24. ALISON M JAGGAR

Western feminist theory tacitly encourages a lopsided view of the injustices suffered by non-Western women—and of Westerners' duties toward non-Western women. Jaggar argues that prominent theorists such as Susan Okin and Martha Nussbaum unwittingly imply several misleading theses about injustice suffered by women. These are that, first, local cultural traditions are the primary source of harm to women in poor countries; second, unjust local traditions in non-Western countries are causally independent of Western practices; third, Western cultures are more just in their treatment of women; and as a result, fourth, the role of Western theorists is to expose the injustice of non-Western cultures toward local women. While there may be some truth in these theses, they greatly underemphasize the importance of the Western-dominated global political and economic order in entrenching and perpetuating the poverty that makes women particularly vulnerable to unjust cultural practices. Philosophers would far better serve non-Western women by exploring their own countries' role in supporting that order than by pretending to serve as impartial judges of culture.

"Saving Amina": Global Justice for Women and Intercultural Dialogue

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One of the innumerable electronic petitions flashing across the Internet in the early months of 2003 held special interest for feminists. Carrying the name and logo in Spanish of Amnesty International, the petition asked recipients to "sign" electronically an appeal against the sentence of stoning to death declared against Amina Lawal, a divorced Nigerian woman, who had had a baby outside marriage. In August 2002,

an Islamic court in Katsina state in northern Nigeria had convicted Lawal of adultery under Sharia law. The "save Amina" petition collected many thousands of electronic signatures from around the world but in May 2003 it was followed by another e-communication with the subject line, "Please Stop the International Amina Lawal Protest Letter Campaigns." The second e-message was signed by Ayesha Imam and Sindi Medar-Gould, representing two Nigerian human rights organizations supporting Lawal. Imam and Medar-Gould asserted that the "save Amina" petition in fact endangered Lawal and made the task of her Nigerian supporters more difficult, in part because the petition contained a number of factual errors, including a false assertion that execution of the sentence was imminent. They also observed, "There is an unbecoming arrogance in assuming that international human rights organizations or others always know better than those directly involved, and therefore can take actions that fly in the face of their express wishes" (Imam and Medar-Gould 2003).

Electronic petitions have become a popular means by which Western feminists endeavor to "save" women in other countries. A 1998 e-petition on behalf of women in Afghanistan, begun by a student at Brandeis University, garnered so many responses that Brandeis was forced to close the student's mailbox. The petitions often use sensational language to denounce some non-Western culture for its inhumane treatment of women and girls. Worries about non-Western cultural practices are not limited to those in the West who identify as feminists. The popular press regularly runs stories about non-Western practices it finds disturbing, especially when these concern women's sexuality and/or are noticed occurring among immigrant groups. Recent news stories have raised the alarm about arranged marriage, "sexual slavery," dowry murder ("bride-burning"), "honor" killings, genital cutting ("circumcision," "mutilation"), sex-selective abortion, and female infanticide. Newspapers in the United States have also questioned whether female US soldiers, stationed in Saudi Arabia, should be required when off-base to conform to Saudi laws mandating covering their bodies and forbidding them to drive.

The perceived victimization of women by non-Western cultures has now also become a topic within Western philosophy. In this paper, I draw on the work of other feminist scholars to argue that conceiving injustice to poor women in poor countries primarily in terms of their oppression

by "illiberal" cultures provides an understanding of the women's situations that is crucially incomplete. This incomplete understanding distorts Western philosophers' comprehension of our moral relationship to women elsewhere in the world and so of our philosophical task. It also impoverishes our assumptions about the intercultural dialogue necessary to promote global justice for women.[1]

1. PHILOSOPHERS SAVING AMINA: TWO INFLUENTIAL PHILOSOPHICAL TREATMENTS OF INJUSTICE TO WOMEN IN POOR COUNTRIES

1.1 THE DEBATE IN WOMEN'S STUDIES

The interdisciplinary literature in women's or feminist studies has discussed the perceived victimization of women in non-Western cultures for at least thirty years. In this academic context, two main positions have been opposed to each other. The first is global radical feminism, a perspective that made its appearance in the early years of second-wave Western feminism. The radical feminists wished to establish that women were a group subjected to a distinct form of oppression and their earliest writings postulated a worldwide women's culture, existing "beneath the surface" of all national, ethnic, and racial cultures and colonized by these "male"cultures (Burris 1973). Global radical feminism asserts the universality of "patriarchal" violence against women and sometimes advocates an ideal of global sisterhood (Morgan 1984).[2] Opposed to this position is postcolonial feminism, which asserts the diversity of women's oppression across the world and emphasizes that this oppression is shaped by many factors, among which past colonialism and continuing neocolonialism are especially important. Postcolonial feminism charges that global feminist criticisms of cultural practices outside the West frequently are forms of "imperial feminism" or "feminist orientalism," often exoticizing and sensationalizing non-Western cultural practices by focusing on their sexual aspects (Amos and Parmar 1984; Apffel-Marglin and Simon 1994). The polarized debate in women's studies has sometimes seemed to suggest that Western feminists who are concerned about the well-being of women across the world are confronted with a choice between colonial interference and callous indifference (Jaggar 2004).

