Alvarez believed that religious people may employ free will as well as submit to religious traditions. Gender equality, while part of public discourse, remains fragile. In times of policy making that equality may be set aside despite the cries for individual women rights.

Casanova and Phillips (2010) posited that it is imprudent to religion to state that it is the main problem of gender equality but not recognize that when gender advocates make compromises it dilutes the intent of human rights treaties. Confronted with the politicization of religion and the corresponding hold it has over a nation's citizens, gender justice needs additional attention. Skjeie (2007) illustrated the difficulty of harmonizing gender rights with human rights and the right of religious freedom. The conflict, according to Skjeie, was to compare a woman's right to religious freedom with another woman's human right to gender equality.

> The rule of law is one way to advance women's rights: In matters of non-discrimination and equality before the law, the hierarchy of norms, and the substantive coherence of the legal framework, the government is bound by law, the separation of powers, the independence and impartiality of the judiciary, and respect for human rights. (Swiss Agency for Development and Cooperation, 2008, p. 3)

Gender Justice

Fifteen years after the Beijing conference where nations committed to advance the cause of women's rights, there remain many judicial challenges to gender justice (Banerjee & Shabnam, 2006). Banda (2006) examined the call for an elimination of discriminatory laws against women and determined that the promise in the Beijing platform for gender equality would not be realized (UN Development Fund for Women, 2007g). Challenges persist to achieve gender equality through international human rights law and national policy such as access to gender justice, access to education, feminization of leadership, economic advancement, and removal of violent behavior against women due to gender (Cornwall & Molyneux, 2006; Molyneux & Razavi, 2005b; UN Development Fund for Women, 2008d).

The Progress of the Worlds Women Report (2010) conclusion was that in order to achieve Millennium Development Goals (MDG) and achieve gender justice "requires an end to inequalities between women and men, but also accountability to women and girls for tackling injustice and discrimination which is a central part of this vision" (UN Development Fund for Women, 2010a, p. 18). It is important to recognize the intersections of the role of gender justice and to put into context other approaches to gender equality such as social development and human rights that are presently the dominant worldview.

Gender is a social construct, according to Robeyns (2007b), but this contradicts the intent of the CRC, which confers equality because one is a human being, regardless of gender. Kabeer's (1999) argument was that the way to gender equality was to overcome

ingrained institutions of customs, traditions, and culture and offer women true empowerment. Kabeer first answered the question of access to equality as insufficient without individuals having the ability to make free choices.

Gender Justice Discourse

The UN is currently conducting a global campaign to achieve the goals of economic development, global peace, and human security through the accomplishment of the MDGs (Morgan, 2010). The current multisector-based approach is to achieve gender equality through the elimination of poverty inter alia. The missing element to this approach is the lack of single-mindedness placed on gender justice. The UN Development Fund for Women (2010a) responded and proclaimed that to overcome obstacles to gender equality would have to be through jurisprudence rather than international human rights laws alone.

Hoffmann-Berrebi, Lallement, Drancourt, and Sarfati (2005) suggested that a universal gender social contract should become assimilated into the CRC, as there is a lack of gender equilibrium of rights effectively implemented at state levels. Lister (2007) saw the need to define children's capacity to participate in society, not based on age but as a fact of citizenship. Beckman (2008) said that to be accountable for universal rights means allowing children to have a political voice. This should then work for the African justice model as Elechi, Morris, and Schauer, (2010) argued that all actors have equal access and the individual is important.

Quantitative Arguments: Gender Justice

Cherney, Greteman, and Travers's (2008) cross-cultural research suggested that the way adults view children's rights is based on the culture. Cherney, Greteman and Traver's noted a dissimilarity of behavior among British and Swiss adults who are more "likely to advocate for autonomy or self-determination rights than same-aged U.S. adults" (p. 432). There was also no universal consensus of which type of rights were the most important to grant children.

Many nations view children's rights as both protective and human rights the same as adults. Sloth-Nielsen and Mezmur (2008) stated that for children rights were both uses as protective and as part of universal human rights. No inference can be drawn from member nations of the UN on how to quantify a universal right-based approach to gender justice. Kilkelly (2008b) noted from observing 15 nations that there is no standard measurement of global justice standards. Chen (2007) pointed out that global cultural justice is achievable, but that there is no specific research on how to achieve access to justice for girls

The difficulty is to identify a universal definition of justice, human rights, and gender equality in which policymakers could then incorporate disparate cultural interpretations of gender justice into national legislative action (Jasso, 2005; O'Neill & Walsh, 2009). The reply of the Swiss Agency for Development and Cooperation (2008) was to focus on the rule of law. The law could examine cultural obstacles and uncover judicial remedies for girls' access to justice.

Benvenisti (2008) suggested an alliance of national courts to "align their jurisprudence" (p. 273) with other national courts. This, in effect, could create a shift toward "comparative constitutional law and international law to merge into a global deliberative process" (p. 273). Benvenisti's proposal would appear to hold promise for gender justice rulings in favor of gender equality. However, a gender inequality solution on how to balance cultural rights and gender justice remains unresolved (Singh, 2009).

Measurement of the overall performance of the CRC is difficult to calculate (Pais & Bissell, 2006). Nevertheless, Pais and Bissell's (2006) pointed out that at "least 50" (p. 689) nations have full embraced the CRC and have integrated it into their legislative body. Kilkelly (2006a) linked the enforcement of the CRC with the success of children's rights and noted how "implementation of children's rights can be measured in law, policy, and practice" (p. 35). Kilkelly's recommendations were that "legal standards, including the UN Convention on the Rights of the Child, should be applied as benchmarks" (p. 44).

Human Rights

Harris-Short (2003) argued that once nations declare their universal acceptance of human rights, they have endorsed the concept of the universality of human rights. When it came to the role of the CRC, Harris-Short predicted that cultural diversity "reflect the inherent limitations and fundamental weaknesses of an international legal system founded on a 'society of states' in which the voices of the local and particular are effectively silenced" (p. 130). Crewe (2010) said that cultural diversity enabled local civil society to implement the universality of human rights.

For universal acceptance of human rights treaties at the local level to be achieved, it is imperative for the UN to effectively validate the benefit of gender advocacy to local communities. The UN has to do a better job enforcing gender equality laws that defend child rights (UNICEF, 2009). Hintjens (2007) noted the paradox of a human rights approach to obtain gender equality and criticized it for "promotion of global governance for gender justice" (p. 1181). Nations must get hold of the most useful process to achieve gender equality, a process that would have them engage with the cultural discourse of other nations to learn the skills to implement universal human rights into their national cultures (Baderin, 2007; Chase, 2007; Mayer, 2007; Merry, 2006).

While implementation of the CRC remains uneven, Grugel and Peruzzotti (2010) argued that the CRC could translate successfully into new laws to protect children's rights. A first step would imply recognition of cultural obstacles to achieve access to gender justice. Nonetheless, universal human rights implementation in non-liberal cultures requires pressure from the UN (Mautner, 2008).

Knox (2008) argued for the UN to impose obligations as well as duties on individuals and corporations responsible to the state. Historically, this has been accomplished, and the UN has documented examples of its global influence (UN Development Programme, 2004d). The UN General Assembly has also recommended that the path to universal human rights is to streamline the UN's gender equality structural design and integrate four separate gender agencies to pool the world's resources, funding, and expertise to achieve gender equality (UN Economic and Social Council, 2010b; UN Department of Public Information, 2010b).

Alston (2005) argued for the effect of human rights on development and analyzed the ability of the global community to achieve MDGs. Alston noted that there is not one approach to deal to achieve gender equality. Most developing nations still have not yet fully supported a human rights approach to overcome the political complexities faced by national social policymakers (Alston, 2005; Avdeyeva, 2010; Office of the UN High Commissioner for Human Rights, 2006; UN Development Fund for Women, 2010b, 2008e).

When international organizations are at cross purposes and incompatible in proposed ways to implement goals they agree to, they need to reconcile their differences and employ a singular approach (Gallarotti, 1991). Alston (2005), however, determined not to expect global coordination in structural harmony with universal human rights concepts. The Congress of Non-Governmental Organizations in Consultative Relationship with the UN called for more integration of international human rights treaties and a better coordinated effort by civil society to assimilate a gestalt type methodology to sustainable development (Civil Society Development Forum, 2010).

Dissonance drives the process of universal human rights implementation with normative standards of local gender justice. Merry (2006) opined that "transnational consensus building" (p. 37) is a worldwide social commons where all actors and stakeholders merge to share national standards, ethics, and cultural traditions into a global dialogue of human rights. The problem with this dialogue, Merry observed that in an interconnected global society, gender equality actors have learned to balance the

acceptance of universal human rights culture simultaneously with the local culture they must live in.

The UN asserted human rights rhetoric into the formulation of all policy concerning gender equality and developmental outcomes to achieve the eight MDG goals, (UN Development Fund for Women, 2009c; UN Development Fund for Women, 2009f). A human rights approach to development is a persuasive argument, but has not been proven based on UN empirical evidence (UN Development Group, 2010). The emphasis needs instead to be placed on the serious disparities in cultural interpretive rulings of the CRC that have produced precarious situations that affect gender equality, (Al-Khalifa & Al-Kalifa, 2007; Hussain, 2007; Kar, 2007; Merry, 2006; Smith, 2008).

Circumstances that can cause constraints in UN human rights efforts include (a) unsatisfactory education and gender monitoring and evaluation mechanisms, (b) deficient legal parameters to effect positive social programmatic outcomes, (c) services, programs, material, and financial resources that are not universally accessible or within the poor's means, (d) failure of national social policy and evaluation to measure universal primary education and gender equality), (e) capacity approach gaps, (f) limitations on democratic leadership, strategy, and implementation, and (g) breakdown to incentivize local populations through human rights education (UN Development Group, 2010, p. 11).

Alston (2005) argued that weak national political will prevents the formulation of an adequate social policy for girls in compliance with universal human rights laws. Human rights for adults differ from those granted to children (Alderson, 2008). Alderson (2008) assumed that certain rights establish that children are dependent on legal

qualifications imposed by government policy. Alderson's assumption of what rights children are entitled to varied according to the policy. There is an urgent need for research that will generate theory to inform national social policy for gender equality based on universal human rights (Merry, 2006; UNESCO, 2010).

Convention on the Rights of the Child

The challenge of the CRC was how to overcome cultural influences on the implementation of the CRC into national social policy. After human rights are recognized and incorporated into national law, it becomes the responsibility of not only the state, media, and INGOs, but that participants would respect and not interfere with the delivery of and the access to justice (Madsen, 2007, p. 13).

> An integrated gender justice and human rights framework could advance social development for the girl child in the developing world. Sen (2009) maintained that ideas of justice, fairness, responsibility, duty, goodness, and rightness have been pursued in many different parts of the world, which can expand the reach of arguments that have been considered in Western literature and that global presence of such reasoning is often overlooked or marginalized in the dominant traditions of contemporary Western discourse. (Sen, 2009, p. xiv)

While the CRC is the international human rights document to protect children's rights Andreychuk (2007) criticized the fact that the CRC was not incorporated into Canadian law and argued that the CRC has not enabled gender justice to be integrated into Canadian law with a sufficient legal mechanism to safeguard the rights of children. In spite of this fact, the CRC became the de facto human rights treaty that set apart

children's rights as a separate classification of human rights. Injustice to children was recognized as one of the root causes of the harm children faced around the world (UN Department of Public Information, 1995a). Even now, a nation's cultural value system can stand in the way of implementation of the intent of the CRC.

Reservations about the CRC

The present ratification process allows nations to post reservations which assert their local culture. Reservations signify that aspects of a treaty may restrict local preferences (Schabas, 1996). The CRC then becomes captive to a nation's culture and religion (Molyneux & Razavi, 2003a). The reservations based on culture render the intent of the CRC impotent (Schabas). It is important to discover if UN authority to disallow reservations without corresponding national legislation will protect the purpose and scope of the CRC (Schabas). Local cultural tradition and custom is suggested as the main obstacle to universal human rights (Merry, 2006).

Cultural objections impede the intent of the CRC, which acknowledges children's rights (Hashemi, 2007; Schabas, 1996). A nation's reservations to the CRC will limit the advance of gender equality and, by extension, access to gender justice (Schabas, 1996). Diplomats are also bound by culture and local customs (Merry, 2006; Schabas, 1996).

Miller's (2007) national responsibility theory was supposed to ensure that the best interests of all citizens are satisfied. Nations can escape their international legal human rights responsibilities by including national reservations based on religious and cultural beliefs (Hussain, 2007; Kar, 2007; Phillips, 2009; Saguy & Stuart, 2008; Smith, 2008). Reservations, in effect, render the CRC captive to an individual nation's perspective of

religion and impose an impediment to gender equality (Phillips, 2009). The assumption is that national social policy is the sole enforcer of the terms of the CRC at the community level. Alternative methods are needed to include universal human rights that would merge with local cultural and religious values (Merry, 2006).

The CRC (1989) scaffolds both legal and human rights obligations as an ethical approach (UNICEF, 2009). The CRC has several principal features that impose legal national responsibilities as an obligation when it is ratified by a government. The CRC is in effect a legal framework that spells out key principles and provisions for child advocates. It is also an ethical statement that declares acceptable global moral behavior and facilitates national policymakers to ensure they keep the best interests of the child as the prime consideration. UNICEF (2009) outlined core values "to realize the rights of children, support social and cultural values that respect the rights of children, and work together to meet the promise of the Convention for all children" (UNICEF, 2009, p. 67). In a world of multiple cultural value systems, each with a valid social framework, it is imperative to advance intercultural connections to avoid reservations to the CRC (Cameron & Quinn, 2006; Gardiner & Kosmitzki, 2008; Merry, 2006; Nisbett, 2003).

It is important not to infer that gender inequality or access to gender justice is a problem only of developing nations. The United States is an example of how societal cultural norms and conservative politics prevented ratification of the CRC when congress modified the Elementary and Secondary Education Act to require high schools that received federal funds to provide access and student contact information to military recruiters of students age 17 and above (Burrelli & Feder, 2009). This is in conflict with

the CRC's protection of children not to become child soldiers. Cultural reservations are arguably one of the prime obstacles to implementation of the CRC.

Merry (2006) extrapolated that a nation had a right to cultural reservations and should stipulate the sections of the CRC it chose not to follow. One solution to circumvent the effect of a nation's individual proviso not to adhere to a human right for children is to set the goal of the CRC to obtain gender equality and human rights from a local cultural point of view. For a culture to promote sustainable advancement of social development for vulnerable girls through a human rights treaty for children, there is a need for increased tolerance at the local, not only international, level for access to justice (Brasilia regulations, 2008).

Reservations illustrate the lack of universal consensus on how to protect the rights of all children (UNICEF, 2009). A nation's social policy is ostensibly the greatest influence on enforcing the intent of the CRC; however, Canada, which championed the drafting of the CRC, still has not integrated children's rights into national law or even into a legally binding instrument of Canadian justice and law (Andreychuk, 2007).

A human rights approach is only one variable of what is needed to build global, national, and local consensus to implement the CRC. More research is required to explore related issues of social development, gender justice, and human rights. The literature lacks recent studies that relate to gender justice, culture, and human rights. Donnelly (2003) advocated for positive social change incrementally on all levels and sectors such as UN agencies, civil society, private sector, and governments as potential solutions to

the present UN systems of allowing reservations to universal human rights treaties (Steiner & Alston, 1996).

Leitch and Mitchell (2007) reasoned that the CRC has indeed had a positive impact on children through national laws. Their evidence was based on an ethnographic study, which revealed the inherent difficulty to adapt universal human rights to the disparate cultures in any school system. Dongxiao (2006) pointed out that in the case of India and China, there were inherent issues based on local cultural values that impeded the merging of international human rights law into national law. The challenge is to align national legislation with local cultural expectations and the CRCs.

Gender Equality

The CRC asserted that universal human rights are conferred as a matter of birth to all human beings, supporting the intent of the CRC that children's rights are equal to adults' (Beijing Declaration, 1995). There is a lack of consensus at the UN to shift from Western influences to an international human rights approach. Recent researchers indicated that gender equality is directly linked to access to gender justice. However, the appeal from the UN is from "justice to economic policymaking" (UN Development Fund for Women, 2010a, p. 3), effectively muting the focus from access to justice as the dominant theory of how to achieve gender equality. Since researchers focus on only selected and highly focused factors of the complicated issue of gender inequality, only partial answers are found.

Kilgour (2007) and Saksena (2007) stated that UN gender equality directives have not succeeded due to repeated gender equality violations. Kilgour's case was based on a

study on the effect of the UN Global Compact on gender equality and Saksena's on the Convention for the Elimination of Violence against Women. Both suggested that nations alone are insufficient to solve gender inequality. The problem lies with cultural diversity that prevents national social policymakers to develop gender equality legislation to balance universal rights with local gender and cultural expectations of social behavior (Merry, 2006; Sen, 2009a).

One solution to achieving international human right guarantees is to orient universal rights into a local cultural context (Lee, 2008; Manea, 2009). Wyrod's (2008) examination of urban Uganda indicated that gender rights are achievable even in a cultural context. In the case of Uganda, universal human rights created a forum in which a variety of cultures could construct in policy both cultural and universal human rights. The consequences of continued gender injustice based on ignoring the local cultural discourse includes, but is not limited to, continued poverty, lack of access to primary and secondary education, access to health prevention education, land rights, access to employment, and an opportunity for complete access to the decision-making process of society (UN Development Fund for Women, 2010a; UN General Assembly, 2009c).

Theories of Justice

Poverty limits human's choices (Sen, 2009a). Sen's (1983b) concept of two new factors of poverty has relevance to the idea of gender justice, as he posited that a person with the "capability to function" (Sen, 1983b, p.160) can achieve an improved quality of life. Gender justice is complex and requires the global community to reach agreement with local communities' cultural definitions in the attempt to achieve gender equality for

girls (Alston, 2005, Merry, 2006; UN Development Fund for Women, 2009f). Sen (2009a) argued that justice needs alternative culturally comparative and reasonable interpretations of justice.

Rawls's (1971) theory of justice from a social contract perspective was informed by the theories of Locke, Rousseau, and Kant (Locke, Hume, & Rousseau, 1947/1960). Rawls's interpretation of justice was based on a Western-centric philosophical tradition, which is contradictory of comparable traditions in Eastern philosophy. The Eastern philosophy was dismissed as inferior by mostly feminists and gender advocates working at the UN (Merry, 2006). Paradoxically, Sen's (2009) theory of justice was neither Hobbesian nor an example of Rousseau's ideal social contract in an idyllic society with 'perfect justice" (Locke, Hume, & Rousseau, p. 5). Sen favored normative standards for justice that fluctuated based on the values of each society.

Alternative Feminist Agendas

Croll (2006) declared, as did Merry (2006), that any recognition or use of the term girl child with its accompanying emphasis on girls most in need was not sufficient to create any transformation in achievement of human rights. Croll pointed out that multiple gender definitions across cultures would hinder girls' access to human rights. The emphasis on justice-based decisions over dominant cultural practices was a careful way to examine how culture imposed inequality (Ben-Shemesh, 2007).

Islamic feminists argued about gender rights in the context of a Western liberal perspective and feminist discourse (Ayata & Tütüncü, 2008; Fazaeli, 2007). Islamic

feminists have not yet reconciled the relationship between themselves, let alone among globalized human rights liberals (Desai, 2007). Desai argued that alternative feminist agendas have created conflict and disagreement, but there is room to develop interrelationships among feminists and economic globalism to shape women's rights. Abusharaf, 2006; Barton, 2005, Bano, 2009; Baumeister, 2009a; Baumeister, 2008b; Chiu, 2008; Gheaus, 2008; Madigan, 2009; McLaren, 2007; Morriss, 2009; Okin, 2004, and Yin, 2006 examined alternative feminist solutions to gender equality in an Islamic nation. The significance of this research was that these researchers not only critiqued feminist liberal westernized perspective but also analyzed feminism in both a global and local context.

Yin (2006) remarked that what is at issue is how a liberal universal human rights agenda may negatively impact implementation of the CRC when it ignores any form of an "alternative framework for non-western feminism (p. 9). The problem is that UN human rights discourse is based on American- and European-centric value systems that are contradictory to African or Asian cultural value systems (Hofstede, 2003). A Western individual orientation position of human rights conflicts with African and Asian perspectives of how to transform the concept of gender equality. Yin observed that Asia, for example, has based its values on a Confucian interpretation of a rights-based society. A society's foundation, to Yin, is centered on the interdependency of individuals and the importance of group rights.

Bano (2009) posited that viable religious values may appeal to women in a given social context, as gender justice respects alternative cultural versions of how to define

womanhood (Yin, 2006). Choudhury (2008) stated that Muslim women are restrained from exercising individual freedoms by religious beliefs they value. Part of the challenge is to balance their aspirations for their rights as an individual and their cultural heritage. Choudhury concluded that liberal feminist rights groups have not grasped a fundamental truth for women who identify themselves as Muslim and live in traditional cultures.

Bano (2009) used comparative analysis to compare freedom of choice within a liberal and a more culturally restricted set of values and options for women. Bano discovered that to guarantee individual human rights for women are not necessarily in her best interests. However, there is no universal agreement on what a woman's best interests are. Bano observed that there are women who favor the institution of marriage as best serving their right to justice and an agreeable lifestyle. Bano's conclusions led to the acknowledgment that alternative solutions to female empowerment allowed cultures to establish specific and restricted avenues for economic development. Women bound by cultural values argue that they are equal but separate from men. Religion, according to Bano, can take the place of a national political advocate for universal human rights.

Methodology

Heidemann and Ferguson (2009) literature review on the girl child examined issues such as; of lack of education but could not find a common thread to explain potentially injurious cultural customs. Heidemann and Ferguson concluded that each culture defined the girl child based on its own cultural discourse. The UN Development Program (UNDP) offered a new measurement to understand gender equality in the

Human Development Report 2010. This comprehensive study incorporated for the first time a new gender inequality index. The purpose was to reflect up-to-the-minute theory in order to incorporate a gender inequality measurement in the story of human development (United Nations Development Programme, 2010e).

Methods

McNabb's (2008) criteria for a review of the literature included both quantitative and qualitative articles and centered on topics of culture. Adapted from (McNabb, 2008, 375, Figure, 29.1) a practical sorting approach includes; classification of articles by themes, examine in detail the historical track human rights has intersected with other new approaches directly or indirectly to gender justice, note taking and memos that explain a phenomenon, and report findings which provides a cross disciplinary approach to the literature.

Another information broadening approach to a literature review is in congruence with Sen's Theory of Justice, Capability Approach. This approach to the literature will enable a broader cross-section of an interdisciplinary approach to human rights and gender justice and explore the top perspectives to understand why the absence of a transdisciplinary human rights approach at the United Nations to include a justice framework in a development gender equality barrier for girls. The advantage to situational analysis is that it allows situating the research geographically, historically, and across multiple social worlds (Clarke, 2005).

Summary

Women's rights supporters have chosen to inadvertently ignore the voice of local cultural rights advocates in order to advance gender equality as a global norm (Merry, 2006). Sen (2009a) drew attention to how the UN communicates universal human rights policy to nations that are composed of a multitude of cultures. Sen (2009a) argued, "There is nothing particularly odd in the recognition that similar intellectual engagements have taken place in different parts of the globe in distinct stages of history" (p. xv). Ben-Shemesh (2007) also observed that the viability of alternative cultural perspectives was legitimate as he examined alternative feminist strategies to achieving gender equality.

A transdisciplinary search of the literature defined different epistemic paradigms to determine if there were conflicting consensus from a cross-section of epistemologies of gender justice, human rights, gender equality, and culture (Repko, 2008). An interpretive lens was used to determine significant themes that will emerge from a range of data sources (McNabb, 2008). In chapter 3, an explanation of and justification for employing a situational analysis research design will be conducted.

Results of the research are found in chapter 4. Findings indicated that an integrated narrative was informed by the need of a narrative on the situation of human rights and cultural effects on the implementation of the CRC. Summary and conclusions are contained in chapter five included a hypothesis for an emergent girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, HR $=f$ (GJ) + CR + SD = GE.

Chapter 3: Research Method

Introduction

The primary purpose of this situational analysis-based research design (Clarke, 2005), was to examine the problem that children's rights, as recognized by the CRC, have been unevenly adopted in gender equality policy and practice by nations, and some states have ignored rights entirely as incompatible with their cultural beliefs. A community-imposed cultural gender bias as a primary explanation for gender inequality impedes realization of the human rights intent of the CRC for girls (Kaime, 2009; Merry, 2006). It is a reflective process to prevent a researcher from bias from existing knowledge (McGhee, Marland, & Atkinson, 2007).

Situational analysis is comprised with flexibility and inclusion of all modes of relevant knowledge that also includes the researcher (Clarke, 2005). Glaser and Strauss's (1967) grounded theory was not sufficient, Clarke assumed, to analyze the complexity of situational factors related to gender justice, gender equality, and universal human rights at the local, national and international level (Clarke, 2005; Heath, 2008). Clarke argued that the inclusion of (Glaser & Strauss's) grounded theory would add value to situational analysis as it was already a "concept of theory/methods" (p.5). Through "grounding grounded theory and situational analysis in symbolic interactionalism" (p. 5) situational analysis and grounded theory constituted a "set of epistemological and ontological assumptions along with concrete practices" (p.4) in which practitioners could conduct work including all aspects of a situation. Situational analysis in partnership with

grounded theory offered a potential method to analyze qualitative data further away from a positivist tradition.

Clarke (2005) added " three main cartographic approaches (a) situational maps, (b) social worlds/arenas maps, and (c) positional maps" (p. 554), inform a wider range of discourse, to include multiple actors and a variety of related and interrelated factors to the extant methodological asset of grounded theory (Glaser & Strauss, 1967). Clarke included in situational analysis prior conceptualizing as an essential component of understanding the research topic, which Glaser and Strauss opposed. Clarke's conceptual research methodology grounded in germane literature was based on Merry (2006).

Postmodernism is the reality of seeing the world from multiple perspectives, as well as through a social psychological lens and the subjective lens of the positivist. The postmodern turn is inclusive of a transdisciplinary approach analyzing all perspectives, situations, theories, and concepts to take into account history, institutional behavior, documents, and actors. This method was selected because was appropriate to explore the role of culture on the implementation of the CRC (Clarke, 2005).

Situational Analysis Research Design Methodology

Clarke's (2005) situational analysis grounded theory after the postmodern turn was one approach in which to examine the interrelated concepts of gender justice. The methodology was well suited for exploring local culture and universal human rights discourses (Merry, 2005). The definition of postmodern turn is akin to the capture of concepts, ideas, theories, and situations that make up the social world of the 21st century.

Postmodernism was the conceptual adhesive used to bind the constructs of cultural rights to human rights to reach the objective of gender equality. According to Clarke (2005) cultural relativism as a value perspective has particular local political and cultural truths. A postmodern perspective employs multiple methods of inquiry and accepts conflicting social issues. Cultural relativism, as defined by Merry (2006) was a lens by which to view gender equality. That is, gender equality was situated in local culture and viewed through the perspective of the universal declaration of human rights. A situational analysis research methodology encouraged the examination of diverse cultural perspectives instead of an exploration of conclusions based solely on gender equality's common attributes.

A semi structured interview was employed in conjunction with 2 human rights treaties for children to construct a situational analysis map (See Appendix A) which included (a) cultural and political, (b) social world arenas maps, and (c) policies and issues that are and are not stated (Clarke, 2005). The goal considered all aspects of research for analysis which allowed data that were interpreted in the context of a social situation, compared multiple perspectives, and opened up discourses not included in a traditional grounded theory approach alone.

Research Methodology Purpose

When selecting Clarke's (2005) situational analysis methodology, I took advantage of the technique of discourse analysis mapping and examined extant diverse discursive gender discourses. Adults age 25 or older who had at least 10 years professional experience working directly or indirectly for gender justice, gender equality,

and or human rights for girls were interviewed. To ensure fairness equal numbers of male and female gender experts who have worked in civil society or at the UN were interviewed.

One major justification for the use of situational analysis was that it had alternative means in which to connect to a conceptual framework to guide future research. Sen's (2009a) theory of justice became a normative conceptual anchor which contextualized facts, investigated relationships, and tested causal relationships. This may generate for future researchers a framework to explore relevant variables based on Lewin's formula before the study was conducted; gender equality is a function of the effect of a girl's access to justice and a culture's response to social development: GE =*f* (AJ, CR, SD). The purpose to adapt Lewin's formula enabled one the ability to conceptualize both "behavior and development as a function of the total situation" (Lewin, 1997, pp.337-338).

Transdisciplinary Postmodernism Approach

A transdisciplinary postmodern approach grounded in situational analysis offered an unbiased inductive means to not only code but also be able to map out a coherent narrative of gender equality, human rights, and gender justice (Clarke, 2005). This explained why this approach was utilized. The need to supplement grounded theory is supported "by situating grounded theory methods within current transdisciplinary conversations on doing qualitative research after the postmodern turn, traversing and hopefully erasing some of the boundaries amongst social sciences, humanities, and professional practices of inquiry" (Clarke, 2005, p. xxiv). Clarke explained Foucault's

wish for specific information that can offer hope and a better world; but, Clarke added there is a need for a research methodology which can sustain social issues. Clarke defined postmodernism as elimination of the "boundaries amongst social sciences, humanities, and professional practices of inquiry" (p. xxiv).

There was a case for a strong argument for a qualitative study as defined by (Creswell, 2007) based on a "worldview" (p. 37) that opened inquiry into social worlds. Clarke (2005) valued qualitative research as a kaleidoscope of concepts, terms, ideologies, theories, and other elements. A collective global point of view is the cohesive bond of qualitative research (Creswell, 2007). Nonetheless, there was a case to be made which included quantitative data in a research design, even when there is an "absence of a quantitative measure of human freedom" (UN Development Programme, 2010e, p. iv). With the addition of a new gender inequality measure tool quantitative results may become useful even though it faced "analytical and statistical challenges" (p. v.).

The multifaceted and multidimensional complexity of the postmodern turn, according to Clarke (2005), was required to examine where the diverse cultural and liberal lines that define gender justice interweaved between cultural and human rights. A postmodern research methodology was required to search for the "nature of knowledge" (p.xxiv). A postmodern assumption acknowledged a need for a paradigmatic shift at the UN. This meant a shift from a human rights approach to a gender justice approach to the complicated issue of gender (Merry, 2006).

Characteristics of Research Design

The research design flowed logically from the problem statement's emphasis on the difficulty of integrating a universal girls' human rights concept with disparate cultural and religious traditions with local custom and informal laws. The research methodology captured the situation under study that was both "simultaneously epistemologically/ontologically based" (Clarke, 2005, p. 2) which cultivated "pragmatism, symbolic interactionism, and grounded theory" (p. 2) interpretation of data. The research design addressed "demands for empirical understanding" (p. 2) that resided in a multicultural world. Social worlds emerged "from a fractured, multi-centered discursive system of new world orderings" (p. 2.) which needed a research design to handle multiple variables that came from data.

Clarke (2005) research design was selected for its ability to lead to an inductive, a posteriori methodology to generate both theory and practical applications. The use of Clarke's three mapping approaches was used to: (a) established internal and external validity to another culture, (b) allowed triangulation to validate findings among cultures, (c) limited conclusions about a larger group as each group exhibited independent and dependent variables of its own, and (d) factors aspects relevant for interpretation of data whether population was based in a democratic or non democratic society.

Culture and gender as societal constructs are part of the taxonomy of values and classified as a transdisciplinary postmodern, post positivist, critical feminist conceptual that place it into context through the use of situational mapping (Clarke, 2005; McNabb,2008). Knowledge was collected and analyze not to be illustrative of a specific

population or social organizations concerned with "people and things and—not theories, that can best explicitly address specific theoretically interesting facets of the emergent analysis" (Clarke, 2005, p. xxxi), but were also open to all emergent data.

Criteria for Study

The absence of an effective transdisciplinary human rights and gender justice policy process at the UN is an obstacle to advancing gender equality for girls. Reservations to the CRC (1989) allowed by individual nations have inhibited its implementation. The selection situational analysis was based on the viability of a post positivist research model.

Stokols (2006) posited that a transdisciplinary action research approach was an extension of the work of Lewin (1946). An examination and interpretation analyzed the impact of culture, gender inequality, and universal human rights on national social policy on a lack of implementation of the CRC. Stokols supplemented Lewin's (1947) concept of action-research with a model of transdisciplinary action-research that included the researcher as collaborator. Stokols defined collaboration as (a) scholars working as a team across disciplines, (b) laypersons, scholars, and practitioners working in partnership in a community to represent diverse perspectives and analysis, and (c) collaboration conducted locally, on a national scale, and globally with the use of community-based organizations.

The challenge was how to meld gender, culture, human rights, and justice theory with the reality on the ground of a diversity of perspectives using a transdisciplinary approach. Situational analysis allowed for a range of perspectives from historical UN

documents and interview with gender experts faced with policy formulation of gender equality to generate international law (Gustavsen, 2008).

Analysis of Data

Clarke (2005) remarked that the most appropriate unit of analysis is the situation of a world view. The situation in this study was the lack of integration of local cultural gender expectations of social behavior with a government's obligation to implement children human rights and its effect on gender justice for girls. Therefore, questions for this situational analysis research were developed to include a variety of situations. In this study the situations of gender inequality revealed were contrasted with UN findings regarding governmental policies, local community outreaches, families, women rights advocates, and civil society's interpretation of how to implement the CRC.

Questions for this situational analysis research methodology were designed to explicate multiple universal human rights and gender equality situations in all discourses and documents. As is the case with situational research, the questions were not meant to find a positivist truth in an interview but instead to explore and collect disparate social world views. Clarke's situational analysis paradigm enabled me to explore "specificities of meanings [within] particular situations" (p.27) relevant to the complexity of the study's four themes; gender equality, human rights, culture, and gender justice in relationship to the research problem that community-imposed negative cultural gender bias as the major impediment to the realization of the human intent of the CRC (1989) for girls. There are opportunities if taken to approach the research problem from a gender justice instead of a human rights centric perspective at the local level.

Data collection results were grounded in the "constant comparative method of qualitative analysis" (Glaser & Strauss, 1967, p. 105-113). This aided in addition to open and selective coding, the formation of conceptual "categories, properties, and hypotheses about general problems" (p.104).

Data analysis was assisted based on an adapted version of (Clarke, 2005) situational map (p. 90) consisting of the following elements: Individual human actors, Collective human actors, Discursive constructions of individual and/or collective human actors, Political/economic elements, Temporal elements, Major issues/Debates, Elements found in the situation, Nonhuman elements e.g. technology, knowledge, or infrastructure, Silent actors, Discursive construction of nonhuman Actants, Sociocultural/Symbolic elements, Spatial Elements and Related Discourses (Historical, narrative, and/or visual). Glaser and Strauss (1967) constant comparative method enabled the coding of each situation "into as many categories of analysis as possible" (p. 105). A use of Glaser and Strauss constant comparative method was "concerned with generating and plausibly suggesting (but not provisionally testing) many categories, properties, and hypotheses about general problems" (p. 104). Clarke's situational analysis categories became along with (Glaser & Strauss, 1967) open and selective coding, the foundation for coding but not limited to the themes presented in the literature review (see Appendix A).

Using a thematic approach in the literature review, I uncovered four categories which constructed a data analysis frame. Clarke (2005) situational analysis mapping categories described above was adapted based on the themes of the literature review (a) gender equality, (b) universalism human rights, (c) cultural particularism, and (d) gender

justice. The purpose was to integrate the categories that emerged from the literature and inform a thematic analytical based-approach to the data. The use of Clarke's situational analysis mapping allowed the merging of data to form patterns which combined "codes, categories, themes, and other elements that become an analysis" (Clarke, 2005, p. 300). Clarke's ordered social world maps became an analytical tool which provided context for the inclusion of both practice and theoretical insights of the research participants.

Clarke (2005) was concerned with the depth of the spaces among different situations and in situational analysis the focus is placed on the context of the situation as "open, indeterminate, changing, unstable, unfixed, tenuous, and temporary" (p.296). The goal of data analysis though the use of situational analysis was to use Clarke's categories to extend the research as an active participant. Clarke posited that social mapping was a means in which to overcome the weakness of grounded theory's accent on an invisible researcher. The goal was to narrow the focus of the data in which theory could emerge (Glaser and Strauss, 1967).

Grounded Theory

The selection of grounded theory was included in Clarke's (2005) situational analysis methodology as the way to improve on the limitations of Glaser and Strauss's (1967) restrictions of the role of the researcher. A transdisciplinary action-research method supported the idea that the functional components of grounded theory consisted of an analytical narrative whose meaning is readily inferred by the layperson and

researcher (Lewin, 1946). The method of inquiry generated a theory which met the critical outcomes for a practical application that filled an information gap in chapter 2.

Grounded theory is an inductive research method that was adapted to construct from a range of transdisciplinary perspectives, a storyline in which to interpret the role of gender justice, human rights, and cultural influences on national social policy decision-making. A grounded theory methodology provided the method of open and selective coding in which data were coded that generated a theory which may be useful across cultures. An inductive theory derived from an inductive methodology produced measurable social change outcomes.

One challenge of a grounded theory research method was to determine how to integrate theory with the everyday practice of practitioners (Glaser & Strauss, 1967; Godermann, 2008; Potgieter & Smit, 2009). Grounded theory research design had the advantage of being an iterative process in which to explore, evaluate, and classify multiple conceptual categories.

Selection of Population and Participants

The criteria for selection of participants who were interviewed was based on at least two of the following: (a) a minimum of 10 years of international gender expertise in more than one culture with advising, research, programs, consulting, policymaking, or advocating, as a practitioner or scholar for the girl child, (b) work at the UN or another part of civil society, (c) experience and time spent in a developing nation as defined by the UN, and (d) direct experience with human rights, gender justice, gender equality,

cultural rights, or the CRC. Participants had direct or indirect influence over the direction of the UN on women's rights and children's rights and additionally had knowledge and experience with civil society or had some form of consultative status with ECOSOC.

Interview and content analysis of the CRC and the African Charter on the Welfare and Human Rights for Children were both used to discover disparate worldviews culture and human rights centric worldviews "based on ontological, epistemological, and methodological assumptions" (Guba & Lincoln, 1994, p. 105) of the authors of the treaties. A situational social world map was the interpretive lens which explained a transdisciplinary, qualitative, constructivist, and postmodern research inquiry, (Clarke, 2005; Guba & Lincoln, 1994). I selected the worldview of a population of an equal number of females and males in the UN that included, but not limited to, those who had experience with the role of culture and gender equality, education, gender justice, human rights, democratic governance, or gender equality.

To overcome any research design weakness, a purposive and snowball sampling of individuals was selected to mitigate researcher bias in the selection of participants (Babbie, 2007). Those who volunteered in order to saturate the population sample and increase reliability and validity of results were interviewed. Gender experts had worked with females under the age of 18 years of age.

The selection of both a purposive and snowball sample expanded from the dynamics that existed between conflicting interpretations of the CRC (Creswell, 2007).

Specific definitions of concepts used in the interview were presumed to be understood similarly by participants (Babbie, 2007). The use of multiple sites for data collection was employed to situate the research questions in the local context and milieu of participants who are either directly or indirectly experienced with the role of gender in the context of culture (Clarke, 2005; Creswell, 2007).

Justification for Number of Participants

The number of participants was bounded by limitations of time and financial resources However, participants were selected based on covering government, UN, and civil society, were well informed in practice, and could provide both a depth and range of knowledge from different perspectives. Glaser and Strauss (1967) and Clarke (2005) both have stressed the importance of saturation of data collection. The data were situated and grounded solely based on the situation being studied. A predetermination of the number of participants would limit widening the scope within the population; therefore snowball sampling enabled experts interviewed to refer potential participants who may have added their knowledge and quantitative perspective.

Abrahams, Jewkes, Hoffman, and Laubsher (2004) conducted a situational analysis multidisciplinary study where only eight participants were interviewed over a 10 year period. Jewkes (2004) presented the study at the South African Gender based Violence & Health Initiative Organization, and this study became a global research standard for similar research using a situational analysis design. The sample size in situational analysis is not dependent on a set number of participants, but more on reaching saturation of data. The sample size of eight participants in the current study was

based on possible access to a population of 12 experts who met the sampling frame, as well as time, and resources available. The four potential participants who did not participate, were unable or unwilling to be interviewed.

In addition a content analysis of data from the interviews, this study was augmented by a thorough review of the nonhuman actants of two international legal human rights treaties with a combined total of 34 pages. In addition information was obtained through an extensive literature review on gender justice, human rights, gender equality, and culture. Clarke (2005) and Glaser and Strauss (1967) explained how important these nonhuman resources are when explicating and forming theories regarding social conditions and situational analysis.

Informed Consent and Ethical Considerations

Approval was granted from the Institutional Review Board (IRB) the approval process number is 12-20-10-0335543. Potential participants received an informed consent letter to sign that provided the steps taken to ensure how the data will be used and safeguarded. Each who agreed to participate was assigned a pseudonym with no indentifying code with any reference to locality. Every rational and prudent measure was taken to protect participants' confidentiality. I personally transcribed all audio recordings and kept data on a password-protected laptop which ensured all data was safeguarded. There were no additional vulnerable potential risks of participants.

Role of Researcher

The interviews were conducted and employed participant checking of the integrity of the data that was transcribed which ensured that the words were what the interviewee

had intended. In addition, data were coded based on (Glaser and Strauss, 1967) grounded theory comparative analysis, (Clark's, 2005) situational mapping which sought patterns of responses and interpreted content. An unstructured, open-ended interview took place, aware of the cultural tradition of the participants where transfer of knowledge may stem as an oral tradition. Content analysis of CRC, the African Charter on the Rights and Welfare of the Child, discourse analysis, multisite, writing memos, field notes, and a research journal was employed which captured behavior as well as recorded both the tone, spirit, and exactness of responses. The assumption was to assume that creative solutions to difficult social problems was possible. This was based on the ancient wisdom of Heraclitus who famously said "expect the unexpected or you won't find it" (Oech, 2002, p. viii).

The practice of any analysis of transdisciplinary research has to interpret outside normal cultural patterns of though in which to obtain common ground (Repko, 2008). Given a small sample size each participant has to meet an indicator of having obtained common ground which allowed theory and multidisciplinary concepts and ideas to be collected. A triangulation from data collection have not confirmed or denied results but enabled data needed in order for future researchers to build new common ground.

Data Collection

Transdisciplinary research opened this study to the collection of data to all knowledge which informed a coherent narrative gender justice discourse grounded in gender equality, culture, human rights, and gender justice (Merry, 2006; Godermann, 2008). Situational maps according to (Clarke's 2005) were used and graphically revealed

the disparate range of knowledge required to narrow the focus of the study. The first included actors, institutions, culture, history, symbols, politics, and any other disparate and unique factors. This illustrated the complexity of the interrelatedness of concepts, relationships, and policies of the UN. The second map was founded on Clarke's Straussian concept of the social and includes actors, policies, and global commitments which are engaged in a gender equality, gender justice, human rights, or cultural rights discourse. This description included social, institutional, and discursive factors (Clarke, 2005).

Research Questions

Based on the proposition that girls achieve gender justice along with gender equality when competent national jurisprudence links gender rights and cultural rights with universally agreed human rights, what specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes?

The answers to the first question was designed to elucidate the internal and external factors of the policy process that informs international nongovernmental organizations and civil society to act in harmony with international, national, and local cultural gender equality expectations. To identify these factors, gender advocates were interviewed in order to understand their rationale for compartmentalizing cultural rights which allowed reservations to the CRC.

Sub Questions

1. What specific opportunities, and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level?
2. What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC?
3. How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC?
4. What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations?

The goal was to use the answers to the sub questions to develop an understanding for a broader transdisciplinary, postmodern, feminist, political, and cultural discursive which avoided the potential trap of only dominant discourses of a liberal Westernized concept of human rights and gender equality (Allen & Faigley, 1995).

Objectives for Emergent Questions

A situational map was part of the emergent process which used "a new post-structuralist/postmodern approach to inquiry" Clarke (2005, p. 296) that became a picture of a particular point of view in a specific time and place. Subject to various shifting interpretations, the questions helped to refocus the interview on the original purpose of the research. Methodological and conceptual issues of gender, culture, and human rights has left a gap where emergent questions in data collection required to uncover a diversity of connections between "ideologies", (Vickers, 2006, p. 84). Interpretive ideas of

feminism, gender, and human rights change depending on the culture and their "concept of gender justice" outcomes, (p. 104).

Argument for Qualitative Methodology

There was a need to examine the logic of the current UN human rights approach to gender equality in the context of cultural influences on girls' access to justice. A postmodern methodology was used which evaluated how human rights and cultural traditions informed how the CRC is implemented into national social policy. Situational analysis allowed the participants to come together to understand complex issues that deal with human rights, gender justice, and gender equality.

Many prior studies have quantified who was affected but in spite of numerous studies, there remains the problem of how to understand the actors, stakeholders, organizations, and civil society across many cultures to explain the social, economic, cultural, and political implications when access to gender justice for girls is impeded and left out of the CRC.

Parameters of Study

The parameters of the study included an inquiry to frame research questions which structured a well-defined research design. Definitions provided in chapter 1 a limited debate on meaning. Chapter 2 put into context the research questions with a review of the literature that revealed a problem gap. A framework of the study defined its parameters:

- Four females and four males over the age of 25 years of age were interviewed

- English speaking meant participants who conducted their business lives entirely in English.
- A minimum of eight participants may have had knowledge and experience with civil society or some form of consultative status with ECOSOC.
- Direct experience with human rights, gender justice, gender equality, cultural rights, and or the CRC.
- Participants may have had direct or indirect influence over the direction of the UN on women's rights and children's rights.
- Minimum 10 years of international gender expertise in more than one culture with advising, research, programs, consulting, policymaking, or advocating, as a practitioner or scholar for the girl child.
- Research purpose of exploration and explanation was limited to describe the situation of gender justice, gender equality, human rights as it specifically related to the effect of cultural reservations to the CRC on the girl child (Babbie, 2007; Clarke, 2005).
- Experience with time spent in a developing nation.

Assumptions of Methodology

Alston (2005) argued that a broader conception of human rights was required to overcome the present limitations and impediments to understanding local cultural interpretations of human rights at the local level. Where poverty, gender inequality, culture, and corrupt governance institutions exist, there is a need to analyze and adapt extant international and national gender policy to expand the discourse (Clarke, 2005).

The primary assumption of the research was that the approach to the narrative of gender justice's effect on human rights in the UN can be effectively interpreted with a situation analysis social world map.

Situational analysis provided a context to examine causal factors as of why nations adopt international legal agreements that uphold human rights for children but do not act to meet specific human rights obligations. The analysis maps allowed a perception of possible narratives which explained how a nation's interpretation of human rights and justice address cultural perspectives of gender equality. The goal of the research method was to examine data which generated a girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality.

Preconceived Assumptions

Preconceived ideas are for the researcher what symptoms are for a medical doctor. A researcher's obligation is to look beyond preconceived bias, theories, or any conceptual framework that comes from any singular source of data to a transdisciplinary search (Repko, 2008). The role of the researcher is to evaluate the disparate vernacular of a conceptual and theoretical framework of multiple actors (Repko, 2008).

Assumptions will bound a researcher in the form of a challenge of competing definition of gender justice within a specific context of culture, human rights, and gender equality. The following was noted during the data collection process:

- New gender justice ontology is inclusive of local cultural values and international human rights norms.

- A gap in the literature prevents best practices for human rights theorists and practitioners to integrate universalism into a new justice and cultural paradigm.
- Differing cultural and religious customs preclude national social policymakers to include the gender equality intent of the CRC.
- Cultural customs are generally fixed and that make it hard to change views on gender or reform informal cultural law.
- Absence of integrated and accountable judicial framework for girls' rights without reservations to the CRC will make gender equality and gender justice less probable.

Summary

Deneulin and Hodgett's (2009) argument for not relying on either a quantitative or qualitative research method for developmental policy is that there is no present way to ascertain the opinions of all the girls in the developing world. Thus, it was a challenge based on multiple cultural perspectives, to generalize participants' views on the advantage of having a gender justice component to the CRC. I intended to be a participant in the discovery process. The research began with assumptions and situated in the postmodern turn to ground the data in constructed discourses as well as becoming a part of the discourse in the search for new knowledge.

The hypothesis was that a human rights and gender justice approach to gender equality could overcome cultural obstacles that prevent the 100% implementation of the CRC. This was a complex research inquiry with many interrelated elements. Glaser and

Strauss (1967) grounded theory paved the way for critical interpretation of data that was coded with open and selective coding into multiple categories but remained meaningless without correlations and relationship testing.

The literature was replete with empirical studies from UNICEF and UNDP that had quantitatively demonstrated that there was a correlation between economic development, democracy, education for the girl child, human rights, culture, gender, and poverty. The importance of this situational analysis was that it examined how UN actors correlated local cultural gender expectations of behavior with a national government's legal obligation to the CRC.

Results of the research are found in chapter 4. Findings indicated that an integrated narrative was informed by the need of a narrative on the situation of human rights and cultural effects on the implementation of the CRC. Summary and conclusions are contained in chapter five included a hypothesis for an emergent girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, $HR = f(GJ) + CR + SD = GE$.

Chapter 4: Findings and Results

Introduction

UNICEF (2010a) revised its 1994 gender equality policy to include a commitment to take into account boys and men as gender actors in order to break the cycle of negative traditional stereotypes. Different cultures have their own social behavioral expectations which characterize gender equality outcomes (UNICEF, 2010a). This is contrary to the UN CRC human rights approach which is why the study was undertaken (Merry, 2006). The motivation for the study is that worldwide there are "sixty-two million girls not in primary school, 100 million girls will fail to complete their primary education, and cultural preference for sons resulted in over 100 million missing girls due to female foeticide, infanticide, malnutrition and neglect" (UNICEF, 2010, p.1).

To understand interrelated issues qualitatively, Clarke's (2005) situational analysis research methodology was used to generate a theory of gender justice. Data collected from a transdisciplinary, cross-sectored, and multinational approach were then used to generate theory grounded in situation analysis mapping of four major themes: gender equality, universal human rights, cultural particularism, and gender justice. These themes have human development repercussions in UN policy of the MDGs. This study may aid gender actors, local, international civil society actors, and governments to take a gender justice integrated transdisciplinary approach to human rights for children.

Purpose

The purpose of this situational analysis and grounded theory study was to explore equivalency with local cultural gender expectations of behavior with a national government's legal obligation to the CRC. Interviews were conducted to examine perceptions of eight actors of both genders from the UN, national governments, local and international civil societies, academia, the private sector, and education sectors are presented in chapter 4. All participants are involved in the development of gender justice, human rights, and or gender equality issues for girls. Clarke's (2005) situational analysis grounded in the postmodern is necessary to explore the complexity of multiple sub themes collected from "multisite research" (p.xxxiii).

Data Collection Procedure

I extrapolated data from interviews presented in chapter 4 using situational analysis and grounded theory (Clarke's, 2005, Glaser & Strauss's, 1967). In addition I analyzed the CRC and African Charter on the Rights and Welfare of the Child using Glaser and Strauss open coding and selective coding. Clarke's social world positional map (See Appendix A) allowed multiple discursive constructions that produced 16 elements of concern.

The criteria for selection of participants were based on at least 2 of the following variables: (a) a minimum of 10 years of international gender expertise in more than one culture with advising, research, programs, consulting, policymaking, or advocating, as a practitioner or scholar for the girl child; (b) work at the UN or part of

civil society; (c) experience and time spent in a developing nation defined by the UN; and (d) direct experience with human rights, gender justice, gender equality, cultural rights, and CRC.

Participants had either direct or indirect input over the implementation of policy or programs that concerned girls' rights. Participants may also have knowledge and experience with civil society or have consultative status with ECOSOC (Table 1). A semi structured interview was required to analyze possible legislative outcomes for gender justice and gender equality for girls.

Procedural Steps

Glaser and Strauss (1967) recommended memos with the intention to capture ideas as they emerged from the field for coding purposes. Memos along with open and selective coding were used to analyze data by four major themes: gender equality, universal human rights, cultural particularism, and gender justice. I used these themes in order to build a narrative "for clear integration of the theory" (p. 108).

Four interviews were conducted in person and four were by telephone interviews, with each participant interviewed granting permission to be digitally recorded. There were no unusual circumstances in the collection of the data. The interviews were transcribed into an MS Word document. I checked with each participant to ensure there were no errors of their intended meaning I may have made in the transcription process. The second step was to use grounded theory methodology process of open coding for the identification, description, and categorization of the transcribed text (Glaser & Strauss,

1967). Selective coding was a simultaneous and comparative process to "integrate categories and their properties" (p.108).

Glaser and Strauss (1967) proposed an inductive method of analysis that allowed theory to develop from a large quantity of data from many different sources. Open coding was used first to identify and describe multiple categories and variables from the interview text. Selective coding of the themes of gender equality, universal human rights, cultural particularism, and gender justice was used as a crosscheck for various subsets of data from eight interviews and the original ratified text of CRC and African Charter on the Rights and Welfare of the Child. Crosschecking assisted in the determination of patterns I inferred from the data (Creswell & Miller, 2000; Rudestam & Newton, 2007).

The third step used memo writing as "a tool of grounded theory research that provides for researchers an ongoing dialogue with themselves about the emerging theory" (Creswell, 2002, p. 255). Clarke (2005) in contrary to Glaser and Strauss (1967) recommended writing memos (a) during the literature review, (b) part of field notes, and (c) during the interview process. I used memos to supplement and expand upon emergent concepts and categories.

Glaser and Strauss's (1967) approach of the constant comparative method of coding of qualitative data was used to "generate theory more systematically" (p. 102), than just extrapolate hypothetical concepts, (Appendix A: narrative social world discourses). Four stages of the constant comparative method were used: (a) compare related categories, (b) integrate categories into themes, (c) set limits of theory, and (d) analyze theory inducted from data. Clarke's (2005) situational analysis supplemented

Glaser and Strauss's grounded theory "analysis focused around difference(s)" (Clarke 2005, p.193) of situations. This allowed expanded alternatives to examine the complex social world of human rights and culture. I used Clarke's narrative social world discursive chart in addition to an ordered situational map categories of: (a) individual and collective actors; (b) discursive construction of individual and collective actors; (c) discursive construction of human rights treaties; CRC and African Charter on the Rights and Welfare of the Child; (d) social/cultural/religion/economic variables; (e) historical/temporal/actors' variables; (f) political/civil society/gender democracy/governance/government variables; (g) policy, concepts, events, treaties; (h) legal variables; and (i) major issues and debates.

Participant Confidentiality

To protect participant identities, all references or identifiers were omitted and every effort taken to ensure confidentiality. There is no direct reference to individuals, names of agencies, organizations, place of employment, specific geographic locations, or job titles, and were intentionally deleted. Table 1 Participants demographics included themes ordered by participants' responses along with gender, culture, and sector. Theme Code of Participants: (a) gender equality, (b) universal human rights CRC (c) cultural particularism, (Merry, 2006), and (d) gender justice (Sen, 2009). Table 1, participants' demographics, includes themes ordered by responses along with gender, culture, and sector.

Table 1

Participant Demographics

Participant	Themes	Gender	Culture	Sector
P1	a, b, c, d	Male	Latin America	UN
P2	a, b, c, d	Female	North America	Civil society
P3	a. b. c. d	Female	East Africa	Government/civil society
P4	a, b, c	Male	Middle East	Academia/public health/scientist
P5	b, d	Female	North America	Public health/civil society/educator
P6	a, b, d	Female	North America	Civil society/gender actor
P7	b. c, d	Male	East Africa	Civil society/university
P8	b, c, d	Male	East Africa	Civil society/private/university

Triangulation

Categories extracted from open and selective coding (Glaser & Strauss, 1967) were conducted to allow corroboration of data to inform (Clarke's 2005) elements for narrative social worlds/arena map. Triangulation for each interview followed Clarke's elements for narrative social world discourses, (See Appendix A). Both were used as a method to crosscheck against the four major themes that emerged from the literature review in chapter 2. Cross checking helped to determine patterns in the data and ensure inferences to themes from participants also matched characteristics from Clarke's categories of social worlds/arena maps. 3. Participant results were displayed individually as a method to crosscheck patterns of themes.

Validity/Credibility

The validity and credibility of this study were supported by a generalized conceptual and theoretical model that may be adapted for multicultural, informal and formal legal systems of countries which have ratified the CRC. To offset potential problems of external validity; content discourse analysis was used for the CRC and an African centric children rights treaty, the African Charter on the Welfare and Rights of the Child, modeled after the CRC, but was adapted to specific cultural concerns. An equal number of male and female and a range of cultures; three Americans, one Iranian, one Latin American, one Kenyan, and two Ugandans, represented four regions of the world; North America, Middle East, Latin America, and Africa reflected a semi representative cross-section of culture and firsthand knowledge from eight separate sectors.

Qualitative studies have no single truth, and to establish credibility, "social worlds/arenas maps of narrative discourse" (Clarke, 2005, p. 192) provided an alternative method to triangulate themes and subthemes. Clarke's elements in this study included 16 elements and an examination of specific theme and sub theme situations related to the study. Participant responses were first opened coded to fit general categories and selectively coded by major theme. Glaser and Strauss's (1967) constant comparative method offered credibility of results of emergent themes. To ensure study findings were credible, themes that emerged from the literature, I compared to situational analysis maps in Appendices A, B, and C.

Figure 1 represents frequency of sub theme responses emergent out of the literature review chap 2, grounded theory open and selective coding (Glaser & Strauss, 1967), and situational analysis social world map (Clarke, 2005).

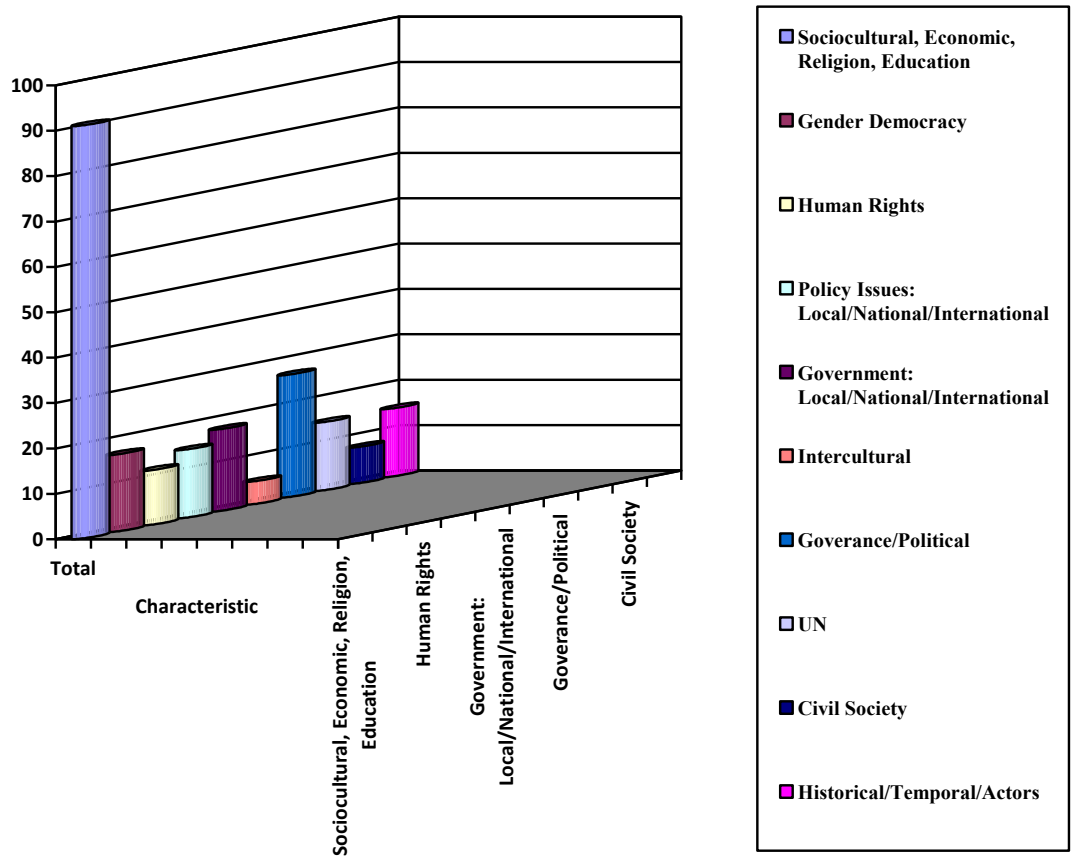

Figure 1. Frequency of Sub Theme Responses

Reliability/Transferability

Glaser and Strauss (1967) adapted the concepts of reliability and validity to fit into a positivist quantitative tradition. Clarke's (2005) concern was that a positivist method insufficiently added to credible reliability was offset and supplemented by situational analysis positioned as described by Clarke "after the postmodern turn" (p. 2). Clarke's strategy was a transfer of the benefits of grounded theory with the advantage of a postmodern approach grounded in social situations. A weakness of Clarke's methodology with inter-rated reliability was that data could be skewed by a single researcher. To offset any lack of consensus in the results, I used different data sources; two human rights treaties for children, memos, field notes, and interviews digitally recorded, transcribed and cross checked with each participant to ensure accuracy.

Themes

I found in the literature a plethora of approaches to the study, which including (a) culture, (b) Gender, (c) democratic governance, (d) intercultural communication, (e) educational development, (f) human rights, (g) social justice, (h) social policy, (i) UN CRC and (j) gender justice with over 108 indentified sub themes.

The four major themes which informed the research questions emerged from a gap in the literature and 8 ½ years of field work for girl education in Africa and India. In addition, sources for policy and theory were drawn from; UN Commission on the Status of Women focus, and (Merry, 2006, Sen, 2009, UNICEF, 2009). Glaser and Strauss (1967) and Clarke's (2005) situational analysis were used for additional verification.

Patterns of Themes

The study findings indicated that a transdisciplinary, gender justice, and thematic approach to implementation of the CRC would allow for a deliberate integrated analysis of all actors. Figure 2 below demonstrated graphically, a social world arena map (Clarke, 2005) of a gender justice approach to human rights. Circle size is not representative of importance of each factor. All factors have separate equal and interrelated functions.

Participant responses created a pattern around four major themes of the study. Girl education, a subset of culture was mentioned with P1, P2, P3, P5, P6, and P7. Human rights and cultural issues were the only two themes participants P1 through P8 referred to in their response.

Gender equality was not a major theme for all respondents based on frequency and only six of eight participants, P1, P3, P4, P5, P6, and P7 referred to it. Gender justice solicited references from only P3 and P4, and P5. All participants were coded with a category of discursive construction of actors (Clarke, 2005). Clarke (2005) "placed in conversation with the interactionist concept of social worlds and the Straussian emphasis on arenas and conflict within them" (p. 55).

Table 2

Theme Frequency Responses

Participant	Gender equality	Human rights	Cultural particularism	Gender justice	Discursive construction
P1	14	11	10	8	20
P2	5	10	10	3	11
P3	4	8	8	11	22
P4	0	7	10	3	17
P5	7	6	19	1	5
P6	2	6	5	2	1
P7	10	4	12	3	4
P8	4	10	9	0	7
CRC	8	33	12	10	N/A
African Charter	0	44	12	2	N/A
Total	54	139	107	42	87

Figure 2 represents an illustration of a gender justice approach to implementation of the CRC. In this model gender equality is represented as an outcome of interrelated variables discussed in an intercultural communication discursive to produce gender equality and gender justice policy. Therefore, gender equality is an outcome and not a goal of a gender justice approach.

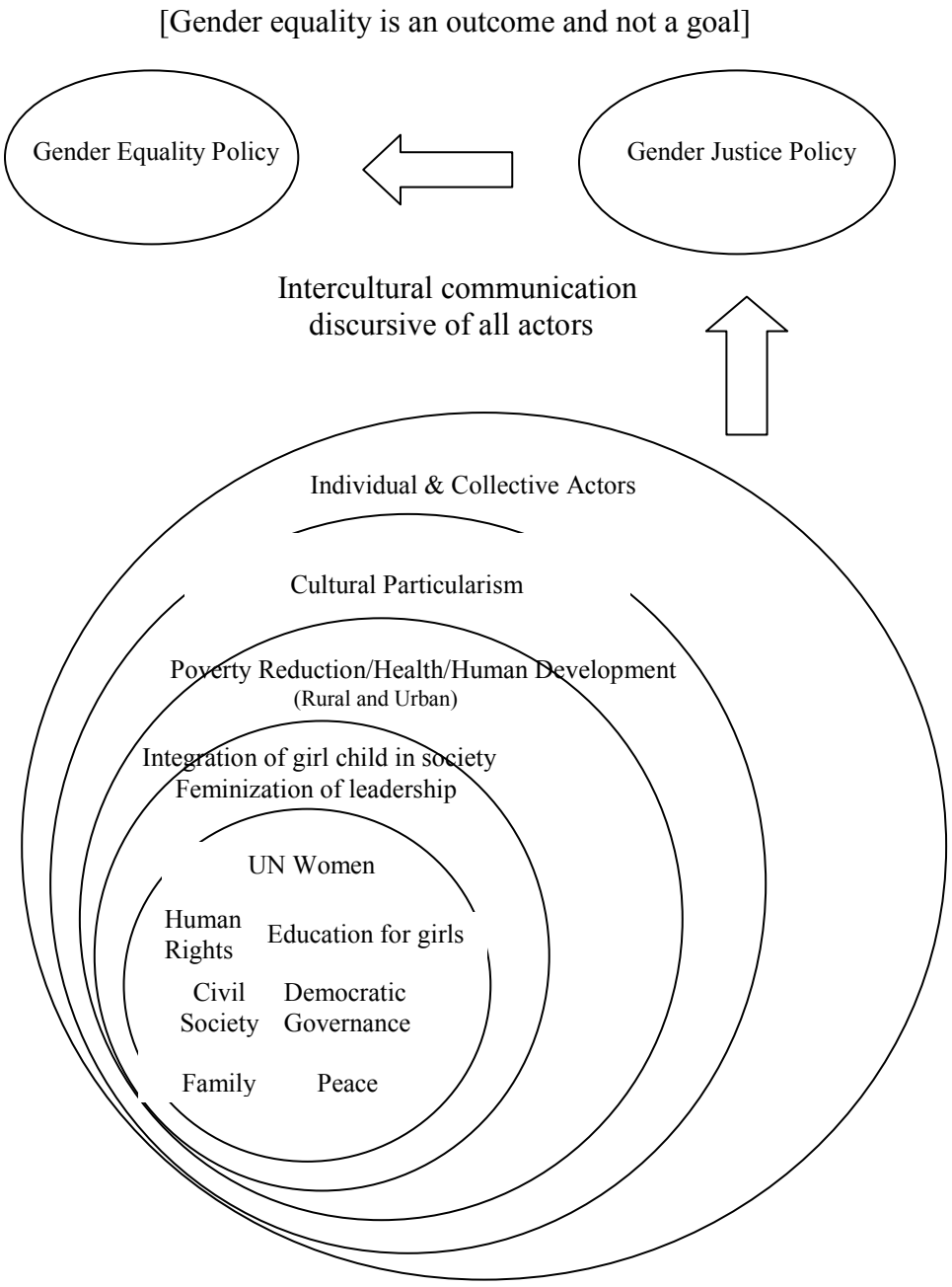

Figure 2. Social World Arena Map of Gender Justice Approach to Human Rights

Research Purpose

Clarke (2005) was concerned that existing traditional grounded theory distinctions were not normally voiced. The problem with traditional grounded theory methods (Glaser & Strauss, 1967) is that this methodology is primarily based on "positivism and scientism" (p.11) and analysis is viewed as an "empirical practice" (p.11). This became the impetus for the selection of Clarke's situational analysis is viewed as an around the postmodern paradigm to amend traditional grounded theory tendency to (a) keep a researcher's input undetectable, (b) focus on consistency, (c) limit the input from numerous social arenas, (d) limit the analysis of data as "negative cases" (p.12), and (e) seek a positivist objective approach to data analysis.

In order to align my study with Clarke's (2005) research methodology I formulated my research design to overcome the perceived gaps in traditional grounded theory by; (a) including writing memos before and after interviews with participants in data analysis, (b) using a transdisciplinary method for selection of research participants across sectors, gender, and cultural perspectives, (c) selecting participants who worked in multiple field settings, (d) analyzing the data through coding and situational analysis mapping, and (e) incorporating a part of Lewin's (1946) action research method with follow-up questions formulated to solicit opportunities for participants to examine alternative policy choices that could help obtain gender equality.

The rational for the research purpose was to (a) allow advancement of insignificant events, (b) capture new information, (c) recognize future interview questions, (d) move from description to analysis, (e) move from broad analysis to theory,

(f) examine various perspectives, and (g) discover general patterns and integration of categories in which to inform a conceptual and theoretical framework (Strauss & Corbin, 1998). Glaser (1992) required that even when the research questions were empirically related to the interview, the questions were asked without being suggestive.

Research Questions

According to Clarke (2005), researchers need to be accountable to the data they collect in order to keep bias "embedded in their own assumptions and practices" (p.74) out of their research. Clarke understood that scholars who study *issues of gender* assume that there are elements hidden in the situations being studied even if the data are *silent*. Clarke's view of situational analysis disputes the notion of traditional grounded theory (Glaser & Strauss, 1967) of treating data as "being separate from the researcher and somehow sacred" (p. 75). Clarke's (2005) developed situational analysis as an adjunct to traditional grounded theory to allow for additional potential analysis to the complexity of examining issues such as gender equality, universal human rights, and gender justice for girls.

The research questions in this study were structured based on themes derived from the literature review of chapter 2, to elicit information about how local cultural gender expectations of behavior coincided with a national government's legal obligation to implement the CRC. Data were collected through semistructured, individual interviews conducted in person or over the telephone. Questions were open-ended questions and

lead to follow-up questions to best identify the relationship and category of themes and emergent sub themes for each participant.

A theory emerged from both data collected and the actual situation the themes conceptually represented. The hypothesis was of an emergent girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, HR =*f* (GJ) + CR + SD = GE. The basis of this theory's emergence was based; on a lack of an UN emphasis on gender justice as an equal element of a human rights approach to gender equality and the frequency of themes from the actual count of reference from each participant suggested a need for a meeting point of both human rights and a gender justice approach to the CRC. Finally, a realization from an analysis of the data of the interviews that gender equality was an outcome and not a goal of human rights came into view.

Clarke's (2005) situational analysis maps in conjunction with grounded theory (Glaser & Strauss, 1967) "can be conceptualized as an overlapping layered mosaic of social worlds, arenas, and discourses" (Clarke, 2005, p. 299). The responses to the interview questions enabled a narrative to emerge through the analysis of patterns, themes, and sub themes and a focused analysis of how human rights and cultural effects gender justice for girls. A combination of situational analysis and traditional grounded theory bounded together by codes and categories, themes, and derived from (a) interview quotes, (b) an examination of the situational maps and figures represented in this study and (c) an integrated narrative grounded and inducted from the research data to analyze

and interpret findings informed by the need of a narrative on the situation of human rights and cultural effects on the implementation of the CRC.

The themes that informed the questions were represented as; (a) gender equality (b) universal human rights, CRC (c) cultural particularism, and (d) gender justice. The questions were thematically structured in accord with Clarke's recommendation on how to frame and focus the research, drawing on extant literatures and situating the investigation within those literatures [without] performing premature theoretical closure.

The rationale for reporting the study's findings was based on Clarke's (2005) assumption of "a lack of reflexivity" (p 12). Clarke felt the need to address traditional grounded theory reluctance to use experience and instead utilize prior knowledge of the researcher in the coding and analysis of the data. Finally, situational analysis research addresses the issue of how to report findings that do not obscure the "distinctiveness and heterogeneities in favor of creating a monolithic ["Other"]" (p.15). Thus each participant's responses allowed for "social constructionism as an epistemological/ontological position" (p.17).

Research questions were asked in this order:

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (a), (b), (c), (d)

Study Findings

Though each participant worked and operated in an English language environment, for five participants, English was a second or third language.

Participant P1

P1 at the start of the interview explained that it was important to put into perspective "gender access at the international level relates to UN organizations on the ground."

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Participant P1 answered that the way forward was:

> To promote partnerships, advocacy, and delivering program cooperation at the country level. Gender issues are covered for all programmatic areas and adopt a framework based on the rights of the child. This is an issue of helping to promote accountability at the local level and national level.

Asked to elaborate on the concept raised of duty bearers' and rights holders, and how to ensure gender justice, P1 replied "duty bearers apply policies, rights holders demand their rights. The national level should help local governments." He explained that "legislation applies principles to law and makes sure that law establishes principles for applying budgets. Budgets need to be discussed with a gender lens and child friendly lens." The participant emphasized that when "discussing education useful data is very important, data will give you evidence to enforce laws to the duty bearer."

P1 explained that

> Rights for girls meant access to education. It is not just a question of accessing but making sure that they can stay in school. The girl who has access to school and can stay in school will be better protected, avoid early marriage, escape from child labor situations, and enter later into the labor force in a much better decision than if she didn't have access to education. Data shows globally that there is a need to do a sort of positive discrimination to ensure access to education. You do it through a gender lens to make sure that girls are not left behind.

According to P1 it was important that "girls deserve to have access to education, to have equal treatment in society. They are subjects of rights as established by the conventions of rights." He added,

> When discussing child protection issues, ensure girls and boys are well protected from many kinds of violence by applying the gender lens. Eventually, you get both girls and boys, benefit equally. if you don't apply a gender lens it is possible that there will be gender discrimination against girls.

Research Question 2: What specific opportunities, and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (a), (b), (c), (d)

P1 answered "I would rather prefer to use the title of common harmful traditional practices". The participant explained that, "you can have the best legislation in place at the local level, but you cannot ensure that this will be implemented with leaders at the community level, who can work as partners." He said in order, "to answer your question I would say it is absolutely essential that you establish partnerships with religious leaders, duty leaders, so they can become the advocates."

Research Question: 3 What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P1 responded,

> You cannot have a top down approach, that doesn't work. We talk of communities through a presence in the country. Partnering with local NGO's

> working though civil society, a network is required. It is unrealistic to think that you can just land in a local community and lecture the local community. No, it's a long term process about conditions of partnering. That takes time, but that is the only way.

P1 repeated the theme of a gender centric focus, "gender should be present, not just at the local level in terms of communities, but also in families which are hierarchical, autocratic and will not be conducive to promoting gender equality." He focused on an "equality approach inside the family involving parents and in particular fathers to make them more responsible, ensuring that gender affects all levels in the family." He then went off the question's topic,

> I am far away from your initial question, but I will answer your thesis, promoting the concept of fatherhood as a way of tackling the issue of gender rights, from the family level. A child that witnesses domestic violence will be disadvantaged and not become a gender model. Since that child also has been a victim of domestic violence.

Research question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P1 response touched on several sub themes. He spoke directly of specific examples of cultural obstacles. He explained that,

> Gender justice has to follow a framework in both the convention on the rights of the child, and gender justice. The Convention doesn't make any difference in

> gender. They see boys and girls as equal. If we want to promote gender justice we definitely need to start from basics, which is to ensure child survival. I mean the sort of perilous path in which girls go through life, from early childhood to adulthood. We need critical interventions to make sure that girls will not only survive but will have a good start in life, will go to school, stay in school, and protected against all forms of civil violence against them. It is very important that girls be empowered.

P1 underscored that,

> Early marriage is one of the obstacles. Child labor, particularly where they are taken away from education are being made invisible. Advocacy and enforcing legislation has a place with a gender approach. Helping governments to develop public policies through a gender lens.

He explained "everyone talks about mainstreaming gender, and then you need at all levels, development policies." P1 also spoke of connections to gender, he asked, "What does climate change have to do with gender?" He explained that "girls will be more exposed to child labor, long emaciated droughts, girls go to get water and walk longer distances, exposed to violence, and they will be left out of education for home functions.

However, P1 said,

> Focus on gender is not enough; the gender lens brings other issues of equality. Not just gender. It's about poverty. It's about how to overcome poverty and poverty reduction. How can you do that through a gender lens so that the

> whole nation can benefit? How do you break the vicious cycle of poverty, you can do that through a gender lens?

He made it clear that, "gender has to do with historical cultural roles that have been assigned to us. It is important that people hear about that. Understand that boys and girls are equals in terms of rights."

P1 described the role of masculinity and gender by first asking the question,

> What is masculinity? What are cultural factors that influence the models of masculinity? Maybe there are more than just one model of masculinity? Throughout history, man was the provider. Man had to go out and work so that the family would be nourished and educated. That is one concept of masculinity. Where man is actually absent from the education of his children. Because his role is that of provider. Therefore, the mothers must remain the source of nourishment.

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

He said, in a response to an emergency, girls have been displaced and are very vulnerable. To detect violence, conflict, in a non violent way, you need to work with whoever is capable. You will find most of the resources can be found in the local community.

P1 concluded that put into plain words you,

> Need the government to make it possible for gender to take place. It's a long term process. We have made progress by advocating difficulties, mobilizing national communities, and mobilizing civil society. The UN has established an agency

hoping they will be very strong and be in a position to ask for accountability of governments. UN Women promised this to the United Nations.

At the end of the interview P1 presented for review a policy paper titled Working for an Equal Future. UNICEF Policy on Gender Equality and the Empowerment of Girls and Women (2010).

Table 3

Characteristics of Participant Response

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Government Local/National
Girl Child Education Access to School	All Policy through Gender Lens	Universal Human Rights vs. Cultural Particularism	Infrastructure to support Gender Programs	Politics
Access to Clean Water			Climate Change	Accountability of Governments
Gender Rights			Duty Bearers/ Rights Holders	Monitoring and Reporting of CRC Implementation
Child Mortality				
Violence against Girls				
Discrimination				
Female Genital Mutilation				
Harmful Traditional Practices				
Poverty				
Early Marriage				
Child Labor				
Economic Development				
Family/Responsible Fatherhood				
Empowerment				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Political	UNICEF Country Offices	Role of International Civil Society	Historical Knowledge/ Individual and Collective Need for Knowledge

Participant P2

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Participant P2 responded, "I think the underpinning of all gender expectations there must first be recognition that genders are equal, respected, protected, and honored because of the dignity of the human person."

She added,

> When that is acknowledged, then social behavior for girls, their legal rights, basic human rights from birth will be acknowledged. And so a young girl will enjoy the same opportunities, the same protection that a male in the same family or the same community would enjoy.

Asked to elaborate, P2 explained,

> My experience has been in countries where there are UN agencies. When we would see a violation against a girl child, being sold into prostitution because the family is poor, we would go to the UN agency. Asking them use their authority, as that particular country has already signed on to the Convention on the Rights of the Child.

I asked, were you able to change local gender expectations? She replied,

> Because the tradition has been for centuries that the male is superior to the female and in this particular culture, the father is the decision maker, the wife especially in the rural areas, are subservient to the husband. So it is very difficult to sit down with two parents and bring forth the human rights of a child being violated. A child is not given an opportunity for education because she is female. And they only have money for the boy.

P2 elaborated on the effect of culture on gender equality.

> It has to begin in the family. It has to begin advocating education. The parents, both are equal. Now foreigners, I think our obligation is to bring together a small group men and women that has some sort of education. Who really want the best for their children. Educate them as leaders in their community, and that takes time. Unless in a village you have parents understanding the dignity of their female child, they in turn become the catalyst in their own community.

She added that,

> When you are in villages that are so remote and primitive, then it is incumbent on NGO's to go in small groups to begin training. But ultimately to my opinion, it has to be the local people that are informed of basic human rights. Also it is incumbent on the NGO to remind the people that their country has signed on to the Convention on the Rights of the Child.

Research Question 2: What specific opportunities, and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

P2 answered, “Where does gender inequality begin? In the womb of the mother. Why is there gender inequality? It goes back to cultural traditional practices. We are looking at maternal health.” (P2) Participant asked a rhetorical question, “why are we not looking at the basic inequality that is perpetrated on the womb of the mother?”

She discussed,

> Having worked with different religious traditions; Buddhists and Confucianism tradition, not a religion, it is a humanitarian philosophy. There is not a division. I see all people, as people created by the one creator by whatever name we call God. Yahweh, Allah, God, we are all actually brothers and sisters. For me to work with Buddhists, working with another human person that is equal to me in my person. I don’t look at her at having a different understanding of religion. I don’t separate religious traditions.

P2 added,

> Cultural practices absolutely. Cultural practices that are negative that is what I fight against. Religious practices were never my problem. Because, basically they all, did I say the dignity of the human person is paramount to which we are above the belief? Even above your belief, you are a wonderful creature brought into this world to fulfill your potentials. We begin equally, that all persons have the same opportunities for development. (P2)

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC?

(b), (c)

She answered, “offer material rewards that would be attractive to a developing country.” When the participant was asked what influences the UN can exert on developed nations, she replied, “I think basic to all of this is attitudinal changes. I think if you are a developed country or developing, if you seek the goodness of people, then that is one way others would be influenced.”

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P2 explained, “I see the interrelatedness of the whole picture. For example, looking at every institution, labor, infrastructure of a country, the governance of a people, rules and regulations, everything is interrelated.” She continued, “I think our problem is that we are still acting out of categories. If I am a parent my obligation is to just get money and put food on the table for my children. So to me interrelatedness of relationships that see all as one is paramount.”

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

She concluded the interview with the statement, “until the basic understanding, I want to use the sacredness of the person female or male to be understood. If that is lacking, I believe that you are not going to get UN commitments, you are not going to get countries to agree to the CRC without reservations.”

Table 4

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Responsible Fatherhood	n/a	Universal Human Rights vs Cultural Particularism	n/a	Local Institutions
Family Infrastructure				
Child Marriage		Human Dignity		
Gender Test of Fetus				
Female Genital Mutilation				
Child Prostitution				
Maternal Health				
Budget for Gender Programs				
Girl Child Education				
Education of Actors/ Institutions/NGOs				
Social Development				
Poverty				
Dignity of Person				
Masculinity Stenotypes				
Incremental steps Social Change				
Tolerance Diversity Religious Practices				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Democratic Governance/ Politics of Fatherhood Leadership	Millennium Development Goals UN Agencies UNICEF	Role of International Nongovernmental Organizations	n/a

Participant (P3)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Participant P3 said, "the most important thing is the legal instruments." She added, "if a country ratifies the Convention to Eliminate Discrimination against Women and domesticates the instrument, develops policies, legislation, plus programs within the country, programs that are eventually developed should benefit girls directly at the local level."

P3 explained, "cultural and traditional values and norms which discriminate the girl child should be demystified." P3 spoke of "how families impact on the girl child, because the first unit which influences and nurtures the child is the family, and then the community." She continued, " if the traditional and cultural values discriminate, the government should come in with the laws to be able to make it right."

P3 noted that," it is through those country programs that the international level will understand how the country programs are running and impacting on the lives of the girl child." However, she acknowledged, "sometimes you have UN agencies also working at the country level."

P3 held that, "it was not until we had developed massive social mobilization and education programs that included all different actors, which is critical especially when

you have a multi sector and multidisciplinary program." She said, "the family only hears about an issue through the school system where the girl child is likely to be found."

She explained, "girl children out of school would hear it from political leaders or from church leaders, when they go to mass on Sundays or in the mosque for the Muslims."

She concluded that it was necessary to, "have a culturally acceptable and a socially acceptable program that can reach down to the people and are able to understand." P3 assumed "the international actor can only participate through lobbying, diplomacy, monitoring policy, and the legal framework. Ultimately the programs are going to be implemented by people and they have to work together as a team." She believed, "you are cannot take ideas which people don't understand from the top down. When people don't understand ideas you are bringing in, they see ideas as culturally incorrect or socially not understandable. That is when you create barriers and people will not be ready to accept programs."

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

P3 response was one word, "inclusiveness." She paused and then added " if you include all actors, religious people, different cultural leaders, civic leaders, and political leaders in a program inclusiveness is going to open that door."

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC?

(b), (c)

P3 answered, " I look at it as diplomacy and negotiations. If people sit down and discuss issues, the other person's fears are normally allayed. It is human nature because if you don't understand what you are dealing with, then there will always be resistance."

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC?

(b), (c), (d)

P3 expected,

> When the Convention on the Rights of the Child is ratified within a country, there should be a constitutional provision in the country to protect all children. The convention has to be ratified and include the legislative. The constitution in many countries has clauses in place to protect women and the girl child.

She said that, " in reality what actually happens, is that cultural discrimination, beliefs and traditions over ride what is in the constitution." She emphasized that social change occurs, "over a period of time, you can change through a legal framework and with education." P3 added when, " you have role models and positive examples in the community, which people can refer to, it helps change the cultural landscape and demystify those discriminatory traditional and cultural beliefs." P3 concluded "eventually, the justice framework will work because people, community, attitude, and behavior, is shifted. you also need laws to make people's behavior shift. So it is like a double edge sword of power."

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c) P3 answered it was,

> Critical that governments understand and aware, when they implement the Convention on the Rights of the Child, to provide protection, education, health, vocational, or social skills, nations are developing children, who eventually will become what I would call employable. These are kids who eventually develop creativity and can become young entrepreneurs'. That is going to ultimately eliminate poverty.

She said, "the main reason why we still have poverty are these reservations. It creates a social gap between the haves and the have not's, the powerful and the vulnerable." Participant added, "if you want an intelligent responsible people then you have to invest in them. You can only invest in them if you ratify these conventions and develop policies, legislation, and programs that are going to empower young kids.

P3 stated that, "there are countries that are abusing the rights of children and still get lots of donor money and support." She assumed, "if donors withheld money and say to give you funds, we want this money to go towards implementation of this particular program for children and these are our expectations." She believed this should become "a dialogue, not like forcing somebody's hand. If both donors and countries can sit down and discuss these issues like civilized people, this can become an incentive instead of just dishing out the money."

She concluded,

> Many don't understand these conventions in detail. The people that really understand are the technical people, like commissioners', directors, program officers, and technical people in the ministries. The political leaders don't understand these conventions. But they are the ones who take the decisions.

Table 5

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Poverty	Issue of Fairness	Lack of Enforcement of CRC	n/a	Regional International Organizations
Education as Social Investment	Gender Inequality			
Child Abuse	Gender Lobbyists			
Discrimination	Feminization of Leadership			
Violence				
Role of Family				
HIV/AIDS				
Multidisciplinary based Gender Programs				
Access to Schools				
Cultural Discrimination				
Birth Registration				
Girl Child Education				
Responsible Fatherhood				
Harmful Traditional Practices				
Incremental steps Social Change				
Maternal Mortality and Morbidity				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/ Actors*
Communication	Ethical Conduct	UN Agencies	Leadership	Gender Inequality in Developed and Developing Countries
Diplomacy	Reports to UN	Gender based UNICEF Policy/Programs		
Inclusion of all Actors	Political Will	Ratification Process of Human Rights Treaties		
	False Reporting CRC	UNICEF Country Offices		
	Reservations CRC	UN Local Intervention		
	Legal System	UNICEF Support of UN Woman		
	Role of Power and Gender Equity			
	Politics and Power			
	Political Rhetoric			
	Political Integrity			
	Role of Military and Human Rights			
	Non Democratic Leaders			
	International/National Laws			
	Legal Instruments Legislation			
	Discriminatory Laws,			
	Monitoring and Reporting CRC			
	Constitution Implementation of CRC into Institutions			

Participant (P4)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a

situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Participant P4 answered a first step for "the best conceptual framework and plan of action is to perform an actual study of the evolution of the dynamics of gender justice for girls, in the context of social relations." P4 stated "I do not believe in a mathematical statistical modeling of complex human behaviors for predicting the future. I think it is not possible to quantitatively model social behavior."

Research Question 2 What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

P4 cited as example, "in some countries religious people, I mean clergy men who are in charge of religious responsibilities, may have effective and powerful effects in social relations." He explained " increasing awareness of local people, making their attitudes more positive, can lead to different behavior." He added,

> In any community there have been ups and down regarding materialization of rights. There are countries that are not very positive to activities of international NGO's for different reasons. NGO's on the ground at the same time have activities on their agenda that may not be perceived as acceptable as rights of the girl child.

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P4 answered "dialogue with representatives of the details regarding human rights, so countries do not see it as a binary view. Different countries have different levels of acceptance." He offered a solution that you may, "continue in two tracks, one, think, work, and study how things can be worked out for progress by the organization, and the second track is to do it in collaboration with government." He explained, "when the organization reaches the United Nations, they can sit with representatives and discuss possibilities."

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P4 said, "I absolutely disagree with corrupt governments in the developing world, who play around with the concept and practice of human rights in an ugly and mischievous way with the global community and Western civilization." He believed "a nation regarded as one unit, may definitely have sub cultures in different; geographical regions, dialects, languages, religions or sub religions, or different economic development levels." P4 cautioned "we cannot say that one country's culture is negative or positive." He cited as an example "of a country during a specific decade; the north and south have different ideas, practices, legislation, and social values about different phenomenon. So we cannot say that a country in that decade had a uniformed culture."

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

P4 asked,

> What incentives can be found to promote actions, get to the end results or to progress with certain incentives? One effective way I have seen is to show and advocate for actual results. If there is a minister of health that has done something, give credit to that ministry, person, or group of scientists. This makes them feel more rewarded.

Table 6

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National International	Governmental Local/National
Social Behavior	n/a	n/a	n/a	Response to CRC
Media				Government vs. Citizen wants and needs for CRC
Incremental steps Human Rights				
Social Behavior				Government Success with Human rights/ Gender Equality
Social Psychology				Programs and implementation
Geography role on Culture				
Economic Conditions				
Societal Values				
Sub Cultures/Traditions/Customs				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
Communication	Gender Legislation	Indigenous/Political	Best Practices Model	Historical Narrative
		Effect of International Incentives		History of Rights
	NGO		Best Practices with similar Socioeconomics	Rational Moderate Actors
				Stakeholder Analysis
	Role of Gender Justice			Sociocultural history of girls rights

Participant (P5)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice? (a), (b), (c), (d)

Participant P5 said, "OK this sounds very simplistic, but let me say the first thing people need to do is listen." P5 talked of dialogue. She said "I think that a lot of times people tend to build solutions in a vacuum. Then take those solutions to the local community." She added, "I think it is OK to have a framework for what needs to be accomplished, but before ideas are worked out or biased at the international level, they need to go to the community and listen."

Asking a rhetorical question, "I don't know if a needs assessment is the appropriate word, maybe an asset inventory. An asset inventory to find out what the issues and expectations are at the local level, then create a dialogue." P5 explained, "one problem is that cultural and governmental restraints is overlooked. That seems to be a big obstacle. This needs to be considered carefully and seriously. Sometimes what people view as a barrier can be a conduit for change." P5 spoke of an example, "from my public health program, there was actually a person who seemed to be preventing programs from being implemented. Once you got that person on board, that person became a change agent."

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (a), (b), (c), (d)

P5 said, “That is really, really tough, I mean if there was a simple answer it would already be implemented.” She continued, “I think there are entrenched cultural beliefs of inequality. I think men do not have to feel threatened about whatever change is going to happen. That is engaging men as part of the solution.” She added, “ I am trying to think about gender justice, a part of it is to make sure that both genders are part of the conversation.” She explained “ I mean that seems very obvious, but sometimes in developing countries there are fewer women in leadership roles. Both men and women need to be part of the solution.”

In reference to how NGO’s should operate, P5 responded, “people have to be on the ground to understand the cultural framework.” She referred to the book, *Three Cups of Tea*, “Mortensen was able to build schools for girls and change the gender equality status quo of education. Part of it had to do with finding a father with a girl child.” P5 spoke to the “misconception that somehow if women are empowered, that will take away power from men, or that it’s going to harm the society.” One solution, she implied, “is to show success stories and show how educating women will improve the economy, not just women. People need to know that educating girls have positive effects on both genders.”

Research Question 3 What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P5 said, “first understand why inertia is there. Examine problems and find leverage points. Is the problem that there is not enough of an economic infrastructure? If

that is the case, can a NGO set up a micro loan program? Participant continued, "the problem is that you are rewarding countries that are not abiding, countries that are having difficulty." She assumed, "maybe offering an exchange program or some kind of a scholarship that allows a nation to become open to democracy and see positive effects. You certainly want to target the younger generation so they can implement it."

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P5 thought, "I don't think you are going to necessarily change deeply entrenched cultural perceptions. I think that you can shift them a little bit, but that gets back to understanding the culture." She continued, "taking a human rights approach and imposing it on a culture will not work. Because you are not working from within that culture." P5 added, "unless you have a culture that is unwilling to budge. I think one example is the Taliban, which precludes girls from having an education. However, Mortensen went in there and worked within the culture to effect change. She explained, "it is community organizing really. It's the difference between imposing versus working with local people."

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

P5 answered, "you can provide incentives. Allow girls to go to schools, we will build them. That is where the money needs to be directed." Finally, she added, "the issue

is clean water, because girls are walking miles to get clean water and cannot go to school. The UN needs to address clean water as incentive."

Table 7

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Economic Development	Development of Gender Policy with Male/Female Actors	Cultural Rights vs. Universal Human Rights	Access to Clean Water and Gender Equality	Local influence Gender Equality Programs
Women Empowerment	Cultural Negative Gender Bias		Gender Equality in Developed Nations	Local Approach vs National/International Approach
Girl Education	Negative Gender Stereotypes		Lack of Infrastructure	Effect of Political Power on Gender Equality
Best Practices for Girls	Sustainable Gender Equality Programs		Human Development	
Poverty	Gender Inequality			
Resistance to Cultural Change				
Lack of Employment for Women				
Entrenched/Obstacles Cultural Belief System				
Effect of Culture on Education				
Lack of Schools				
Cultural Exchanges in Education				
Multicultural Experiences				
Harmful Traditional Practices				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
Communication	Feminization of Leadership	Reservations to CRC	Role of Civil Society	Role of Individual Actor Identification and Partnership with Local Stakeholders/ Social Change Agents

Participant (P6)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

P6 answered,

> My first reaction is that gender actors at the international level should not be the primary actors. The girls and women should be the ones that bring about change. Gender actors should stand by and see what girls and women do in my view. When they create the conditions for change it will happen. I believe, as I did in the Civil Rights Movement, until the discriminated against minority, takes matters into its own hands, change will not occur. No matter how much other people try to do for them.

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

P6 said, "women rights advocates have created an expectation that change will occur on behalf of girls."

She continued,

> Well unfortunately, many of the role models would be in prison and that would not be a good prospect for people who wanted to emulate them. There are a number of groups working with girls secretly in places where the Taliban, for

> example hold sway. In some countries where there is not enough resources to provide education, girls are the ones that are left out. They have no one helping them. But I think once the girls themselves demand education, they are going to get it.

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P6 replied, "the use of the word influences is very appropriate since the UN itself has no power. Only the governments decide what is going to happen." She continued, "the only influence that can be exerted is the people of United States have to demand ratification. I think it's a question of evolution again, things move slowly and change comes about with deliberate speed."

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P6 believed, "the pure human rights approach would not get very far. You have to have economic considerations, welfare of the people and goals of the people concerned" She gave an example,

> Just saying it's your right reminds me of a situation in Tanzania A widow was to be thrown out of her house. Her husband's brother came to her and said give me your house it's mine now. She said, I have a right to keep my house. The law of the land gives me the right to occupy my house even though my husband has

died. His response; he shot her. Until the local institutions are able to enforce these rights, I think a purely rights approach is not workable. Particularly if people are going to lose their lives in the process.

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

P6 responded, "I have observed that the answer is following the money. I believe that people at the UN who work to bring about change in these situations have got to subsidize the change." (P6) The participant added, "a country that is so poor that it cannot even educate its citizens is not going to work on questions of human rights without help."

Table 8

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Women Empowerment	Non Interference of International Gender Actors	Universal Human Rights vs. Cultural Rights	Duty Bearers vs Right Holders	Local Expectations for Social Change
Self Determination			Best Practice Models for Social Change	Effect of Donor Nations
Girl Education		Civil Rights Approach to Human Rights	Transdisciplinary Approach	
Gender Lens			Human Development	
Gender Sensitization				
Female Genital Mutilation/Culture at Local level				
Incremental Steps/Social Change				
Poverty/Social Welfare				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Non/Democratic Governance Committee on the Rights of the Child	n/a	n/a	Local vs International Lessons from History

Participant (P7)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

P7 answered, "gender disparities incorporate girl child education**.** Gender actors at the international level help to create awareness as far as gender is concerned. United Nations can help by introducing clear gender measures." He added, "Gender actors at the international level also help in advocating for a legal framework to protect against abuses of girl children such as physical assault, or rape."

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

The way forward for NGO's and gender actors at the international level, he explained was that, "local and international NGOs help in the transformation of rigid culture, such as, female genital mutilation. By going to the grassroots to help open the

minds of people." P7 continued, "gender actors can help in the influence and the promotion of girl child education, especially in case of loss of parents."

P7 added, "the cultural role of a tribe in Uganda see the transforming of a girl child into womanhood. She takes over responsibility in an effective way in three roles; reproduction, production, and community creation." He said, "female Genital Mutilation by the same people, is also seen as a transformational belief according to their culture. Women who have not undergone female circumcision are seen as un-cleansed. The society always discriminate, for example; they cannot milk a cow."

He explained,

> Government does not discriminate against culture. Government sees Female Genital Mutilation as a violation of human rights, according to the Universal Declaration of Human Rights. Female Genital Mutilation and its consequences are harsh because this practice leads to; deaths, limits a girl child or women to acquire formal education, improve their standards of life, as well as getting reproduction negative impacts.

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P7 listed some remedies such as a, " workshop to provide capacity building for women, education development, and support of United Nations to help overcome religious and cultural practices of inequality; provide scholastic materials or education support for girl child education.".

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC?

(b), (c)

P7 supposed,

> United Nations can financially support religious leaders and cultural leaders, to advocate for human rights of girl child, and remove gender disparities within the community, advocate for support of formal education, where cultural beliefs are more enforced with informal education. Rather the modern way of development, through formal education. Also gender sensitization program for community and introduced at all levels of society. United Nations can also withdraw all financial assistance it gives to a nation to supplement their budget, if it refuses to abide with the Convention on the Rights of the Child. These children may one day be the great leaders of the world.

He also believed,

> United Nations can put sanctions for example; on a leader of a nation by stopping him or her from travelling to other countries to participate in deferent development activities, or even to lobby for funds from other countries. United Nations can declare priority of girl child education in the supplementary budget on governments especially the developing world. The United Nations can enhance the formation of both local and international NGOs which can be

> advocating against Female Genital Mutilation, girl child education, domestic violence, and issues on girl child.

P7 said that the, "United Nations in conjunction with UNESCO can work closely with local NGOs and encourage participatory action among the local people over issues of gender and culture."

He cited the practice of, "female genital mutilation as a violation of human rights. It exposes girls and women to health risks that put their lives in danger. Rape for girls and women where there is tearing of the scars left behind by Female Genital Mutilation." P7 added, " United Nations along with other stakeholders can advocate through local and international representatives, the dangers related with cultural practices." He was asked if culture was perceived as a way of life or as an obstacle. P7 explained,

> Culture is not seen that it is against one's life, despite that it may be positive or negative. On contrary, some cultural leaders participate in national development. This becomes a very negative phenomenon because they get access to advocate for their own interest as far as culture is concerned. In Uganda, women were not counted as part of development practitioners. Today, parliament consist of a very big percentage of women competing with men. This has been brought about governments who introduce and implement development policies that help women contribute to national development.

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? ? (b), (c)

P7 assumed that, "the United Nations can come up with a legal framework, advocate for its enforcement giving powers to local people, and convicting those violating human rights." He explained, "chronic poverty is one of the causes of under-development in the developing world, even in areas where culture is not the main factor." He said that, "many children including my family love studying. Because of financial constraints by their caretakers or parents, low incomes, others who lose their parents, end with no education acquired at all."

Table 9

Characteristics of Participants Responses

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Female Genital Mutilation	Empowerment of Gender Actors	Universal Human Rights vs. Cultural Rights	Programs based on Gender Equality	Role of Government and Culture
Discrimination	Gender Inequality		Illiteracy	
Girl Education	Feminization of Leadership	Girls Right to Education		Human Development
Effect of Cultural Beliefs		Violations of Girls Human Rights		
Social Development				
Poverty				
Educational Financial Support for girl Education				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Cultural Leadership	Incentives for Gender Equality	International	Cultural Education
		Grassroots best practices Community Based Organizations	Effect of Civil Society/UN on Local community	

Participant (P8)

Research Question 1: What specific opportunities and resources do the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes? (a), (b), (c), (d)

Participant P8 worried about a, "mismatch between an international organization and a gender based mission dealing with a local gender issue. This has impacted negatively between United Nations, International NGOs, and local gender expectations of how people perceive girls." He added, "this can be heavily attributed to lack of participation of international bodies and local people. When levels of participation are low there is a perceived lack to address the cultural and socioeconomic issues of local people. Programs then fail to meet fundamental issues that will make local people feel part and parcel of the programs for their sustainability."

P8 believed that if a program is "imposed, it threatens the socio-cultural membrane of local people. Something local people believe and have a societal responsibility to guard with zeal and passion." He added that, " international bodies, assume all people and communities are the same, sharing similar socioeconomic attributes. As result this has turned out to be a detrimental stumbling block to the effectiveness of programs across the world."

P8 assumption was, " international bodies, would be better to hear their voice and opinions, before initiating projects meant to impact positively with the issues of girls." P8 explained that, "issues in developing world are totally different with those in

developed world. At the international level, any project should be customarized to fit in the local context."

Research Question 2: What specific opportunities and resources do nonhuman actors/actants bring to a situation of religious and cultural practices of gender inequality at the community level? (b), (c), (a), (b)

P8 answered, "you need not get all people involved, but have sufficient representation of the various members of the community; mothers, fathers, and even children." He continued," United Nations conventions are very good to address human rights of children, but are very hard to implement. There is a need to heavily borrow from cultural as well as religious attributes of local people."

Research Question 3: What specific influences and or opportunities can actors/actants exert on a nation that refuses to abide by the original intent of the CRC? (b), (c)

P8 believed, "United Nations can do nothing because government controls people. Governments are sovereign and have national interests to protect. Forcing governments to enact policies in line with UN conventions has led to very low dissemination of programmes at local level."

Research Question 4: How could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC? (b), (c), (d)

P8 understood that,

> The sole goal is ensure the rights of the child are integrated in a framework that will enforce them. The government and, local communities be represented effectively in the formulation of frameworks at the national level Once realized, national delegates at the international level, will be able to deliberate on best practices that will inform UN conventions on the rights of the child.

Research Question 5: What specific incentives can human actors/actants bring to expedite implementation of the CRC without reservations? (b), (c)

P8 held that,

> The intent of government's support for equal rights for all children is being challenged by some communities' cultural beliefs. However, UN can support financially governments to sensitize concerned communities. It is important to show society and families the importance of the role of the girl in the family. Let the UN have an open and objective mind. UN is subjective and out to have their way, not the local people way.

Table 10 represents 4 major themes which framed the study and emerged from open and selective coding and followed Clarke's "social worlds/arenas maps of narrative discourse" (Clarke, 2005, p. 192).

Table 10

Characteristics of Participants Responses

Sociocultural Socioeconomic	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Education of Local Community	Local Cultural Beliefs not in International	Cultural Rights vs. Universal Human Rights	Lack of Understanding of Local Socioeconomic Factors	Lack of Political Incentive to Implement CRC to meet intent
Responsible Fatherhood	Gender Actors Program Design	Importance Role for CRC	Policy Model on Best Practices	Role of Government in Implementation of CRC
Multiple Social Issues; drought, civil unrest	Local Gender Approach vs. International Gender Actors			Local Community to ensure CRC
Family	Education of Local Community on the Role of Girls			
Incremental steps Social Change				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	n/a	n/a	n/a	NGOs
				Girls' Issues not addressed with Individual Actors
				Education of Actors

Discursive Construction of Human Actors

Clarke (2005) assumed when you engage all individual and collective actors, and all stakeholders that leads to various narratives in which a research may unravel multiple perspectives from different social worlds. I was surprised to learn the results of 87 references made from seven out of eight participants who inferred a necessity to advance for all stakeholders, actors, governments, civil society, local community leaders, and families to have a discussion sitting at the same table. The agenda would center on gender justice and human rights concerns including culture and social development for girls (Merry, 2006). There is a perceived need for a personal evaluation tool of success

that local communities and families can easily measure across social worlds and local cultural discourse that is culturally and socially relevant.

Outliers

There were no unexpected outliers that could not be explained with (Glaser & Strauss, 1967) constant comparative analysis. The study revealed a result of an importance of Sociocultural and cultural elements. This was supported by 87 references from all participants on the value of a discursive dialogue of all actors and stakeholders related to the study's four themes. Only one out of eight participants made a reference to gender equality. One out of eight participants made no reference to gender justice. Knowledge of the participants and their backgrounds, however, suggests it is safe to assume that this was a result of their demographics and professional experiences.

Synthesis of Participants Inputs

Data collected were used to examine a gender justice and human rights integrated approach to implement the CRC suggested the need to focus on the achievement of gender equality as an outcome and not a goal. Inducted from data analyzed from open and selective coding (Glaser & Strauss, 1967) and situational analysis mapping (Clarke, 2005) was an emergent girl child gender justice theory; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, $HR = f(GJ) + CR + SD = GE$.

Given a corollary of a sustainable gender justice conceptual framework based on a consensus of; advocacy for one justice system inclusive of male and female equality, local, national cultural, religious, and political collaboration and cooperation for; social

justice, education of girls, respect for local culture integrated into national identity and legal framework, common gender civic discourse taught to communities and schools, intercultural communication between local national, and international gender actors and policy makers, feminization of leadership and democratic governance defined by freedom of choice.

Summary

Participants from civil Society, UN, government, and academia, who follow sector-based agendas were all aware of the need for the CRC to affect a local cultural centric, gender justice solution within a local community. UN and gender actors are in pursuit of gender equality as a goal, while results suggest that gender equality will be an outcome of a gender justice human rights approach to the CRC. Gender justice is assumed from an analysis of the data to be a result of an ongoing discursive conversation with UN, governments, civil society at both the local and international level of the effect of culture and religion on the implementation of the CRC.

The results of eight participants theme frequency response was; Gender Equality 54, Universal Human Rights 139, Cultural Particularism 107, and Gender Justice 42. I assumed based on UN literature and the Social and Economic Council of the UN that themes mention in order of frequency would place Human Rights first and slightly behind would be gender equality. I would have estimated that culture would also be third right behind gender equality, with little mention of gender justice. The fact that gender justice and gender equality were mentioned as close in frequency was not predictable.

The combined frequency of human rights and gender equality was 193 versus the

frequency of 149 of the combination of frequency of cultural particularism and gender justice. I assume that this is probable justification for additional research for a gender justice and human rights approach to the implementation of the CRC. There is a disconnect from a perception of the themes that are predominately discussed at the UN human development, MDGs, poverty, gender equality, girl child education, and a human rights approach to the implementation of the CRC with the actors reality at the UN and in the field working on gender related issues.

Paradoxically, as reported in the literature in chapter 2 the UN and all actors and stakeholders are aware of and placing an emphasis on gender justice and cultural rights. However, research, theory, and practice remain separated as there is no present grand theory of gender justice to unify disparate but equally important variables. This study is hopefully the first step toward that goal. However, limitations based on research results demonstrated no consensus on which theme or sub themes to study next. Without a grand theory of gender justice there remains a lack of empirical evidence on what may directly be part of the cause of gender inequality and a lack of access to gender justice.

Chapter 5 includes a discussion of the problem, methodology, study findings and interpretation of findings. In addition suggestions for future research are recommended. This study has broader implications for social change and an examination of the study's results may have positive consequences for; UN, government, civil society, community including individual fathers and elders. A new emergent girl child gender justice theory is presented with recommendations to all relevant actors and stakeholders in the children' rights field.

Chapter 5: Conclusions, Findings, Recommendations

Introduction

Without a grand theory of gender justice there remains a lack of empirical evidence on the effect of culture on the implementation of CRC. There is a need to examine universalism-particularism effects on gender justice in order for girls to achieve implementation of the CRC in order to reach a gender equality outcome. The purpose of a situational analysis and grounded theory study was to explore how UN actors drew a parallel with local cultural gender expectations of behavior with a national government's legal obligation to the CRC.

The UN Development Fund for Woman (2010a) associated human development with an integration of gender justice as a legal tool to eliminate gender inequalities. Presently, there is no consensus of how to define a woman (Merry, 2006) so girls remain with common characteristics in the social world of children rights and the social world of women rights. UNICEF (2010) policy for the empowerment of women and girls have committed to "achieve gender equality on the basis of human rights" (p.4). UNICEF assumed that gender equality was a goal and not an outcome of human rights.

Extrapolated from coded data results and situational analysis mapping (Appendix B and C) from eight interviews, a hypothesis emerged; if a convergence of human rights and cultural rights occurs at the international level then access to gender justice for girls at the community level is feasible. A synthesis of comparative research data assumed action steps are required for all actors and stakeholders to merge a human rights and cultural rights based approach to implement the CRC. Also emerging from the interviews

was the concept of gender equality as a goal and not an outcome of a culture's response to gender, social development, and human rights.

A theory grounded in data in which to examine gender equality as an outcome and not a goal of a human rights approach was required. Research questions were structured to examine situations where local cultural gender expectations of behavior coincided with a national government's legal obligation to implement the CRC. This study used a semi-structured, one-on-one interview that was conducted in person or over the telephone. Questions were open-ended questions and allowed follow-up questions to best identify the relationship of situations, category of themes, and emergent sub themes.

From data analyzed from open and selective coding (Glaser & Strauss, 1967) as well as situational analysis mapping (Clarke, 2005), a theory emerged, that is girl child gender justice is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, $HR = f(GJ) + CR + SD = GE$. A corollary of a gender justice family conceptual framework structured to include; advocacy for a justice system inclusive of male and female equality, local, national, cultural, religious, and political collaboration and cooperation, social justice, education of girls, respect for local culture, national and local formal and informal legal mechanisms, common gender civic discourse taught to communities, families, and schools, intercultural communication between local national, and international gender actors and policy makers, feminization of leadership, and democratic governance defined by freedom of choice.

Interpretations of Findings

The CRC increased global awareness of children's rights. However, there still remains a gap between intention and action for an aspiration of human rights and actual practice. There is a call for action to assimilate global girls' rights in which to prevail over religious and cultural failure to acknowledge and embrace human rights for children, is an impediment to gender justice (Merry, 2006). I evaluated how a human rights approach was interpreted by gender actors, to analyze the effect of a universal human rights framework on gender justice for girls.

A goal of the study was to understand a policy profile of gender justice and gender disparities in policy. How gender justice outcomes could facilitate a process for steering human rights development was questioned. However, there is still a need to gather more data to explain the dynamics of how gender equality policies, human rights development programs, and civil society partnerships translated into outcomes for gender justice for girls.

Focus of the Study

The focus was first to construct a narrative that could contribute knowledge about the implementation of a national legal mechanism to overcome local cultural obstacles to secure gender justice for girls. The second focus was to examine UN gender human rights architecture to explore causes of resistance from traditional beliefs. Third, to determine if a new integrated theory of children human rights and gender justice to achieve gender equality can emerge. Participants were selected based on equal number of male and female, years of experience in a developing nation, diversity of sectors represented; civil

society, UN, and government sectors, cultures, which have direct or indirect influence on gender or human rights policy.

A conceptual situational analysis grounded in grounded theory assumed actors and stakeholders responded to major themes and sub themes from the larger literature. I expected some results but others were a surprise. A theme frequency of responses in order of number of references: (a) human rights 139, (b) culture, 107, (c) gender equality, 54, and (d) gender justice 42. Results supported a hypothesis of an underlying premise I assumed for a more significant role for culture in the UN universal rights framework (Merry, 2006). Participant responses appeared to correlate to demographics and indicated support of the major the major themes and sub themes which emerged out of the literature review. A large cross section of themes and sub themes enabled multiple perspectives as potential places to start this study. Glaser and Strauss's (1967) open and selective coding and Clarke's (2005) situational analysis maps allowed through constant comparative analysis (Glaser & Strauss, 1967) placement of themes in a context close to participants actual field experiences.

Guiding Principles

The research questions were designed to elucidate the effect of a gender justice based approach inclusive of local culture to implement the CRC mandates. The underlying guiding principles of the research questions were three-fold.

1. Determine what specific situations human actors can do to overcome cultural barriers limitations on the intent of the CRC and its national responsibility to deliver human rights for girls.

2. Reveal specific situations of human and nonhuman actors/actants to enable implementation of gender justice at the national level to converge with the intent of the CRC.
3. Ascertain the specific effects of human actors regarding cultural rights grant regarding access to gender justice.

Each research question's primary intent was to extract data from multiple situations, documents, and conceptually evaluate how to integrate human rights with local religious and cultural obstacles and still obtain a gender equality outcome.

Rational for Questions

The purpose of Research Question 1 was to examine what specific opportunities and resources the actors/actants, who focus solely on gender issues at the international level, bring to a situation of local gender expectations to achieve gender justice outcomes. With the information from this research question, I was able to identify specific situations of gender inequalities and examine the role of culture to achieve gender equality. The purpose of Research Question 2 was to evaluate the direction the UN may take to provide specific situations and opportunities for human actors to overcome religious and cultural practices of inequality of girls at the community level and to understand the role of UN influence on local culture to achieve human rights. Responses to research Question 3 helped to identify specific influences and or opportunities actors/actants exert on nations that refuse to abide by the original intent of the CRC. The purpose of Research Question 4 was to examine how could human and nonhuman actors/actants overcome a situation of cultural obstacles and implement the gender justice intent of the CRC. Finally, data from

Research Question 5 enabled me to identify specific incentives human actors/actants bring to expedite implementation of the CRC without reservations.

Focus of Participants

A constant comparative analysis method and open and selective coding (Glaser & Strauss, 1967) enabled coding of themes and characteristics to analyze any justified importance of a transdisciplinary integrated approach of human rights, culture, and gender justice to implement the CRC. Participant data were evaluated with an assumption that each participant was likely to focus on themes associated with particular organizational missions. Participants were selected based on experience, sector, gender, and culture. Demographics appeared to be determinate factors of any response to the interview questions.

Open and selective coding (Glaser & Strauss, 1967) was the methodology for emergent codes and categories. Subsequent data analysis advanced an assumption that statements related to four major themes of the study were directly or indirectly related to participants' demographics and experience. Frequency of response of themes and sub themes was a criterion for determination of any emergent emphasis of focus. However, there was no consensus in the literature review that led to a single approach for best practice, model, or approach nor does data substantiate the CRC had advanced human rights for children (Boyle & Kim, 2009).

Assumptions

Participants P1, P2, P3, P4, P5, P7, and P8 agreed that all actors and stakeholders across sectors needed to; (a) advocate, (b) build partnerships, and (c) construct dialogue

based on local cultural community concerns. It was of a paramount concern from participants to implement a bottom up approach of international human rights and gender based programs. P1 stressed the concept of duty bearers and rights holders. He also distinguished the difference with the former to apply policy and the latter are entitled to have rights protected and enforced.

The role of the UN ostensibly was to create culturally acceptable programs and policies at the local level, in order to achieve gender equality. The goal of a bottom up approach to ensure implementation of the CRC was a major theme of six out of eight participants. P1, P3, and P6 stressed the consequence of international, national, and local laws which established gender based principles without a gender based budget to ensure compliance with the CRC.

Gender centric themes applied to a range of issues which ranged from budgets, UN and civil society programs, girl child education, child protection, domestic violence, corrupt political leaders, political power, reporting and evaluation mechanisms, role models for girls, responsible fatherhood, role of families, climate change, early marriage and child labor was advanced. Each was a dominant point from each participant in accordance to their experience and sector.

There were indirect references to the literature (Healy, 2006, Merry, 2006) on the issue of how local cultural conversation may inform gender policy at the UN. Three participants, P1, P2, and P3 in particular spoke of a family oriented approach which assumed gender equality first arose from the family unit. Participants referred to many

sub themes and characteristics. Participants responses did not demonstrate knowledge of how a human rights based approach was more compliant when applied to a range of theories for implementation of the CRC; for example poverty, justice, education, sociopsychological, international relations, social choice, national responsibility, feminization of leadership, democracy, human development, social policy integration, power, feminism, game theory, social change theory, action research, or conflict transformation theories. There were no connections to gender equality, gender justice, human rights, or culture from effects of environment, clean water, HIV/AIDS, overpopulation, deforestation, or pollution had on the outcome of gender equality except for one participant.

An emphasis of participant responses centered on prior work experience in rural and isolated communities. A sub theme which emerged in seven out of eight participants included not just girl child education, but an educational process inclusive of individual local actors and stakeholders, parents, education of men and inclusion of men in all gender related policy and programs. This led to an assumption that any long term solution would only occur with an acknowledgment of a cultural framework, where justice and the law is a major component of how individuals define their cultural rights (Saguy & Stuart, 2008).

The importance of the education of community, political leaders, gender actors, and girl child education as a policy tool to affect gender equity was consistently referred to by all participants. Inclusion of males into a gender dialogue was of most concern to participants P1, P2, P3, and P5. The overriding sub theme of P2 was the weight placed on

the inherent dignity of the human person as a principled argument. This she thought to be the single most important variable for social change. An example she cited was the concern gender equality began in a mother's womb.

Casanova and Philips (2009) and Merry, (2006) supported participant P2's claim that culture, rather than religion, was an obstacle to gender equality. Merry went further to posit that the debate between universal human rights and cultural particularism has not advanced global answers for gender justice for girls at the local level. P2, P3, P4, P5, and P8 were in agreement with the assumption that a solution to integrate the diversity of themes and sub themes would to develop a discursive dialogue and to listen to local, national, and international actors and stakeholders.

While there is presence of research supporting a gender justice approach to gender equality in the literature (Benvenisti, 2008, Chen, 2007, Kilkelly, 2008b, Swiss Agency for Development and Cooperation, 2008, Merry 2006, & UN Development Fund for Women, 2010a) only one out of eight participants put an emphasis on international and national legal instruments incorporated into law and programs, a gender justice approach to the implementation of human rights. A sub theme which emerged was how to integrate civil society and UN to eliminate harmful traditional practices and all violence against females. This was the concern of P1, P2, P3, P5, P6, and P7. Sub themes of nondemocratic government and corrupt leaders were the concern of P3, P4, and P8 and were assumed important to end violence against girls.

As discussed in chapter 4, the below sub themes are not assumed to be outliers. Each has a growing literature and can be associated with a participant's demographics.

4. Feminization of leadership P5
5. Civil Rights Approach P6
6. Historical perspective to understand evolution of gender rights in a country P4

A human rights approach to the CRC assumed the need of civil society and gender actors to accept local cultural practices as a path to gender justice for vulnerable girls (Brasilia regulations, 2008). Results from the literature and data from participants' interviews suggested zeal of the role that MDGs played in to achieve gender equality. Results of the study suggested a gap between actors and stakeholders perception of a local community's needs and a human rights approach to the CRC. Knowledge of research studies on gender, human rights, culture, and gender justice may not coincide with an actual practice applied by gender actors, civil society, national governments, and local community organizations.

The data suggested there is a vast amount of expertise, experience, and research data related to the CRC. An assumption from research data was that reservations to the CRC have muted social concerns and agreement of the best role for local culture to inform the implementation CRC. All eight participants' responses to specific Sociocultural and socioeconomic characteristics assumed a more important role for culture. Merry (2006) argued not to diminish culture or the significant positive consequences of a human rights approach. Merry added an argument for a discourse on the responsibility of an individual to agree to gender equality within the context of local culture.

CRC and African Charter on the Welfare and Rights of the Child

The CRC purpose was to have a separate human rights document to demonstrate the importance of human rights for children. However, reservations to the CRC enabled countries to preserve their culture but in effect weakened the intent of the CRC (Schabas, 1996). The African Charter on the Welfare and Rights of the Child was ratified after implementation of the CRC and was founded based on the CRC human rights principles already ratified by every nation except two. The focus of intent of the African Charter was on the unique role of the African culture emphasis on family.

A contextual analysis (Babbie, 2007) of characteristics of these two different treaties reflected the overall purpose as described above. There was no mention of the word gender, gender equality or equality, in the African Charter. There was a perceived need for a regional human rights treaty for children for Africa. An assumption was this need existed to apply appropriate cultural non western values and interpretations of human rights for children for the nations of Africa. The African Charter main cultural focus was centered on the unique nature of the role of family in the life of African children.

Table 11

Characteristics of Treaty

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Recognition of Inherent Dignity	Justice	Equal and Unalienable Rights	Cultural and Religious Rights vs. Universal Human Rights	Monitoring and Reporting Responsibility
Family first line Defense for child	Gender Equality	Legal Rights	Protective Rights vs. Human Rights for Children	
Elimination of Poverty	Best Interests of the Child	Cultural Rights		
Cultural, Rights and Duties of Parents/ Importance of Family Life	Courts of Law Gender Justice	Economic, and Social Rights		
Promote Social Progress	Social Welfare Institutions	Human Rights for Children		
Religious Rights		Right to a Nationality		
Dependent on Economic Means		Special Protective Rights		
Family accountability				
Abolishing Negative Harmful Traditional Practices				
Protection against Discrimination				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Democratic	n/a	n/a	Family

Table 12

Characteristics of Treaty

Sociocultural Religion Socioeconomic Education	Gender Democracy	Human Rights CRC	Policy Issues Local, National/International	Governmental Local/National
Poverty	n/a	Health Care Rights	Safe Drinking Water	n/a
Natural Disasters		CRC	Education for all Children	
Armed Conflicts			Technology for Health Care	
Hunger				
Role of Child in Cultures				
Child Development				
Important Role of Mother/Father/Family				
Education/Family				
Child Health Care				
Infant and Child Mortality				
Respect for Dignity of Child				
Protect against Harmful				
Social and cultural Practices. Child Rights over Negative Cultural Practices				

Intercultural	*Governance Political*	*United Nations*	*Civil Society*	*Historical/Temporal/Actors*
n/a	Legal Protection	n/a	Role of Non Governmental Organizations	Historical Narrative of African Family Life
	Recognition of Special Needs Children			
	Constitutional Legislation Protection of National Identity			
	Protection against Child Abuse			

Table 13 demonstrates theme frequency for each participant and two human rights treaties for children, related to four major themes which was dependent on the sector, job title, and experience of the respondent.

Frequency of Themes

	Gender Equality	*Human Rights*	*Cultural Particularism*	*Gender Justice*
CRC	8	33	12	10
African Charter	0	44	12	2

Recommendations and Opportunities for Action

Future researchers need to focus on how to integrate gender justice policy and programs into the UN's human rights approach to achieve gender equality. I assume that gender equality is an outcome of the effect of universal human rights and local culture on gender justice for girls. The purpose of this study was to examine ways to incorporate universal human rights as espoused in the CRC, not as absolutes, but adapted to culturally appropriate national and community level mechanisms for justice. In light of the results of this study, a recommended action is to encourage that all actors receive intercultural communication skills education, and immersion into the culture they are working based on a Peace Corps preservice training model to include cross-cultural training for all NGO volunteers.

Ongoing cultural and gender sensitivity training may be taught through civil society, UNICEF, local and national governmental schools, and religious leaders to become familiarized with a gender justice family model. This as an alternative intercultural method to reach "transnational consensus building" (Merry, 2006, p. 37). The result can be viewed as the intersection of a global and community public commons

where all actors, stakeholders, girls, and family members merge to share national standards, ethics, cultural traditions, and definitions of human rights.

This is presumed necessary in order to reach gender justice along with acceptable cultural compromise for implementation of the CRC. Gender policy is assumed to become effective when derived from the local acceptance of elders and community leaders. The intention is to supplement present international policy making gender equality paradigm based on human rights.

Gender equality may also include a local cultural typology in order to create a gender justice pedagogy framed by a Friesian problem-solving concept of "education as a state of learning where cultural expectations are included (Shor, 1987, p. 33). NGOs in collaboration with community based organizations could learn about gender equality rights and thereby empower local populations about the global community discourse on human rights (Merry, 2006).

Children advocates at UNICEF, gender actors from NGOs, as well as local communities, and families would most likely benefit from the results of this study. Gender actors who are already in agreement in practice may have an advantage in the implementation of development and educational programs through a cultural centric approach to achieve gender justice and the intent of the CRC. Harris-Short (2003) argued that cultural diversity reflected "the inherent limitations and fundamental weaknesses of an international system founded on a 'society of states' in which the voices of the local and particular are effectively silenced" (p. 130).

Participant (P4) said “the best conceptual framework and plan of action is to perform an actual study of the evolution of the dynamics of gender justice for girls in the context of social relations”. He continued with the statement that “I do not believe mathematical or statistical modeling of complex human behaviors for predicting the future”. Clarke’s (2005) discursive construction of human actors was a frequent element that was coded as a characteristic of the major four major themes of the study.

One course of action that is recommended comes out of the frequent response from participants of socioeconomic factors. It assumes that a focus on cultural and social elements and not human rights or gender equality is the more pressing issue. While not part of this study was the degree of success with gender equality girls can obtain in a more supportive economic environment.

A dialogue is recommended as part of a gender justice family framework to take place with local economists for example to increase economic literacy training opportunities. This would include a discourse of micro educational based finance which would invest in a work study program for young women. This would place the focus on a need for gender parity in order for girls to obtain equal opportunities and access to economic and social development.

Any recommended action would be best served in the community on a case by case basis. The father has to become involved in an economic family development program with gender equality accepted in the home. The assumption is that schools and other national institutions would allow access of females to directly benefit in increased relevance in society.

Merry (2006) supported a need for a change of action of the westernized mindset of international civil society organizations, to sustain an ongoing discourse on how to overcome cultural barriers to gender justice with local community solutions. Gender equality recommendations from strategic local public consciousness raises new strategies for policy and programs for NGOs to implement and advance the original intent of the CRC.

Implications for Social Change

This study could lead to positive social change by providing policy makers with evidence that if local governmental leaders employ an integrated approach with reference to the Waldman model, local cultural rights may be more effectively adapted to the CRC. The Waldman model represents a process of expanding the application of a UN human rights approach to gender equality outcomes. I assume that this is based on a new premise that when children human rights are viewed as a function of the effect of a girl's access to gender justice and a culture's response to social development, the outcome may be gender equality.

The goal is to not only inform but educate UN Women, governments, local civil society, and families on an alternative method to achieve gender equality outcomes. The primary intent of this study was for NGOs, governments, or UN actors to formulate a gender justice centric human rights policy that were realistic and based on insuring safety and equality for girls. This is contrary to a UN human rights approach to achieve gender equality.

Social change is more likely to come to the most vulnerable girls if there is a model to coincide with local cultural traditions and customs. A benefit of the Waldman model is that it is a transdisciplinary approach for all actors in order to integrate the CRC into the lives of every girl child. With ongoing discourses that also educate local communities, local actors protecting their cultural rights will be empowered by sharing an equal space at the policy making table with human rights actors, see figure 3.

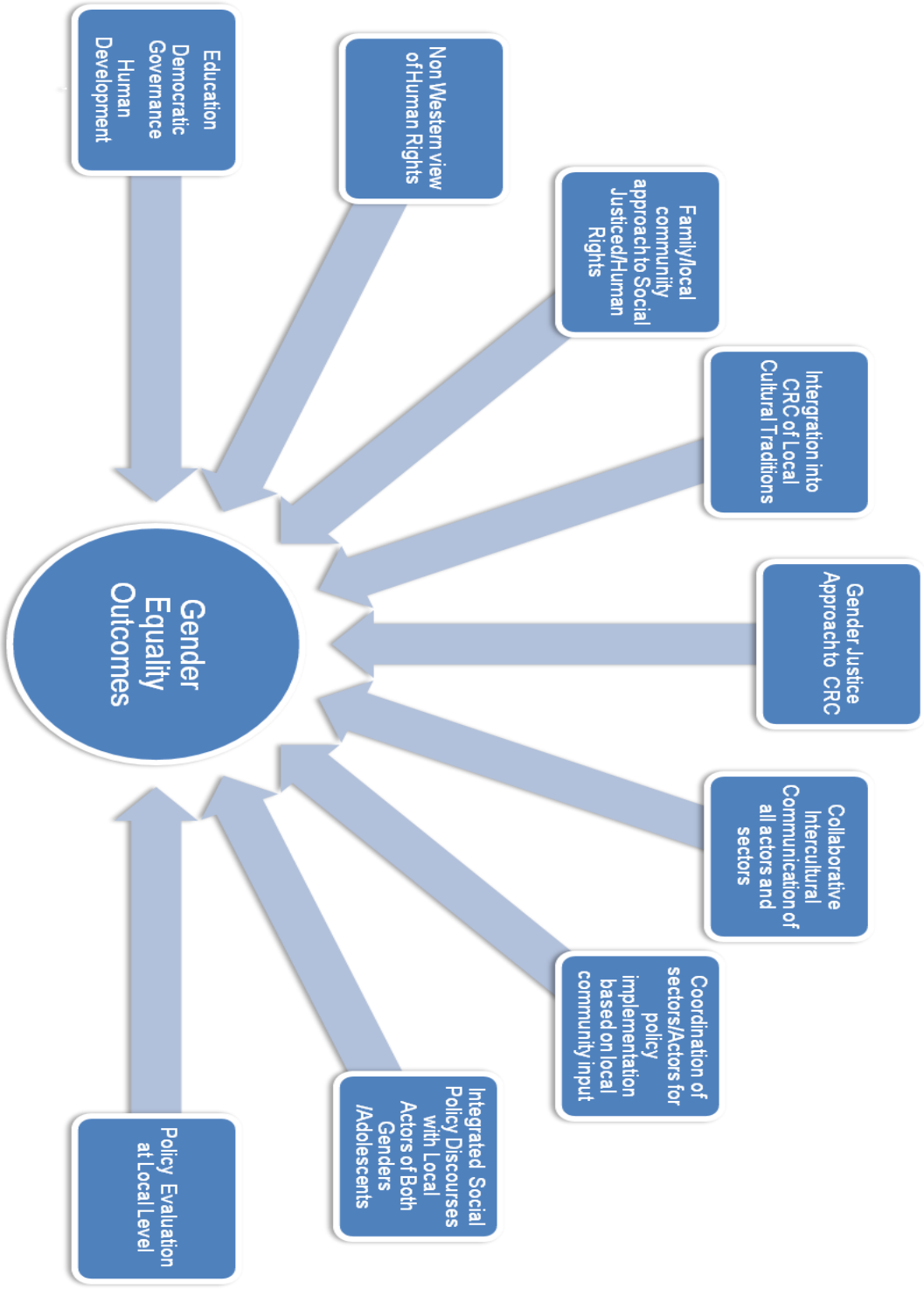

Figure 3: Waldman Model

Applying culturally appropriate gender justice in a community could help provide a discourse for how to build collaborative capacity with NGOs to implement and further the human rights intent of the CRC. This conclusion is predicated on the notion that UNICEF is mandated to work at the local level to incorporate local cultural expectations with the intent of the CRC (Ponte, 2006). UNICEF, as the lead UN agency for all gender equality and human rights social issues related to children, is capable of working at the community level with a new focus on gender justice (United Nations Development Fund for Women, 2010a).

This study may also have a significant positive social impact because it coincided with historical and unprecedented commitment of the UN community to defeat all social impediments to gender justice for girls as the means to achieve gender equality (Barton, 2005; Basu, 2008; Clark, 2010; Pietilä, 2007; United Nations Development Fund for Women, 2010a; United Nations Development Fund for Women, 2009c; United Nations Economic and Social Council, 2010d, and United Nations General Assembly, 2010a). The achievement of positive social change may occur when gender justice policy tools are available to advance access to justice for the girl child. Providing new policy methods for gender advocates at the local level may enable gender actors at the UN to further the cause of the CRC. Finally, a gender justice dialogue among nations may encourage sustainable educational development policy for the girl child. Policy based on the assimilation of cultural rights, gender equality, and CRC human rights according to each nation's cultural interpretations (Kaime, 2009).

Recommendations for Future Researchers

There is a need to expand on the findings and recommendations from this current study, and identify gaps of knowledge not addressed given limitations of time and funding. There is a research gap in knowledge of an examination of situational political elements, specifically governance choices to allow gender inequality. There is a disconnect based on reservations as the basis of cultural objections to the CRC that prevent gender justice outcomes to obtain gender equality for girls. Since both developed and developing nations have posed reservations to the CRC, the impact of non democratic governance institutions was not a focus of this study. I recommend that future policy discourse be local family and community centric along with local community based organizations setting the gender policy agenda at the UN.

In this study I discovered that local communities can bridge cultural gender expectations of social behavior for girls in the context of a government's legal obligation to insure universal human rights to achieve gender justice outcomes. I assume from an analysis of participants responses that there is a disconnect from local community norms with the presentation of a westernized approach to human rights.

A future narrative based on the study's findings would include,

1. Education of actors on a gender justice approach to CRC.
2. Local community led social change to inform UN gender policy and human rights.
3. Feminization of leadership extrapolated from the literature review.
4. Individual family role and father's role in implementation of CRC.

Gender justice is first required for girls to obtain equal access across sectors and help to champion the normalization of gender equality. A recommended action step for social change is to educate all gender actors and stakeholders, policy makers, families, governments, civil society, and political leaders through a transdisciplinary gender justice family framework integrated with gender justice, gender equality, and human rights. Education is the first best step taken to build consensus and a local community constituency that understand the benefits of sustainable human development for the girl child.

Positive social change may be measured as a result of the frequency of gender policy that is informed by local community to advance a right of access to justice for the girl child. Thus, there is an imperative to provide education of gender justice policy methodology to gender advocates at the UN to open a gender justice dialogue among nations, communities, and the UN. P1 said, "If we want to promote gender justice we definitely need to start from basics. We need critical interventions to make sure that girls will not only survive but will have a good start in life". An indicator or positive social change measurement will be evident with increased girl child education, reduction of violence against girls, and social development programs for girls from prenatal to adulthood.

An integrated gender justice and human rights policy framework for the education of girl children that is culturally appropriate to each nation is additional evidence of positive social change. An objective is to incorporate universal human rights from the

international level as espoused in the CRC, not as absolutes but implemented with culturally appropriate national and community level mechanisms for justice.

New research may provide evidence, insights, and networks that may be used in the reduction of gender inequities. The central focus of the study was to provide empirical evidence on reduction strategies and policy interventions for countries where gender justice is needed to achieve gender equality. Action taken may also have a significant positive social impact because it coincided with historical and unprecedented commitment of the UN community to defeat all social impediments to gender justice for girls. as the means to achieve gender equality (Barton, 2005; Basu, 2008; Clark, 2010; Pietilä, 2007; United Nations Development Fund for Women, 2010a; United Nations Development Fund for Women, 2009c; United Nations Economic and Social Council, 2010d, and United Nations General Assembly, 2010a).

Social Significance of Study

The most significant take away message from this study based is that education of a local community can bridge cultural gender expectations of social behavior for girls with a government's legal obligation to universal human rights to achieve gender justice outcomes. outcomes. Figure 1 represents a graphic interpretation of the frequency of sub theme responses. Participants responses emphasized the importance and necessity of education of girls and the community in order to achieve gender justice, human rights, and gender equality. Participant P1 epitomizes the importance of education stating "that there is a need to do a sort of positive discrimination to ensure access to education. You do it through a gender lens to make sure that girls are not left behind".

The social significance of the study was to open a discourse on how to conduct national social policy without reservation to implement the CRC. This is in conjunction with an ongoing exploration of possible additional cultural solutions inter alia to advance girl gender equality despite the challenges of differing local cultural and religious customs. There was no expectation to alter a culture's traditions, but instead support a culture's accountability for equal treatment of genders.

Conceptually there was an inconsistency with a nation's obligations to international human rights commitment to the CRC and their obligation to cultural values. The issue studied was how to reconcile social justice and human rights with legal law into a national social contract. An investigation was needed to examine the paradox of an integration of a universal "girls human rights" concept with disparate formal and informal legal systems, and cultural and religious customs.

One of the worse impediments to development is the obstruction of justice for the girl child. Data from anecdotal, quantitative, qualitative, empirical studies demonstrated and is no longer in dispute that when one educated a girl you raised the level of income, they have smaller and more manageable families, increase health by reducing the incidence of HIV/AIDS, and girls grow into women who educate their own girl children, more money is invested into the family, fewer HIV/AIDS cases reported and women have fewer children, the family quality of life improves as does the village and the nation (State of the World's Children, 2004). Social significance of the study will start with education of the girl child and end with a community's support for access to justice for girls.

Future Research

An important part of the narrative missing in this study was the role of national political will, political power, and justice, on the achievement of gender equality. Future research is needed to explain the interrelationships of Alston (2005) argument that a lack of political weakens social policy implementation, Sen's (2009a) concept of poverty as the determinate of human choices, and Merry's (2006) culture centric approach to human rights as factors in the outcome of gender equality.

Developing nations and developed nations have not fully integrated in part or whole the CRC. Study results posit that democracy is not a requisite for enforcement of human rights over cultural and religious objections. Future researchers are directed to a micro level, excluding macro and meso influences on the role of an individual family's acceptance of the global concept of gender equality within a local cultural context.

A sociopsychological study of the concept of family with its own social behavior and cultural expectations that is counter to westernized human rights expectations is necessary. Additional research based on (Merry, 2006) theory is needed as not all irretractable obstacles are cultural. The challenge for future researchers is to examine instead the culture of corruption and political power in democratic and non democratic institutions on the effect of a girl to achieve gender equality in terms of socio-economic factors. Finally, a study on the effect of media to influence cultural attitudinal changes to accept and implement CRC is justifiable.

Research Experience

This study was the result of a 14 year long iterative process as both a practitioner and scholar. I started research in 1997 when I enrolled in graduate school to obtain a Masters in International Relations, as the next step to create an educational foundation for children. I continued my research on the girl child as a practitioner for an international nongovernmental organization I founded. Each experience in the field over the last 8 ½ years widened the perspective of an interrelated set of social issues which stems from an cultural centric and needs based dialogue with local community leaders, elders, parents, and children.

I had to be careful to place prior experience, education, and personal bias to the side and let any theory emerge from the data. The selection of the research methodology was directly due to the problem statement. Yet, had the added benefit of opening up social worlds, which enabled an opportunity to know which questions to ask based on the literature as well as professional experience. As a first time researcher at the level of a doctoral peer reviewed process, it would be presumptuous to offer advice to future researchers how to conduct research.

I can offer a perspective based on 35 years of professional experience as an educator of children and now adults at the university level. Einstein said that research is a process of a search for truth and not a made up interpretation of reality. An interdisciplinary approach that is inclusive of theories relevant to the research statement would allow for a more creative critical thinking process to find policy solutions.

Girl Child Gender Justice Theory

An emergent girl child gender justice theory became apparent from the study results; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, HR = *f* (GJ) + CR + SD = GE. A corollary is implementation of a gender justice conceptual framework based on a consensus of; advocacy for one justice system inclusive of male and female equality, local, national cultural, religious, and political collaboration and cooperation for social justice, education of girls, respect for local culture integrated into national identity and legal framework, common gender civic discourse taught to communities and schools, intercultural communication between local, national, international gender actors, policy makers, feminization of leadership, and democratic governance defined by freedom of choice.

Social change from a culture centric perspective (Merry, 2006) is just one variable to effect a gender equality outcome. A key factor extrapolated from the results of the study is to develop a feminization of leadership conceptual understanding at the community level. This assumes a method to successfully steer a discussion on multiple related social issues concerning girls among different actors and stakeholders; regardless of prior negative male bias or cultural behavioral gender expectations. The focus on gender justice for girls requires a consensus of the global community and local communities to agree on cultural gender behavioral expectations to achieve positive social change (Merry, 2006, UN Development Fund for Women, 2009).

Relevance to Population

Gender actors, civil society, local community actors, and individual families are in need of a gender justice family framework in which to examine cross-cultural discursive constructions across social worlds of a variety of gender based social issues. Civil society actors who use volunteers need to become educated and conversant with gender social issues and barriers to gender equality. This enables examination of factors that contribute or subtract from gender equality outcomes.

The population that would most benefit are; university students, civil society, UN agencies, and future social scientists' from across many disciplines; e.g. social psychology, political science, and sociology gather data from the field using grounded theory approach to generate theories to build on existing cross-cultural communication, culture, gender, and leadership theories to create solutions to overcome obstacles to the implementation of the CRC with a focus on the girl child.

Reade, Todd, Osland, and Osland's (2008) stakeholder theory may be used my women leaders to cultivate alliances with local community leaders, local government, stakeholders, local community based organizations, and national government to formulate policy that takes into account the complication of related but complex issues. The theory of Reade et al. is one example of how to apply cross-cultural communication with various actors and stakeholders to share policy across multicultural political agendas.

Role of UN

The UN is not responsible for actions at the local community level, nor responsible for the actions of nations who impose reservations which impede the intent of the CRC. In over 5 years of UN involvement with special consultative status to Economic and Social Council, attending the Commission on the Status of Women and other key related events, conducting research from UN sponsored research papers for over 2 years, speaking with UNICEF in Uganda, cooperation of UN agencies for a HIV/AIDS prevention curriculum for teens developed by the NGO I founded, I learned the following as benefits of the UN to civil society; (a) UN is a gathering place for exchange of ideas, research, models, and also the initiator of evaluation and monitoring mechanisms, programs, policy, research, that is freely available to the civil society sector, governments, and individual and collective actors and stakeholders, (b) UN has created a new UN agency to pool the expertise and resources of four former women agencies called UN Women. UN brings the best experts in the world on a range of topics to improve policy and programs based on research and practice, and (c) UN engages young people, opens its doors to educate the public, and has a presence in every country in the world, and access to territories seeking nationhood.

Conclusion

There is an urgent need to unify thousands of NGO's community based organizations, governments, communities to pool resources, expertise, experience, and act in a concerted coordinated way in much the same manner skyscrapers are built. There can only be one set of blueprints, albeit with multiple revisions, and a management team

to coordinate the thousands up thousands of individual parts that need to come together and not fail.

Even though political will for gender justice has never been stronger globally, there is no empirical evidence that a girl child is considered an urgent priority. Human rights, access to education or increased economic security is not a guarantor of protection of the social or economic rights gained for girls. There is a need for girls to become women leaders and take an active civic and political function to achieve a better life for family, community, and nation, and gender justice.

Research Discoveries

1. The need for discursive constructions of individuals and collectives actors at the local level to inform the implementation of the CRC.
2. Gender equality is not a goal but an outcome of the effect of universal human rights and local culture on gender justice.
3. An emergent girl child gender justice theory became apparent from the study results; children human rights is a function of the effect of a girl's access to gender justice and a culture's response to social development with an outcome of gender equality, HR =*f* (GJ) + CR + SD = GE.
4. Contrary to studies that link democratic governance to gender equality, the literature and results did not support that hypothesis.

Results indicated an emergent girl child gender justice theory is important because girls compete for attention at the UN. The new agency is UN Women and girls are placed under the jurisdiction of UNICEF. The missing component is a theory to bring

together local culture and a westernized human rights treaty from the family and community level to inform the CRC, instead of a top down approach. Even with acknowledgement of a bottom up approach, a human rights approach implemented by the UN and civil society has not offered alternative culture based human rights solutions.

Though I recommend a reversal or paradigm shift create culturally based solutions, opportunity, with an enforceable formal and informal legal protection for girls, it is not the intent not to keep human rights as a central tenet. Social change is best when it occurs first at the family level, one family at a time. An important interpretation of results of the study indicated that girls' rights are dependent on cultural acceptance of new gender roles and not from the CRC.

One central hypothesis which also emerged from the results, if gender equality is related to a community human development and level of gender democracy, then girls who practice cultural beliefs contrary to a community gender social behavior expectations will experience gender inequality in both the developed and developing world. A value of this study is a demonstration there are many more barriers to gender equality than culture.

While negative bias and harmful cultural traditional practices can be mitigated with education, there are barriers inferred from the study that need additional study and focus by civil society. A western centric mindset to human rights, liberal feminist paradigm, power struggle at the national level, and a less subtle power struggle among international NGOs for control of donor dollars, emphasis on democracy and human rights and not culture, lack of an application of theory to practice, a lack of universities

coordinating and seeking research from scholars in the developing world, and a lack of a unified cross-sector collaborative response to UN policy and implement. Local community actors' interpretations of cultural norms directly influence whether or not human rights standards are implemented (Kaime, 2009; Merry, 2006).

The reason for a gender justice approach instead of a human rights approach based on study results was based on the assumption that lack of a multilateral and uncoordinated response within the UN and among international and local civil society have limitations for resolution of human rights violations against girls. What then drives the successful implementation of the CRC? Participants have suggested as potential solutions; gender centric focus, focus on the inherent integrity of the human, legal mechanisms, culturally acceptable programs and policy, qualitative studies of gender justice for girls, dialogue between all actors and stakeholders, feminization of leadership, elimination of violence against women and girls, inclusion of males in all gender policy decisions, responsible fatherhood, UN enforcement, educational cultural exchanges, local community awareness of human rights from a cultural perspective, and democratic governance institutions.

Each recommendation is a goal for future potential outcomes and not objectives which can be measured with action steps required to reach a goal. If there is an educated population of the younger generation which includes the millions of girls worldwide not in school and allowed to participate in a debate on how to achieve a balance between universal human rights and cultural particularism, then achievement of gender justice outcomes for girls will result in gender equality.

Participant P8 worried about a, “mismatch between an international organization and a gender based mission dealing with a local gender issue”. With all the interrelated and complexity of social issues which prevent gender equality, education of girls is still the most effective and least threatening to government and culture stakeholders. The education of girls strengthens the overall economic, social, and political fabric of a society. The United Nations Development Fund for Women (2008e) gender-responsive approach to the MDG’s found that increasing the education level of girl children leads directly to the reduction of child and maternal mortality, improvement of child nutrition and health, lower fertility rates, enhancement of women’s domestic role and their participation in civil society, improvement of the economic productivity and growth, and protection of girls from HIV/AIDS, abuse and exploitation. Girls’ education yields some of the highest returns of all development investments, yielding both private and social benefits that accrue to individuals, families, and society at large through gender equity.

The lack of an emergent girl child gender justice theory; children human rights is a function of the effect of a girl’s access to gender justice and a culture’s response to social development with an outcome of gender equality. Gender justice requires opportunity, as water needs a dam to channel its potential energy into productive uses for society. This is a way forward in creating a sustainable gender equality policy; working as a community, coming together in the best interests of the whole nation’s children. Gender justice is an important pillar. An entire nation may advance human development

both by supporting it and by building upon its strength for further human rights development.

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Appendix A: Narrative Social World Discourses

Individual Actors: Girls, gender advocates, Secretary-General of UN, UN Women Assistant Secretary-General, policymakers political leaders Diplomats, human rights advocates, human rights consultants, NGO leaders, and gender Experts, fathers, elders,

Collective Actors: Government and Civil Society: UN Women, UNIFEM, ECOSOC, UN General Assembly, women's groups, women rights advocates, Committee on the Rights of the Child, Commission on the Status of Women, Office of the High Commissioner on Human Rights, UN Secretary-General, UNESCO, UN Assistant Secretary General

Theorists: Amartya Sen, Sally Engel Merry, Kurt Lewin
Theories: Theory of Justice, Universalism, Cultural Relativism, feminism, Gender Justice

Social World Constructions: Universal human rights, local cultural traditions, religions, girls' rights, justice, feminization of leadership, children's rights, gender mainstreaming, cultural relativism

Political/Economic/Social/Cultural Factors Access to Justice: Social development, human rights, informal laws, gender justice, human security, democratic governance

Major issues &debates: Feminism, universal human rights, Neoliberalism, cultural relativism, universalism vs. particularism, cultural context to human rights, violence against women, gender equality for men and women, access to gender justice, CRC, CEDAW, Beijing Platform for Action, cultural rights vs. human rights, care versus human rights, gender inequality, capability approach to justice, fairness as justice, judicial system of formal and informal laws, human rights treaties, cultural traditional law. Muslim Legal Tradition (MLT), global social contract

Policy, Concepts, Events, Treaties, Legal Elements/Actants: CRC, CEDAW, Beijing Platform for Action, MDGs, national social policy, culture, legal system, access to justice, social contract, UN Women, UNICEF, African Charter on the Rights and Welfare of the Child, rule of law

Discursive Construction of nonhuman Actants: Legal rights, human rights treaties, CRC, CEDAW, Protocols to CRC, Commission on the Status of Women (CSW)

Social Psycho Behavior: Ethics and morals, humanism, distributive justice, power, international relations

Appendix A: Narrative Social World Discourses continued

Implicated/Silent/Actors/Actants Girls in developing world: Local women's groups, community based organizations, international nongovernmental organizations, ECOSOC, General Assembly, CARE, global social contract, religion, and national social policy

Sociocultural / Symbolic Elements: Morality of 25,000 children everyday dying of preventable causes, Morality of children's rights are equal to human rights, women human rights , MDG's and development as solution to gender equality, universal human rights approach to Gender Equality, Gender Justice, intercultural communication, social justice, gender mainstreaming, gender equilibrium, ethical sensitivity

Spatial Elements: Global vs. national vs. local implementation of justice, human rights, United Nations, national governments, regional organizations, European Union, (EU)

Related Discourses (Narrative and or visual): Gender discourse, human rights discourse, development discourse, gender justice discourse, care discourse, capability approach discourse, contractarian discourse, justice discourse, democratic governance discourse, population discourse, health discourse, clean water discourse, Intercultural communication discourse, gender justice discourse, girl child discourse

Historical Factors:
1989 Convention on the Rights of the Child
1990 African Charter on the Rights and Welfare of the Child
1995 Beijing Declaration at the World Conference on Women
2000 Charter of Fundamental Rights of the European Union
2002 The UN General Assembly Special Session on Children first meeting on children's issues: World leaders commit to A Compact on Child Rights, A World Fit for Children.
1924 The League of Nations adopts the Geneva Declaration on the Rights of the Child.
1941 Roosevelt's Four Freedoms Speech
1946 UN Human Convention of Human Rights
1948 The UN General Assembly, Universal Declaration of Human Rights, Article 25
1959 Declaration of the Rights of the Child
1961 President Kennedy President's Commission on the Status of Women
1966 The International Covenant on Civil and Political Rights and The International Covenant on Economic, Social, and Cultural Rights.
1966 Declaration of the Principles of International Cultural Co-operation
1969 American Convention on Human Rights (article 26)
1979 Convention on the Elimination of Violence against Women

Map: Narrative Social World Discourses (Clarke, 2005, Figure 5.2, p. 193)

Appendix B: Ordered Situational Map

Gender Equality, Human Rights, Culture, Gender Justice

Individual Actors: Girls, boys, gender advocates, Secretary-General of UN, UN Women Assistant Secretary-General, policymakers, local religious leaders, political leaders, diplomats, human rights advocates, human rights consultants, Nongovernmental Organization leaders, civil society, volunteers, gender experts, gender practitioners, duty bearers leaders, fathers

Collective Actors: Government/Local Community/and Civil Society: Family, local community leaders, UN Women, UN Economic and Social Council, UN General Assembly, women's groups, women rights advocates, Committee on the Rights of the Child, Commission on the Status of Women, Office of the High Commissioner on Human Rights, UN Secretary-General, UN Education, Science and Cultural Organization, UN Assistant Secretary General, local civil society, UNICEF country offices, partnerships with local religious leaders, social mobilization at community level, local faith based organizations, family

Discursive Construction of Individual and or Collective Actors: Cultural Particularism versus Universal Human Rights, UN program cooperation national and local level, human rights perspective, Child Rights Information Network, reporting mechanism; national reports on progress of CRC to UN committee on rights of child, local municipalities; Brazil involved in children's rights

Discursive Construction Human Rights Treaties: Legal rights, human rights treaties, Convention on the Rights of the Child, Convention to Eliminate Discrimination Against Women, Protocols to Convention on the Rights of the Child, Commission on the Status of Women, Duty Bearers, Rights Holders

International Non Governmental Organizations: CARE, Congress of Nongovernmental Organizations, UNICEF NGO Committee Working Group for Girls

Social/Cultural Variables: Access to Justice Social development, human rights, informal laws, gender justice, human security, democratic governance, Universal human rights, local cultural traditions, religions, girls' rights, justice, feminization of leadership, children's rights, gender mainstreaming, cultural relativism, long-term partnership at community level with civil society, knowledge and infrastructure, domestic violence, concept of fatherhood, access to clean water; a girl's role, cultural factors which influence models of masculinity, modernity to advance principles in practice

Historical Variables: Historical gender and cultural roles

Appendix B: Ordered Situational Map continued

Gender Equality, Human Rights, Culture, Gender Justice: continued

Political/Economic Variables: Advocacy, accountability, Millennium Development Goals, empowerment of girls

Policy, Concepts, Events, Treaties, Legal Variables: CRC, CEDAW, Beijing Platform for Action, MDGs, national social policy, culture, legal system, access to justice, social contract, UN Women, UNICEF, African Charter on the Rights and Welfare of the Child, rule of law, child friendly lens, gender lens, gender equality policies, child protection, gender approach to legislation, public policy through gender lens

Major issues &debates: Feminism, universal human rights, Neoliberalism, cultural relativism, universalism vs. particularism, cultural context to human rights, violence against women, gender equality for men and women, boys and girls, access to gender justice, CRC, CEDAW, Beijing Platform for Action, cultural rights vs. human rights, care versus human rights, gender inequality, capability approach to justice, fairness as justice, judicial system of formal and informal laws, human rights treaties, cultural traditional law. Muslim Legal Tradition (MLT), global social contract, civil violence against girls, access to education for girls, positive discrimination for girls, protection of girls from violence, early marriage of girls, child labor, policy through gender lens to benefit boys and girls equally, religious and cultural practices, harmful traditional practices, female genital mutilation, top down approach versus bottom up to achieve gender justice outcomes, child survival, critical prevention interventions; protection from civil violence against girls, climate change effect on girls, human development; break the cycle of violence

Clarkes (2005) Ordered Situational Map: Gender Equality, Human Rights, Culture, Gender Justice

Appendix C Conceptual Map

Problems are viewed one-dimensionally One way thinking Negative gender bias Disappearance of girls Lack of access to justice Lack of girl child education Human rights approach Gender equality corruption and lack of democratic institutions Women rights and Girl rights International relations Children's rights Local vs. national vs. international interpretation of human rights Culture—Religion—Tradition—Customs Economic Development and gender equality Millennium Development Goals Global justice Convention on the Rights of the Child Global Justice Commons inclusive of local culture Conflict transformation Distributive justice Capability approach Sen's Theory of Justice Gender Justice Action research Grounded theory Transdisciplinary approach Democratic governance Universalism vs. Particularism Critical Feminist Women's rights are human rights Women rights & girls' rights Justice System—formal and informal Liberalism/Neoliberalism National responsibility Individual responsibility United Nations Social Choice Theory Regional human rights agreements Human security Care vs. Justice Multiculturalism within societies Poverty Limitations of Justice International human rights imposed on local culture National social policy Feminists Nongovernmental Organizations Feminization of leadership Increased health for girls and women Access to quality education with opportunity Gender equilibrium Functional capabilities and Freedom of choice political voice Human Development Index Measuring and evaluating Justice outcomes Social systems theory Constructionist Welfare economics Cultural democracy Cultural Rights Social Justice Few conceptual policy schools of thought Epistemic Justice Social Development Religion Power Cross-Cultural Psychology Peace Social Policy Health management International education Comparative Sociology Human Development Gender studies International Law Intercultural Communication Gender Neutral policy Civil Society United Nations Women's agency leaders Social Contract Socialization of Human rights International social policy Social Justice Paradigm Social principles Ethics Social Contract International Relations Whole Systems Approach Social Criticism Human Capital Theory Platform for Action Public policy and Cultural Politics UN Women Local Civil Society History of Justice Incremental Steps to Justice

Clarkes (2005) Conceptual Map: Gender Equality, Human Rights, Culture, Gender Justice

Appendix D Informed Consent

Informed Consent Form

My name is David Kenneth Waldman and I am a doctoral student at the School of Public Policy and Public Administration, Walden University. You are invited to take part in a research study of the effect of gender justice on the United Nations Convention on the Rights of the Child. I want to explore in this research how a nations' right to reservations to the Convention on the Rights of the Child (1989) based on differing social constructs of cultural values and gender impacts the human rights intention of the CRC. At issue is an international inconsistency how to reconcile gender justice and human rights with legal law into a national social contract. I am inviting you to participate in this study because your background and experiences meet the following,

Participant selection criteria:

The criteria for selection of participants who will be interviewed are based on at least 2 of the following variables, a) a minimum of 10 years of international gender expertise in more than one culture with advising, research, programs, consulting, policymaking, or advocating, as a practitioner or scholar for the girl child, b) work at the UN or part of civil society, c) experience and time spent in a developing nation defined by the UN, d) direct experience with human rights, gender justice, gender equality, cultural rights, and or the CRC. Participants may have direct or indirect influence over the direction of the UN on women's rights and children's rights. Individuals may additionally have knowledge and experience with civil society with or have some form of consultative status with ECOSOC.

This form is part of a process called "informed consent" to allow you to understand this study before deciding whether to take part.

This study is being conducted by a researcher named David Kenneth Waldman and which will take an hour of your time. This research may have a significant positive social impact because it coincides with historical and unprecedented commitment of the UN community to defeat all social impediments to gender justice for girls as the means to achieve gender equality. The researcher founded an international nongovernmental organization that has obtained special consultative status to the Economic and Social Council of the United Nations. The interview will be digitally recorded and then transcribed into a word document. I will share the results of the study and will allow you to offer any observation on the research results.

Background Information:

The purpose of this study is to examine how UN actors draw a parallel with local cultural gender expectations of behavior with a national government's legal obligation to the Convention on the Rights of the Child (CRC).

Procedures:

If you agree to be in this study, you will be asked to:

- Participate in a semi-structured interview which will last approximately one hour.
- Review the transcription of the interview to make any corrections.
- Review the findings to ensure they accurately represent your experiences.

Voluntary Nature of the Study:

Your participation in this study is voluntary. This means that everyone will respect your decision of whether or not you want to be in the study. No one at and United Nations agency or from civil society will treat you differently if you decide not to be in the study. If you decide to join the study now, you can still change your mind during the study. If you feel stressed during the study you may stop at any time. You may skip any questions that you feel are too personal.

Risks and Benefits of Being in the Study:

There are minimal risks of being involved in this study one of which is the stress related to participating in a one-on-one interview and answering questions concerning your expertise. Being able to reflect upon your experiences may benefit your ability to perform your job.

Compensation:

There is no compensation for participating in this study.

Confidentiality:

Any information you provide will be kept strictly confidential. The research will not use your information for any purposes outside this research project. Also, the researcher will not include your name or anything else that could identify you in any reports of the study. All information connecting your name to the research will be maintained on a password protected computer.

Contacts and Questions:

You may ask any questions you have now. Or if you have questions later, you may contact the researcher via 410-528-8294 or 443-831-0085 Mobile, david.waldman@waldenu.edu. If you want to talk privately about your rights as a participant, you can call Dr. Leilani Endicott. She is the Walden University representative who can discuss this with you. Her phone number is 1-800-925-3368, extension 1210. The researcher's Dissertation Committee Chair is Dr. Anthony Leisner and he can be reached at Anthony.leisher@waldenu.edu. Walden University's approval number for this study is **12-20-10-0335543** and it expires on **December 19, 2011.**

The researcher will give you a copy of this form to keep.

Statement of Consent:

I have read the above information and I feel I understand the study well enough to make a decision about my
involvement. By signing below, I am agreeing to the terms described above.

Printed Name of Participant _____
Date of consent _____
Participant's Written or Electronic* Signature _____
Researcher's Written or Electronic* Signature _____

This has been approved by the Institutional Review Board of Walden University as acceptable documentation of the informed consent process and is valid for one year after the stamped date. 2010.12.20 10:28:17 – 06'00'

Electronic signatures are regulated by the Uniform Electronic Transactions Act. Legally, an "electronic signature" can be the person's typed name, their email address, or any other identifying marker. An electronic signature is just as valid as a written signature as long as both parties have agreed to conduct the transaction electronically.

Curriculum Vitae

PROFILE *Social Entrepreneur and Educator*

Core competency: advising on international and national public policy issues in regards to: gender justice, sustainable educational development for the girl child and implementing a working model to advance that mission in the field. Success in driving social change through uniting people at the grass roots level, and influencing top government decision makers. Special consultative status in United Nations Economic and Social Council, Worked in education, non-profit, private, and government sectors.

Objective: Poised for consulting nationally/internationally or adjunct faculty

Expertise: Sustainable Educational Development International Non Governmental Organizations Education Policy Advising & Formulation of Public Policy Girl Education Policy International Relations Gender Justice Grass Roots Advocacy Volunteer Leadership Educator Consulting Publishing Curriculum Development Gender Sensitivity Workshops; Train the Trainer, Feminization of Leadership, and Intercultural Communication Public Speaking Research 17 years Educational Sales national/international

ACADEMIC CREDENTIALS

Doctoral Candidate, Public Policy & Public Administration 2011 Expected Graduation Walden University, Minneapolis, MN *Specialization: International Non Governmental Organizations GPA: 3.93 Dissertation:* A Situational Analysis of Human Rights and Cultural Effects on Gender Justice for Girls. Committee Chair: Dr. Anthony Leisner, Methods Expert: Dr. Marilyn K. Simon, University Research Reviewer Dr. Tanya Settles

Abstract: A nations' right to reservations to the Convention on the Rights of the Child (1989) is based on differing social constructs of cultural values and gender. This right to reservations impacts the human rights intention of the CRC. At issue is an international inconsistency how to reconcile gender justice and human rights with legal law into a national social contract. The study will contribute to a nation's capacity to inform national social policy based on human and justice rights for girls

Master's Degree, International Relations 2001 Golden Gate University, San Francisco, CA Focus: Human Rights for Children & International Sustainable Education Development *Master's thesis:* Analysis of how web education as a tool for the empowerment and development of children unlocks the development opportunity for the girl child in the developing world: The importance of creating a web resource for developed countries. Masters' Thesis Chair: Dr. Margaret Leahy GPA: 3.5

Bachelor of Arts, Elementary Education 1976 Queens College, Queens, NY
New York State Teaching Credential, Colorado Teaching Credential, and California State Substitute Teaching Credential Deans List

TEACHING INTEREST

Teaching at University level; Public Policy, Ethics, International Relations, Gender Equality, Gender Justice, Human Rights, Feminization of Leadership, Critical thinking and research, Intercultural Communication Competency, History Courses, Educational development courses, Teacher training development, International Nongovernmental organizations, and curriculum development.

RESEARCH INTERESTS

Sustainable educational development for girls in order to break the cycle of poverty, The role of culture on gender justice, gender equality, and human rights for girls.

RELEVANT COURSE WORK

International Relations Theory, Theories of Democratic Governance, International Trade and Public Policy & Public Administration, Organizational Theory & Behavior, Human Inquiry & Scientific Methods, Policy Analysis, Understanding Cultures Globally, US and International NGO's Cultural Environments, Feminization of Leadership, Placing NGO's in Global Context, Ethics, and Professional Leadership

TEACHING EXPERIENCE

Adjunct Faculty University of Phoenix 2010 to present
Teaching introductory Public Policy courses for Bachelor level and Master level students

Versatile educator, with 35 years extensive background in educational consulting, curriculum development, educational publishing, and direct classroom instruction at the elementary, middle school, and university level. Background includes training educators, consulting with education specialists, curriculum directors, and educational publishers to tailor curriculum and teaching models to meet specific state standards.

SOCIAL ENTREPRENEUR EXPERIENCE

Entrepreneur founded an international educational NGO registered in the U.S., Uganda, and Kenya. Close collaborative relationship with government ministries, local government leaders, and NGOs. Expertise in advising on policy issues regarding sustainable educational development and implementing a working model to advance that mission in the field.

Proficient in driving social change through uniting people at the grass roots level, and influencing top government decision makers. Professional experience in the education, non-profit, business and government sectors. Worked with Government, Non Governmental Organizations, United Nations, US Army, schools, community colleges, and universities on various topics including; critical creative thinking, sustainable educational development for girls, gender justice, and gender equality.

To Love Children Educational Foundation International, Inc. 2002 to present

Founder/President/CEO: Conceptualized for Masters of Arts thesis, researched, strategized and implemented this 501(c) (3) international non-governmental organization, whose mission is to create sustainable educational development opportunities for girls in the developing world in order to break the cycle of poverty.

Achieved Special Consultative Status with the Economic & Social Council of the United Nations, **2006** after incorporating ECOSOC requirements and mission into To Love Children's infrastructure. Garnered an invitation speak to the 51st Session of the Commission on the Status of Women, 2007, United Nations, New York.

Conceptualized Healthy and Smart 2007
Designed, managed development of a peer reviewed international public health program to implement an HIV/AIDS prevention curriculum "Healthy & Smart" for teens. Published African Edition 2010.

Conceptualized a grass roots advocacy initiative, Walk for Education Worldwide 2004 advocating for the 115 million children worldwide not in school, in which over 22,000 children from four countries: the United States, Nigeria, India, and Uganda. Deputy Speaker of Parliament, and a Representative to the President of Uganda participated as well as parents, women's groups, International and local NGO's local government leaders.

Founded Universal African Resource Center and Library donated over 25,000 books to libraries in India and Uganda.

Founded Women Micro Finance Education Network (WOMEN), to empower poorest and most marginalized women.

PARTICIPATION AT UNITED NATIONS

Participated E4 Engendering Empowerment: Education and Equality. E-conference on gender equality. United Nations Gender Education Initiative. 2010

United Nations Commission on Social Development. Participated in online discussion on gender stereotypes and equal sharing of responsibilities between women and men in the private sphere. 2008

Participated in the online discussion on the topic: The effects of unequal sharing of responsibilities on women's full participation in the public sphere. 2008

Online Discussion: Women in Leadership Roles. Coordinated by the Division for the Advancement of Women. Department of Economic and Social Affairs United Nations, Participated and discussion supported by the Office of the United Nations High Commissioner for Refugees (UNHCR). 2007

Online Discussion: United Nations Department of Economic and Social Affairs. Topic: protection of the girl child; girls in vulnerable situations. 2006

Participated in the online discussion on Elimination of all Forms of Discrimination and Violence against the Girl Child organized by the Division for the Advancement of Women, Department of Economic and Social Affairs United Nations. 2006

20th Anniversary of Human Rights Development Report, UN, New York. 2010

Economic and Social Council, High Level Segment, Development Cooperation Forum, Ministerial Session, United Nations, New York gave oral presentation on theme "Implementing the Internationally Agreed Goals and Commitments in regard to Gender Equality and the Empowerment of Women". 2010

Roundtable Discussion The Office of the United Nations High Commissioner for Human Rights on topic, Human Rights: The Key to Keeping the Promise of 2015, United Nations, New York. 2010

Convention on the Elimination of Violence against Women 30 year Anniversary, United Nations, New York. 2010

Commission on the Status of Women (CSW 52). 2008

United Nations Commission on the Status of Women Fifty-first Session, Ministerial Session, United Nations, New York. 2007

PUBLICATIONS

Author: *Crystal Moonlight and How Teddy Bears Find Their Homes.*
Publisher of Healthy and Smart a HIV/AIDS Prevention Curriculum for Youth. 2011
Publisher of Global Child Journal 2006 to present

ARTICLES

Waldman, D., K., & Meador, M. (2010). Collaborative methodology for public managers and ngo leaders: Implementation social change policy. *Global Child Journal,* 1-17, Retrieved from http://tolovechildren.org/files/41773581.pdf

Waldman, D. K., (2005). Girl Education the Best Investment. *Global Child Journal*. 1(2), 32- 35, Retrieved from http://www.tolovechildren.org/2004/gobalchild.html

Waldman, D. K. (2006). Education is a Human Right. *Global Child Journal*. 2(1), 23-27.

SPEAKING ENGAGEMENTS

Invited Panelist for Violence against Girls committee of the Working Group on Girls NGO Committee UNICEF, Topic: Making our Schools Safer: Working with Girls and Boys. Harvard Club, NY. 2011

Invited panelist for Violence against Girls committee of the Working Group on Girls, NGO Committee, and UNICEF side event for the United Nation's fifty-fifth session of the Commission on the Status of Women (CSW55). 2011

CARE Washington, DC. Lobbied Congressional representatives, senators. 2010

Social Equity Leadership Conference, Baltimore, MD, Panel Discussion.2010

American Society of Public Administrators, San Jose, CA, Round Table Discussion:

*C*onference of NGO's, Committee on HIV/AIDS, New York. 2009

51st Session Commission on the Status of Women, Ministerial Session, UN, NY. 2007

Invited Panelist at World Affairs Council in San Francisco, CA. 2005

National Association of Young Child Education Conference, Mannheim, Germany. 2002

Future Business Leaders of America, Mannheim, Germany. 2002

2nd International Conference: Children's Human Rights: Education, Victoria, BC. 2001

Hawaii State Teachers Literacy Conference, Oahu, HI. 1997

National Association of Social Studies, Conference, the CA League of High Schools, and the CA School Library Association. 1989 to 2001

Creator/Host/Executive Producer TV Show "To Love Children" Radio Show for Blind Children "Twilight Readings" San Francisco, CA. 1989 to 1992

PROFESSIONAL AFFILIATIONS

501(c)(3) Non profit, San Francisco. 2002 to present
Registered NGO in Uganda and Kenya. 2005/2006 to present
Special Consultant Status to Economic & Social Council, UN. 2006 to present
American Society of Public Administrators International Chapter/Global Network, Committee Chair/Founding Member 2010 to present
Member Congress of Nongovernmental Organizations 2007 to 2010
Member UNICEF NGO Committee on Working Group on Girls 2009 to present
President, Walden University Cyberspace Chapter/International PDK. 2008 to 2010

PUBLISHER

Founder/President/Publisher/Author 1985 to present
Rebecca House International Publishing**,** Baltimore, MD.
Founded in San Francisco, CA children's literature and education publishing company.

HONORS

Presentation from Commanding Four-Star General B.B. Bell Europe Command for Excellence for Service to Education, 2003

Presentation from David W. Astin, LTC, MI, Commanding United States Army Garrison, Darmstadt, Germany, Department of Army, Achievement Medal for Sustained Superior Civilian Service for Initiative and Professionalism as a Training and Curriculum Specialist Maintaining the Highest Levels of Compliance to Soldiers, Family Members and Children for duty served from September 2003 to May 2008.

Pi Alpha Alpha National Honor Society for Public Policy & Public Administration. Induction Ceremony Minneapolis, MN. July, 2011