

## DEDICATION

*A law school can't provide everything, but it can provide the right tools for its students. Albany Law School has the advantage of independence and flexibility. As the legal profession and legal education confront another wave of change, we can move with it.*<sup>†</sup>

DEAN PENELOPE ANDREWS:  
ADVOCACY, LEADERSHIP, VISION

*Erika Hauser & Kanika Johar\**

The *Albany Law Review* proudly dedicates this, its Seventy-Sixth Anniversary General Issue, to Dean Penelope (Penny) Andrews, Albany Law School's 17th President and Dean as well as its first female president.

There was an air of excitement amongst the student body, maybe even nervous anticipation, at the thought of new leadership on campus. Since Dean Andrews arrived, the excitement has only exponentially grown. From the very beginning of her tenure as Dean, it has become clear to the Albany Law School community that Dean Andrews has a vision to guide Albany Law through the difficult period facing law schools today, and that her goals closely align with both the student body and faculty members, as well as with those of alumni.

Dean Andrews' vision for Albany Law School addresses many of the concerns law schools face nationwide: increasing costs of a legal

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<sup>†</sup> Statement of Dean Penny Andrews, as quoted in *Albany Law Magazine*. See David Singer, *Penelope Andrews: Albany Law School's 17th President & Dean*, ALBANY LAW MAG., Spring 2012, at 14, 17.

\* Erika Hauser and Kanika Johar served as the Executive Editors for Lead Articles for the seventy-sixth volume of the *Albany Law Review*. They co-authored this review and dedication on behalf of the entire Editorial Board for Volume 76.

education, the shrinking legal job market, bar passage, ABA accreditation requirements, and a decrease in the pool of law school applicants. She is well equipped to tackle the aforementioned challenges based on her extensive education, internationally recognized accomplishments, and experience in teaching and researching the law.

Dean Andrews' interest in human rights began at an early age; she grew up in apartheid South Africa surrounded by extreme poverty and violence, where racism and sexism ran rampant. In South Africa she studied at Catholic school before receiving a Bachelor's Degree in Arts from the University of Natal in Durban, where she majored in Economic History and Comparative African Government and Administration. She went on to receive an LL.B from the same university only two years later. Dean Andrews continued her education in the United States, earning an LL.M from Columbia University School of Law.

In the years following her education, Dean Andrews traveled around the world, teaching and researching in Australia, Canada, Holland, Germany, Scotland, and South Africa. Her specific interests included advocating for the rights of Australia's indigenous populations, people of color in South Africa, and disenfranchised women in Queens, New York. She has also consulted for the United Nations Development Fund for Women, and for the Ford Foundation in Johannesburg, where she evaluated labor law programs.

In addition to teaching and writing, her accomplishments include an award distributed annually in her name—the Penelope E. Andrews Human Rights Award—given by the South African law school at the University of KwaZulu-Natal. Dean Andrews was also a finalist for a vacancy on the Constitutional Court of South Africa, the highest court in the country on constitutional matters.

Dean Andrews has co-authored and co-edited several books. Before publishing her most recent book, she also served as an editor of three other books: *Law and Rights: Global Perspectives on Constitutionalism and Governance*,<sup>1</sup> *The Post-Apartheid*

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<sup>1</sup> Dean Andrews co-edited *Law and Rights* alongside Susan Bazilli. See LAW AND RIGHTS: GLOBAL PERSPECTIVES ON CONSTITUTIONALISM AND GOVERNANCE (Penelope E. Andrews & Susan Bazilli eds., 2008).

*Constitutions: Perspectives on South Africa's Basic Law*;<sup>2</sup> and *Gender, Race and Comparative Advantage: A Cross-National Assessment of Programs of Compensatory Discrimination*.<sup>3</sup>

Adding to her impressive resume of various works discussing women's rights, law, and constitutions,<sup>4</sup> Dean Andrews' latest work—entitled *From Cape Town to Kabul: Reconsidering Women's Human Rights*<sup>5</sup>—provides original theory with a concept coined “conditional interdependence” which aims to help resolve gender inequalities and advance the rights of women in countries with developing democracies.<sup>6</sup> Andrews has described her work as a book that examines “what government can do to change the lives not just of middle class women but all women, including women who identify strongly with their religious beliefs, indigenous women, and poor women.”<sup>7</sup> Andrews' passion for women's human rights is palpable and instantly relayed to her readers. The firsthand experiences that frame Andrews' ideas, supplemented by her comprehensive knowledge of the subject, serve as a valuable lens through which the reader can understand both the effectiveness and the logic behind her recommendations and theory.

Growing up under apartheid, Andrews bore witness to the dramatic transition of South Africa during the time period leading up to the collapse of apartheid. She watched as a nation, once defined by racism and cruelty, evolved into a nation celebrated for

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<sup>2</sup> Dean Andrews co-edited *Post-Apartheid Constitutions* alongside Stephen Ellmann. See THE POST-APARTHEID CONSTITUTIONS: PERSPECTIVES ON SOUTH AFRICA'S BASIC LAW (Penelope Andrews & Stephen Ellmann eds., 2001).

<sup>3</sup> Dean Andrews edited a special issue of *Law in Context* (Volume 16). See GENDER, RACE AND COMPARATIVE ADVANTAGE: A CROSS-NATIONAL ASSESSMENT OF PROGRAMS OF COMPENSATORY DISCRIMINATION (Penelope E. Andrews ed., 1999).

<sup>4</sup> See, e.g., Penny Andrews, *Sixty Years On: The International Human Rights Movement Today*, 24 MD. J. INT'L L. 47 (2009); Penelope E. Andrews, *Who's Afraid of Polygamy? Exploring the Boundaries of Family, Equality and Custom in South Africa*, 2009 UTAH L. REV. 351, 11 J.L. & FAM. STUD. 303 (2009) (jointly published); Penelope Andrews, “*Democracy Stops at My Front Door*”: *Obstacles to Gender Equality in South Africa*, 5 LOY. U. CHI. J. INT'L L. 15 (2007); Penelope E. Andrews, “*Big Love*”? *The Recognition of Customary Marriages in South Africa*, 64 WASH. & LEE L. REV. 211 (2007); Penelope Andrews, *Learning to Love After Learning to Harm: Post-Conflict Reconstruction, Gender Equality and Cultural Values*, 15 MICH. ST. J. INT'L L. 41 (2007).

<sup>5</sup> PENELOPE ANDREWS, *FROM CAPE TOWN TO KABUL: RETHINKING STRATEGIES FOR WOMEN'S HUMAN RIGHTS* (2012).

<sup>6</sup> Although the term “conditional interdependence” is coined by Penelope Andrews in *From Cape Town to Kabul* and discussed in considerable detail, a more in-depth discussion of the term is beyond the scope of this review.

<sup>7</sup> Brianna Snyder, *On the Cover: Penelope Andrews*, TIMES UNION (Dec. 14, 2012), <http://blog.timesunion.com/womenatwork/on-the-cover-penelope-andrews/2525/>.

its great strides in protecting fundamental rights and incorporating women into governance.

In addition to witnessing this historic transformation, Andrews cites to other specific experiences that have fueled her passion for advocacy and her knowledge of women's rights and cultures. She represented victims of apartheid at the Legal Resources Center; collaborated and associated with individuals at the forefront of the mission to ensure South Africa's acknowledgment and respect of both human rights and personal dignity. Andrews saw the new South African government succeed—particularly with the Mandela administration. She lived as an expatriate in Australia, where she became familiar with the unfortunate lifestyles of some aboriginal women; and she has observed the fixation with youth and weight in the United States. Andrews' wide array of life experiences and travels not only provides her with invaluable insight that sets this book apart with unique commentary, but also makes the text a truly interesting and powerful read.

Throughout its seven chapters, although Andrews "sweeps with a broad brush," she successfully meets her goal of "captur[ing] the complex and multi-layered aspects of women's lives."<sup>8</sup> She begins by asking five questions focusing on the issue of gender inequality and how societies entrenched in conflict and brutality can reassess fixed, enduring societal norms. Andrews' elucidates a course for reaching a place where constructive change can occur and women's rights may be pursued through the imperative interplay of the law, politics, economics, and culture.

Using South Africa and Afghanistan as both the backdrop and primary focus of her discussion because of their new and transitional democracies, Andrews' coined the term "cultural interdependence," which suggests a communitarian based approach to propel the momentum and resulting benefits of pursuing and recognizing women's rights. De-emphasizing the idea of independence and autonomy, concepts most often associated with feminism in more affluent countries, Andrews' theory helps to reconcile two issues that civilizations should consider essential, but are too often at odds with one another; culture and flourishing gender equality. Andrews asserts, "[c]ulture should be a sword where rampant assimilation demands a bland sameness—and

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<sup>8</sup> ANDREWS, *supra* note 5, at 9.

should be fiercely protected. But culture should not be a shield to subjugate a society's female members."<sup>9</sup> This theory perpetuates the progressive notion of culture and gender as synergistic rather than fatal to or restrictive of one another.

Perhaps what Andrews does best is create an original idea without attempting, or expecting, to completely erase, discard, or modify all of the existing insights and strategies of other feminist advocates. In fact she dedicates one of her chapters to discussing the international legal movement in pursuit of equality and women's rights. She explores and gives credence to those women and advocates who have accelerated women's rights to the forefront of law and politics.

Andrews suggests a new model sculpted by her upbringings and experiences, that commands the reader to "rethink what we regard as universal" in redressing violations of women's rights and dignities.<sup>10</sup> This calls for a conceptual shift in the theory invoked by the gender equality movement in developing democracies. In this way, Andrews' work is not just another volume reciting the history of the global women's rights movement, but rather it is a realistic and workable framework comprised of ideas that promote change and equality within the context of a new paradigm. This timely and well-written book has already received praise from several commentators and scholars:

This book is written with passion for and deep experience of struggles for women's rights in different parts of the globe. Professor Andrews deals with the vexed issue of the role of local cultures in defining women's rights in both South Africa and Afghanistan. . . . This book is bold and insightful, a rich comparative analysis, with a transformational purpose.<sup>11</sup>

*From Cape Town to Kabul: Rethinking Strategies for Pursuing Women's Human Rights* is an essential read for anyone interested in learning more about the topic of women's advocacy or in gaining a deeper insight into the major happenings—and barriers to transformation—within this movement in South Africa and Afghanistan. Capturing her passion and knowledge of the subject, Andrews has successfully written a text that can appeal equally to

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<sup>9</sup> *Id.* at 58.

<sup>10</sup> *Id.* at 6.

<sup>11</sup> ASHGATE PUBLISHING, <http://www.ashgate.com/isbn/9780754679967>.

both the avid women's scholar as well as the novice student.

"Education is the most powerful weapon which you can use to change the world."<sup>12</sup> Dean Andrews' vast international teaching and researching experiences will effectively guide Albany Law School's future. Her experience as a member of the ABA's site-inspection team, which visited schools and examined countless curricula—will serve well in bar passage challenges as well as fulfilling ABA accreditation requirements—coupled with her history as an educator and Dean for Academic affairs, will certainly make this already great institution an even better one.

Dean Andrews is a catalyst for change and progress. This dedication to advocacy, coupled with her passion for education, makes us confident that her Deanship at Albany Law School will be a success. The Editorial Board for Volume 76 of the *Albany Law Review* would like to express its sincere gratitude to Dean Andrews' for her immediate, unwavering support. In celebration of what is to come, as well as the successes that have already been achieved, the members of this year's Editorial Board join together in dedicating the General Issue of the *Albany Law Review* to Dean Penelope Andrews.

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<sup>12</sup> Nelson Mandela, former president of South Africa, 1993 Nobel Peace Prize laureate.