Central to the women's studies debates has been the question of "essentialism," especially as this pertains to many Western feminist representations of "women."[3] Postcolonial feminists argue that universal generalizations about women are essentialist, because they reify gender by treating it as separable from class, ethnicity, race, age, and nationality in ways that the postcolonial critics regard as incoherent and mystifying. "Essentialist" generalizations are always sweeping and treat groups as internally homogeneous, but they are not always universal. For instance, an influential article by Chandra Mohanty challenges the essentialist contrasts between Western women and "the average Third World woman," which she finds implicit in much Western feminist writing. Mohanty argues that this writing represents Western women "as educated, as modern, as having control over their own bodies and sexualities, and the freedom to make their own decisions," while depicting non-Western women as victimized and lacking in agency. She criticizes patronizing Western representations of "the typical Third World woman" that portray this woman as leading "an essentially truncated life based on her feminine gender (read: sexually constrained) and her being 'third world' (read: ignorant, poor, uneducated, tradition-bound, family-oriented, victimized, etc.)" (Mohanty 1991: 56).

1.2 THE DEBATE IN PHILOSOPHY

In the 1990s, academic debate about the gendered aspects of non-Western cultural practices moved out of the feminist fringe and into the mainstream of Western philosophy. This occurred primarily as a result of bold work by Martha Nussbaum and Susan Okin (Nussbaum 1988,1990,1992,1993,1995,1998,1999,2000,2002; Okin 1994,1995, 1998,1999,2002). The recent work of Nussbaum and of Okin diverges in important respects, but the present paper focuses on some parallels between them.[4] In their discussions of poor women in poor countries (and of cultural minority women in rich countries), Nussbaum and Okin both turn away from earlier debates about the universality or otherwise of "patriarchy." They reframe the issues in terms of ongoing philosophical debates between liberalism and communitarianism on the one hand, and liberalism and multiculturalism on the other. Both take as their problem the question of how Western philosophers should respond to

non-Western cultural practices perceived as unjust to women and both believe that answering this question requires addressing several current philosophical controversies. These include: moral universalism and cultural relativism; the possibility of "external" as opposed to "internal" social criticism; and the question of whether liberal societies can tolerate illiberal cultural practices within their borders.

Nussbaum and Okin both identify themselves as liberal feminists but both follow the radical feminists in staunchly opposing what they see as the oppression of women in non-Western cultures. Ihey provide new arguments against postcolonial feminists, casting them as relativists who seek to avoid forthright condemnation of injustice to women in developing or Third World countries. They also charge that the antiessentialism advocated by postcolonial feminists rationalizes a disingenuous refusal to acknowledge forms of injustice that are distinctively gendered. Finally, Nussbaum and Okin suggest that women who seem content with unjust cultural practices suffer from adaptive preferences or learned desires for things that are harmful, a phenomenon called "false consciousness" by Western feminists influenced by the Marxist critique of ideology.

Nussbaum's work on this topic draws on Amartya Sen's concept of capabilities, which was developed originally as an alternative to welfarism for measuring international levels of development. Nussbaum has modified the concept of capabilities and uses it to counter "cultural relativism," which she thinks often serves as a pretext for excusing outrageous injustice to women in poor countries. In a spate of books and articles published throughout the 1990s, Nussbaum defends the universal values that she believes are embodied in the capabilities, appealing to these values to condemn cultural practices that subordinate women. An early article provocatively defends "Aristotelian essentialism" against what Nussbaum regards as a "politically correct" antiessentialism that rationalizes "ancient religious taboos, the luxury of the pampered husband, ill health, ignorance, and death" (Nussbaum 1992: 204). In responding to the challenge that many people, including many poor women in poor countries, do not accept the capabilities as universal values, Nussbaum invokes the concept of adaptive preferences.[5] She argues that existing desires and preferences may be corrupted or mistaken when they are adapted to unjust social circumstances; for example, women may sometimes fail to recognize that they are oppressed.[6]

Susan Okin has also been concerned to address the situation of poor women in poor countries. Her analysis draws on her own earlier critique of Western practices of marriage and family, in which she argues persuasively that the traditional division of labor in marriage unjustly disadvantages Western women economically and in other ways (Okin 1989). Okin's analysis of the situation of poor women in poor countries is parallel to her analysis of the situation of Western women: In her view "the problems of other women are 'similar to ours but more so'" (Okin 1994: 8 [herein 237]). Like Nussbaum, Okin challenges feminist antiessentialism, quoting Nussbaum approvingly on this topic.[7] Also like Nussbaum, she worries that "false consciousness" arising from adaptive preferences and internalized oppression limits the usefulness of "interactive" or "dialogic" approaches to justice and advocates an alternative Rawlsian method of hypothetical dialogue in the original position (Okin 1994:18f [herein 248f]).

Okin's concern about cultural injustice to women emerges again in her contributions to the multiculturalism debate. In the discipline of philosophy, this debate focuses on the question of whether cultural minorities within liberal cultures should enjoy special group rights (Kymlicka 1995). Okin argues that the rights claimed by minority groups may conflict with liberalism's commitment to women's equality, so that a tension exists between multiculturalism and feminism (Okin 1998,1999). In Okin's view, supporters of multiculturalism have failed to appreciate that illiberal cultural practices are often especially burdensome to women. In addition, she believes that some feminists have paid so much attention to differences among women that they have fallen into cultural relativism, ignoring the fact that "most cultures have as one of their principal aims the control of women by men" (Okin 1999: 13). Okin asks rhetorically, "When a woman from a more patriarchal culture comes to the United States (or some other Western, basically liberal, state), why should she be less protected from male violence than other women are?" (Okin 1999: 20).

1.3 SOME NONLOGICAL IMPLICATIONS OF NUSSBAUM'S AND OKIN'S WORK

Okin and Nussbaum deserve great credit for drawing the attention of mainstream Western philosophers to issues previously neglected by

what Thomas Pogge has called the academic justice industry (Pogge 2002: 145). Like all groundbreaking scholarship, Nussbaum's and Okin's work has shaped the subsequent literature in distinctive ways, highlighting some concerns and obscuring others. Specifically, their work has encouraged Western philosophers to understand injustice to non-Western women as a matter of oppression by local cultural traditions. The issues that Nussbaum and Okin raise are crucial to understanding the injustices suffered by non-Western women but the present paper focuses on the issues they have *not* raised, on their omissions and their silences. In other words, I am concerned here with what Cheshire Calhoun would call the nonlogical implications of Nussbaum's and Okin's work in this area, including the moral and political significance of their emphases and their *lacunae* (Calhoun 1988).

In discussing the contributions that care ethics makes to moral theory, Calhoun argues that Western moral philosophy has produced a lopsided ideology of moral life and thought that reflects the moral preoccupations of propertied males and obscures the moral concerns of (among others) many women.[8] Analogously, I argue that Nussbaum's and Okin's representations of the injustices suffered by poor women in poor countries are lopsided, reflecting some preoccupations while obscuring others. Calhoun suggests that the ethics of care, construed as a focus on hitherto neglected aspects of moral life and thought, can help to redress the gendered bias of moral theory. Similarly, I suggest that a focus on certain aspects of the global political economy, hitherto neglected by Western philosophers, can help to present a fuller and fairer understanding of the situations of poor women in poor countries.

My concern is not that Nussbaum and Okin pay excessive attention to the sensationalized sexual issues that preoccupy the popular press. On the contrary, they take the poverty of many non-Western women extremely seriously, recognizing that poverty constrains women's autonomy and makes them vulnerable to a range of other abuses, such as violence, sexual exploitation, and overwork. However, Nussbaum's and Okin's discussions give the impression that female poverty is attributable primarily to local cultural traditions, especially traditions of female seclusion.[9] For example, both treat as exemplary a study by Marty Chen, which explains that many

women in India, especially female heads of households, are left destitute because the system of secluding women denies them the right to gainful employment outside the home (Chen 1995).[10]

Nussbaum's and Okin's focus on the injustice of non-Western cultural traditions reinforces several assumptions commonly made in popular Western discussions of the situation of poor women in poor countries. These assumptions are as follows:

1) A major, perhaps the major, cause of suffering among women in poor countries is unjust treatment in accordance with local cultural traditions—traditions whose injustice is not necessarily recognized by the women involved. Call this the "injustice by culture" thesis.

2) The unjust local traditions in question may resemble some Western practices but they are causally independent of them. Call this the "autonomy of culture" thesis.

3) Non-Western cultures are typically more unjust to women than is Western culture. Call this the "West is best for women" thesis.

I doubt that either Nussbaum or Okin would assent to these theses in anything like the simple terms in which I have stated them. Nevertheless, I worry that both philosophers' preoccupation with opposing the perceived injustice of non-Western cultures encourages many Western readers to derive such nonlogical implications from their work. In addition, I worry that Nussbaum's and Okin's work in this area promotes too narrow a view of the task of those Western philosophers who seek to explain injustice to poor women in poor countries. In other words, I am afraid it promotes the view that:

4) Western philosophy's task is to expose the injustices imposed on women by their local cultures and to challenge philosophical rationalizations of those injustices, many of which rest on mistaken views about essentialism and relativism.

Thesis Four is the philosopher's version of "saving Amina." In the next section of this paper, I critically discuss Theses One to Three; in the following section, I discuss Thesis Four.

2. NON-WESTERN CULTURE AND INJUSTICE TO POOR WOMEN IN POOR COUNTRIES

Assessing claims about cultural injustice requires having some sense of what is meant by the term "culture," which Raymond Williams describes as "one of the two or three most complicated words in the English language" (Williams 1983:160. Cited by Tomlinson 1991: 6). The 1982 report of a UNESCO conference on cultural policy stated that, in the view of some delegates, "culture permeated the whole social fabric and its role was so preeminent and determining that it might indeed be confused with life itself" (Tomlinson 1991: 5). In most contexts, however, the term "culture" is useful only if it is marked off against other areas of social life, so culture is often distinguished from politics and the economy (Tomlinson 1991: 5). Contemporary philosophical discussions of culture typically accept some version of this distinction. For example, Nancy Fraser contrasts concerns about cultural recognition with concerns about economic redistribution (Fraser 1997). The items on Bikhu Parekh's list of minority cultural practices in Britain all concern marriage, sexuality, dress, diet, education, body marking, and funeral customs (Parekh 2000:264f). In Okin's view, "the sphere of personal, sexual, and reproductive life provides a central focus of most cultures... Religious or cultural groups are often particularly concerned with 'personal law'—the laws of marriage, divorce, child custody, division and control of family property, and inheritance" (Okin 1999: 12f).

When culture is equated with dress, diet, sex, and family, it becomes an area of life that has special significance for women. Most of the practices on Parekh's list apply mainly or even exclusively to women and girls and his last item is simply, "Subordinate status of women and all it entails including denial of opportunities for their personal development in some minority communities" (Parekh 2000: 265). Thus, Okin's observation is uncontroversial:

> As a rule, then, the defense of "cultural practices" is likely to have much greater impact on the lives of women and girls than those of men and boys, since far more of women's time and energy goes into preserving and maintaining the personal, familial, and reproductive side of life. Obviously, culture is not only about domestic arrangements, but they do provide a major focus of most contemporary cultures. Home is, after all, where much of culture is practiced, preserved, and transmitted to the young. (Okin 1999:13)

Benhabib writes, "Women and their bodies are the symbolic-cultural site upon which human societies inscript their moral order" (Benhabib 2002: 84). Because women are typically seen as the symbols or bearers of culture, conflicts among cultural groups often are fought on the terrain of women's bodies, sometimes literally in the form of systematic rape.

2.1 THE LIMITS OF INJUSTICE BY CULTURE

The thesis of injustice by culture asserts that local cultural traditions are a major, perhaps the major, source of the injustices suffered by women in poor countries. Is this thesis correct? Certainly it is undeniable that many non-Western cultures are unjust to women. Striking evidence is provided by Amartya Sen's famous calculation that up to 100 million women are "missing" as a result of Asian cultural practices, including both direct violence and systematic neglect (Sen 1990). It also seems indisputable that women in legally multicultural societies tend to suffer disproportionately from religious/cultural law (Shachar 1999, 2000a, 2000b). That injustice to women is inherent in many cultural traditions confirms second-wave feminist arguments that the personal is political and Okin's work on Western marriage and family has made a valuable contribution in drawing mainstream philosophers' attention to such injustices. However, the poverty and associated abuses suffered by poor women in poor countries cannot be understood exclusively in terms of unjust local traditions. To understand such poverty and abuse more fully, it is also necessary to situate these traditions in a broader geopolitical and geo-economic context.

Contemporary processes of economic globalization, regulated by the Western-inspired and Western-imposed principles and policies of neoliberalism, have dramatically increased inequality both among and

within countries.[11] Applying neoliberal principles across the world has produced a windfall for some people and a catastrophe for others. Those who have reaped the rewards of neoliberal globalization have belonged mostly to the more privileged classes in the global North or to elite classes in the global South. Those who have been injured by it are mostly people who were already poor and marginalized, in both the developing and the developed worlds.[12] Since women are represented disproportionately among the world's poor and marginalized, neoliberal globalization has been harmful especially to women—although not to all or only women. Women comprise 70 percent of the world's poor and 64 percent of the world's 876 million illiterate people (UNDP 1999). In what follows, I offer a few examples of the impact of neoliberal globalization on poor women in poor countries.

Most poor women in poor countries traditionally made a living in small-scale and subsistence agriculture; even quite recently, 70 percent of the world's farmers were said to be women. However, the impact of neoliberal globalization has made small-scale and subsistence agriculture increasingly unviable. One reason for this is the expansion of export agriculture, typically mandated by programs of structural adjustment, especially in South America and Southeast Asia. Another reason is the refusal on the part of the wealthiest countries to conform to their own neoliberal principles. The United States and the European Union currently spend $350 billion a year on farm subsidies, six times what they spend on aid. As neoliberalism compels poor countries to open their markets, locally grown agricultural products are unable to compete with the heavily subsidized foods dumped by richer countries.

The decline of small-scale and subsistence agriculture has driven many women off the land and into the shantytowns that encircle most major Third World cities. Here the women struggle to survive in the informal economy, which is characterized by low wages or incomes, uncertain employment, and poor working conditions.[13] Many become street vendors or domestic servants. Those who remain landless in the countryside are often forced to work as seasonal, casual, and temporary laborers at lower wages than their male counterparts. Many women are driven into prostitution, accelerating the AIDS epidemic, which ravages the poorest women in the poorest countries.[14]

Neoliberal globalization has also destroyed many traditional industries on which poor women in poor countries once depended [15] More fortunate women may obtain jobs in newer industries, especially the garment industry, which produces the developing world's main manufactured exports and in which women are the majority of workers. However conditions in the garment industry are notoriously bad because poor countries, lacking capital, can compete in the global market only by implementing sweatshop conditions. The situation for garment workers in poor countries is worsened by continuing protectionism in the garment industry on the part of the United States and the European

The most obviously gendered consequences of neoliberal globalization are the worldwide cutbacks in social services, also often mandated by programs of structural adjustment. These cutbacks have affected womens economic status even more adversely than men's, because womens responsibility for caring for children and other family members makes them more reliant on such programs. Reductions in social services have forced women to create survival strategies for their families by absorbing these reductions with their own unpaid labor, and more work for women has resulted in higher school dropout rates for girls In addition the introduction of school fees in many Southern countries has made education unavailable, especially to girls. Less education and longer hours of domestic work contribute to women's impoverishment by making it harder for them to attain well-paid jobs.[16]

The above examples are not intended to suggest that the poverty and poverty-related abuses that afflict many women in poor countries are caused exclusively by neoliberal globalization. Obviously, these problems result from interaction between factors that are both macro and micro, global and local. It is impossible to explain why women suffer disproportionately from the deleterious consequences of neoliberal globalization without referring to local cultural traditions. For example if women were not assigned the primary responsibility of caring for' children, the sick, and the old, the cutbacks in social services would not affect them disproportionately nor would they find it harder than men to move to the locations of new industries. Only the injustice of cultural tradition seems to account for the fact that, within male-headed families, women and girls frequently receive less of such available resources

as food and medical care.[17] Nevertheless, the above examples do show that the poverty of poor women in poor countries cannot be attributed exclusively to the injustice of their local cultures. To suggest this would be to promote a one-sided analysis that ignored the ways in which neoliberal globalization is, among other things, a gendered process that frequently exacerbates inequalities between men and women.[18]

2.2 THE LIMITS OF THE AUTONOMY OF CULTURE

Faced with the evidence of the previous section, Nussbaum and Okin would certainly acknowledge that neoliberal globalization bears considerable responsibility for women's poverty in poor countries and they would surely condemn its injustices. However, they might also observe that injustice in the global economic order simply has not been the focus of their work thus far.[19] Surely, they might say, an author cannot be faulted for choosing to address one topic rather than another, especially if the topic chosen is important and unduly neglected; moreover, if anyone is to be faulted for philosophy's failure to deal with the gendered aspects of the global political economy, why should Nussbaum and Okin be singled out? I agree that it is reasonable for philosophers wishing to address injustice to poor women in poor countries to focus sometimes on local rather than global problems and on cultural rather than economic injustices. However, when discussing issues involving the seeming injustice of non-Western cultures, it is problematic to write as though these cultures are self-contained or autonomous without also noting the ways in which their traditions have been and continue to be shaped by Western interventions.

Theorists of the second wave of Western feminism sometimes inquired whether male dominance had existed in all societies or whether it was introduced to some societies by European colonizers.[20] Whatever the answer to this once hotly debated question, it is indisputable that many supposed cultural traditions in Asia, Latin America, and Africa have been shaped by encounters with Western colonialism. For instance, Veena Oldenburg argues that the practice of dowry murder in India had imperial origins (Oldenburg 2002). Non-Western cultural practices especially affecting women often gain new life as symbols of resistance to Western dominance. In Kenya, for example, "clitoridectomy became

a political issue between the Kikuyu and Kenya's white settlers and missionaries, as well as a symbol of the struggle between African nationalists and British colonial power" (Brown 1991:262). Uma Narayan describes how the supposed "Indian tradition" of *sati* (immolation of widows) was likely "an *effect* of the extensive and prolonged debate that took place over the very issue of its status as tradition. As a result of this debate, *sati* came to acquire, for both British and Indians, and for its supporters as well as its opponents, an emblematic status, 'becoming a larger-than-life symbol of Hindu' and 'Indian' culture.... "(Narayan 1997: 65). Today, "marginalized by exposure to an onslaught of conditions of modernity, the market economy, and imperialistic transnational enterprises, distinct cultural groups tend to view themselves as being under pressure to demonstrate their ritual purity and allegiance to traditional high culture" (Obiora 1997, cited in Volpp 2001: 1198n78). This sense of being economically and culturally beleaguered may help to explain the current worldwide flourishing of religious fundamentalisms, defined by Volpp as modern political movements that use religion as a basis for their attempts to win or consolidate power and extend social control (Volpp 2001:1205n108). Contemporary fundamentalisms all "support the patriarchal family as a central agent of control and see women as embodying the moral and traditional values of the family and the whole community" (Volpp 2001:1205n108).

Western culture is not only a passive stimulus for gender-conservative reactions by those who have the authority to define "authentic" cultural traditions. In addition, Western powers may reinforce or even impose gender-conservative cultures on non-Western societies by supporting conservative factions of their populations. For most of the twentieth century, for example, British and US governments have supported a Saudi Arabian regime that practices gender apartheid. The Taliban government of Afghanistan, which also practiced gender apartheid, was installed after the US provided extensive training and aid to various mujaheddin forces opposing the then-communist but secular government. President Reagan described the mujaheddin as the moral equivalent of the founding fathers of the United States. Following its overthrow of the Taliban, the United States has installed a weak government in Afghanistan under which women's lives in many ways are even more precarious. The burkha is no longer legally required but

most women are still afraid to remove it and they are not safe on the streets. Girls' schools are burned, families threatened for sending girls to school, and three girls recently have been poisoned, apparently for attending school (Bearup 2004). Women are banned from singing on radio and television, and there has been an unprecedented increase in the number of suicides and self-burnings among women. At present, the United States is trying to build an Iraqi government to succeed the Ba'athist regime it has overthrown. Under the Ba'athist regime, whatever its other faults, the conditions of Iraqi women were much better than those of women elsewhere in the region. Today, women are afraid to leave their homes (Sandler 2003) and news media report that the US is seeking political leadership for Iraq among its tribal and religious leaders—few of whom are women or whose priorities include improving the status of women.

Sharp contrasts between Western and non-Western cultures cannot ultimately be sustained. They rely characteristically on what Uma Narayan calls cultural essentialist generalizations, which offer totalizing characterizations of whole cultures, treated as internally homogenous and externally sealed. Typically, such generalizations are quite inconsistent with empirical realities (Narayan 1998). In the Western philosophical literature, it is becoming more common to observe that cultures are internally diverse and often conflict-ridden and that they are not autonomous relative to one another, but it is still unusual to note that they are only partially autonomous relative to political and economic structures. Yet, as the global political economy becomes more integrated, so too do its cultural manifestations. Thus, when multinational corporations exploit women in export-processing zones located in poor countries, it is impossible to say that this practice exclusively reflects either Western or non-Western culture. When Asian governments tempt multinational corporate investment with stereotypes of women workers as tractable, hardworking, dexterous, and sexy, it seems meaningless to ask whether these stereotypes are Western or non-Western or whether the superexploitation and sexual harassment of these women represents Western or non-Western cultural traditions. It seems equally meaningless to attribute the increasing sexualization of women worldwide to either Western or non-Western culture. Many women around the world have been drawn into some aspect of sex

work. This includes a multibillion-dollar pornography industry and a worldwide traffic in women, in which the sex workers participate with varying degrees of willingness and coercion. It also includes servicing male workers in large plantations, servicing representatives of transnational corporations, servicing troops around military bases, and servicing United Nations troops and workers. In some parts of Asia and the Caribbean, sex tourism is a mainstay of local economies. Prostitution has become a transnational phenomenon, shaped by global norms of feminine beauty and masculine virility.[21]

In the new global order, local cultures interact and interpenetrate to the point where they often fuse. Some patterns seem discernible, for example, worldwide preferences for women as factory workers, sexual playthings, and domestic servants (Anderson 2000), but these patterns shift and merge in an unending variety of particular combinations. Poor women in poor countries certainly are oppressed by local men whose power is rooted in local cultures, but they are also oppressed by global forces, including the forces of so-called development, which have reshaped local gender and class relations in varying and contradictory ways, simultaneously undermining and reinforcing them (Sen and Grown 1987; Moser 1991; Kabeer 1994). A new but still male-dominant global culture may be emerging, relying on the labor of a new transnational labor force that is feminized, racialized, and sexualized (Kang 2004).

2.3 Is THE WEST BEST FOR WOMEN?

Much of the Western philosophical debate over multiculturalism discusses the relative situations of women in "liberal" and "illiberal" cultures. It tends to equate Western with liberal culture and non-Western with illiberal culture and it usually takes for granted that Western culture is more advanced than non-Western culture. Okin writes, "Many Third World families, it seems, are even worse schools of justice and more successful inculcators of the inequality of the sexes as natural and appropriate than are their developed world equivalents" (Okin 1994:13 [herein 242]). In her view, "the situation of some poor women in poor countries is different from—as well as distinctly worse than—that of most Western women today. It is more like the situation of the latter in the nineteenth century" (Okin 1994: 15 [herein 245]).

As intercultural interactions accelerate, we have seen that it becomes increasingly problematic to contrast whole cultures with each other. The idealized and unrealistic images of cultures constructed by essentialist generalizations are typically designed to promote political agendas. What Narayan calls the colonialist stance presents Western cultures as dynamic, progressive, and egalitarian while portraying non-Western cultures as backward, barbaric, and patriarchal. Colonialist representations characteristically engage in "culture-blaming," for instance, by treating discrimination and violence against women as intrinsic parts of non-Western but not of Western cultures. While the West historically has blamed non-Western cultures for their backwardness, it has portrayed its own culture as staunchly committed to values like liberty and equality, a "self-perception... untroubled by the fact that Western powers were engaged in slavery and colonization, or that they had resisted granting political and civil rights even to large numbers of Western subjects, including women" (Narayan 1997: 15). Today, as Narayan notes, violence abounds in the United States, yet cross burnings, burnings of black churches, domestic violence murders, and gun deaths are not usually treated as manifestations of United States culture (Narayan 1997: 85). When cultural explanations are offered only for violence against poor women in poor countries, Narayan notes that the effect is to suggest that these women suffer "death by culture," a fate from which Western women seem curiously exempt (Narayan 1997: 84f). Many philosophers continue to write as though Western culture is unambiguously liberal, ignoring Christian fundamentalisms influence on the present United States government, as well as its growth in several former Soviet bloc countries (Grewal and Kaplan 1994: 24). For instance, Parekh treats polygamy as an exclusively Muslim practice, ignoring its existence among Christian groups in the United States. It is true that what Parekh calls the public values of Western societies are mostly liberal (2000: 268-70) but Western cultures certainly are not liberal all the way down—and illiberal values frequently rear above their surfaces.[22]

Although the superiority of Western culture appears self-evident to most Westerners, non-Western women do not all agree. For instance, Western feminists have long criticized non-Western practices of veiling and female seclusion, but Leila Ahmed argues that the social separation

of women from men on the Arabian Peninsula creates a space within which women may interact freely with one another and where they resist men's efforts to impose on them an ideology of inferiority and subservience (Ahmed 1982: 530f). Nussbaum and Okin suggest that non-Western women's acceptance of seemingly unjust cultural practices may be due to adaptive preferences or false consciousness. In Okin's view, not only do "many cultures oppress some of their members, in particular women... they are (also) often able to socialize these oppressed members so that they accept without question their designated cultural status" (Okin 1999: 117). To someone like myself, brought up in the British class system, this assertion seems indisputably true. However, raising questions of false consciousness only with respect to non-Western women who defend their cultures could be read as suggesting that these women's moral perceptions are less reliable than the perceptions of Western women whose consciousness is supposedly higher or truer. Such a suggestion reflects a second aspect of the colonialist stance, namely, the "missionary position," which supposes that "only Westerners are capable of naming and challenging patriarchal atrocities committed against Third-World women" (Narayan 1997: 57, 59f). Nussbaum and Okin both recognize explicitly that non-Western women are perfectly capable of criticizing unjust cultural traditions and frequently do precisely that, but their practice of raising questions about adaptive preferences and false consciousness only when confronted by views that oppose their own encourages dismissing those views without considering them seriously. In fact, the question of the superiority of Western culture for women, especially poor women, is not as straightforward as Westerners often assume.

The thesis that the West is best for the poor women of the world is not necessarily true. Even if we set aside deep philosophical questions about how to measure welfare, development, or the quality of life and agree to assess cultures according to their success in preserving poor womens human rights, at least three sets of concerns cast doubt on the West is best thesis.

1) First, it is of course true by definition that liberal cultures give a higher priority than illiberal cultures to protecting civil and political liberties. However, the

ability to exercise these "first generation" human rights can be enjoyed only in a context where "second generation" social and economic rights are also guaranteed. As noted earlier, poverty makes women vulnerable to violations of their civil and political liberties, including assaults on their bodily integrity, and Western societies are very uneven in their willingness to address women's poverty. The feminization of poverty is especially conspicuous in the United States, where women continue to suffer extensive violence. Thus, it must be recognized that the human rights especially of poor women are routinely violated even in liberal Western societies.[23]

Second, and turning to poor women in poor countries, it is hard to deny that Western powers are disproportionately responsible for designing, imposing, and enforcing a global economic order that continues to widen the staggering gap between rich and poor countries. Since gender inequality is strongly correlated with poverty, Western countries are disproportionately responsible for creating the conditions that make non-Western women vulnerable to local violations of their rights. It is especially disturbing to wonder how far the prosperity that undergirds Western feminism is causally dependent on non-Western poverty.

Third, it must be acknowledged that some of the same Western powers that trumpet democracy and liberalism at home support undemocratic and gender-conservative regimes abroad, fomenting coups, dictatorships, and civil wars (Pogge 2002: 153). Poor women are disproportionately affected by these interventions. They suffer most from the absence of social programs cut to fund military spending and they also suffer most from social chaos. They constitute the majority of war's casualties and 80 percent of the refugees dislocated by war.[24]

These three sets of concerns raise serious questions for the thesis that the West is best for women, especially for the vast majority of the world's poor women.

2.4 CONCLUSION

I do not wish to romanticize non-Western cultures and traditions or to assert that Western culture is intrinsically violent and racist. Such reverse colonialist representations would be as essentialist and distorting as the claim that the West is best for women. In addition, suggesting that neocolonial domination is the cause of all the problems in poor countries would portray the citizens of those countries simply as passive victims, denying their agency and responsibility. My goal has been to challenge the images of both Western and non-Western cultures that are implicit in much of the most influential philosophical discussion on these topics. I do not dispute that non-Western cultures often treat women unjustly, but I have argued that global forces help to shape those cultures, as well as create the larger political and economic contexts in which poor women find themselves.[25] Western powers play a disproportionate role in enforcing an unjust global order, so bringing into question the assumption that, overall, the West is best for poor women in poor countries.

Expanding our understanding of the causes of women's poverty in poor countries requires that Western philosophers also expand our conception of our responsibility toward such women. No longer can we be satisfied to assume that our responsibility as philosophers is limited to employing the tools of our trade to analyze the injustices perpetrated on poor women in the name of non-Western cultural traditions. Once we acknowledge that we share past, present, and future connections with poor women in poor countries, we see that we inhabit with them a shared context of justice. We do not look at their problems as outsiders, from an Archimedean standpoint external to their social world. Our involvement gives us a firmer moral standing for criticizing non-Western cultural practices, provided our criticisms are well informed and, in O'Neill's words, "followable by" members of the society in question (O'Neill 1996). However, it also requires us to investigate how much moral responsibility should be attributed to the

citizens of Western countries for the continuation of these practices as well as for the unjust global order that traps many women in poor countries in grinding poverty.

3. RETHINKING GLOBAL JUSTICE FOR WOMEN: WHAT IS ON THE AGENDA OF INTERCULTURAL DIALOGUE?

In Western philosophy classrooms, "cultural abuses" of women have become staple and sometimes titillating examples used to enliven discussion of issues such as moral relativism and the possibility of cross-cultural social criticism. Some Western philosophers address perceived cultural injustice to women by recommending an aggressive cosmopolitanism; others promote a "culturally sensitive" relativism. Increasingly, however, Western philosophers recognize that cultures are neither static nor hermetically sealed and they advocate intercultural dialogue (Parekh 2000; Benhabib 2002).[26] I certainly agree that intercultural dialogues are indispensable and I have previously explored some of their difficulties (Jaggar 1998, 1999). In this section, I wish to suggest some items for inclusion on the agendas of intercultural dialogues among philosophers concerned about global justice, especially justice for poor women in poor countries.

Most obviously, Western philosophers should not regard intercultural dialogues as opportunities for "saving Amina" by proselytizing supposedly Western values or raising consciousness about the injustice of non-Western practices. It is always more pleasant to discuss other people's blind spots and faults than our own, but we need to think more carefully who is Amina and from what or whom does she need saving.

High on the agenda of intercultural dialogue about global justice for poor women in poor countries must be questions about the global basic structure, as well as the justice of those Western government policies that directly affect poor women's lives. Important questions of economic justice include: how to understand "natural" resources, when things like fossil fuels, sunny climates, coral beaches, or strategic locations become resources only within larger systems of production and meaning; how to determine a country's "own" resources, when every

country's boundaries have been drawn by force; what is the meaning of "fair" trade, and can trade be free in any meaningful sense when poor nations have no alternative to participating in an economic system in which they become ever poorer. Important topics of political justice include reexamining the Westphalian conception of sovereignty, at a time when the sovereignty of most countries is limited by the rules of world trade and the sovereignty of poor countries is rendered almost meaningless because of their domination by international financial institutions and trade organizations.[27] Although superficially ungendered, these topics in fact are all deeply gendered, most obviously because women suffer disproportionately from economic inequality and political marginalization.

Intercultural dialogue about global justice must also address the problem of militarism. Following and despite the end of the Cold War, arms expenditures rose and wars continued in many non-Western countries, exacerbating and exacerbated by the poverty associated with global neoliberalism. In the late 1990s, "over half the nations of the world still provide higher budgets for the military than for their countries' health needs; 25 countries spend more on defense than on education; and 15 countries devote more funds to military programs than to education and health combined" (Peterson and Runyan 1999: 120). Since 9/11,2001, arms expenditures have skyrocketed. In today's world, the top arms exporters are the USA, