

# Stereotyping Women in the Abortion Context

by

Rebecca Cook

Faculty of Law, University of Toronto

[www.law.utoronto.ca/programs/reprohealth.html](http://www.law.utoronto.ca/programs/reprohealth.html)

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# Outline of talk

1. Gender Stereotyping
2. Legal Examples
3. Dismantling Gender Stereotyping

# 1. Gender Stereotyping

Process of ascribing to a woman specific characteristics or roles by reason only of her sex

e.g. ascribing motherhood to a woman, **irrespective** of her desire to be a mother, therefore denying her information & services

# Why Do We Stereotype?

- To describe
  - women are weaker than men
- To prescribe women's modesty, chastity & obedience
  - women should be mothers/caregivers
- To assign difference ("otherize")
  - e.g. women are bad decision-makers

## **2. Examples of Gender Stereotypes**

Reflection delay – incapable of medical decision making

Spousal authorization – incapable of moral decision making

Parental consent - adolescents incapable of decision making

# Recent Court Decisions

*Sentencia C-355/06*, Colombia  
Constit. Crt (2006)

*Gonzales v. Carhart*, US Sup Crt  
(2007)

*A.B.C. v. Ireland*, ECHR (2010)

*R.R. v. Poland*, ECHR (2011)

# **3. Dismantling Stereotypes**

- Name the operative stereotype
- Understand means of perpetuation
- Explain duties to dismantle

# FIGO Ethics Guideline on Harmful Stereotyping

## **Names Stps:**

mothers & caregivers

vulnerable/unreliable

promiscuous (unmarried)



# Their Means of **Perpetuation**

- unconscious reluctance to respect women's decisions
- health sectors failing to respect women's decisions
- laws/policies justifying men as sole decision makers

# Legal Duties to Dismantle

to modify social and cultural patterns of conduct to eliminate prejudices and practices based on the inferiority or the superiority of either of the sexes, or on stereotyped roles for men and women (CEDAW, Art. 5(a))

# Legal Duties to Dismante

to take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, equal access to health care services, including those related to family planning.

(CEDAW, Art 12.1.)

# Further Reading

Cook & Cusack,

## **Gender Stereotyping: Transnational Legal Perspectives**

University of Pennsylvania Press, 2010

Spanish edition, Profamilia, 2011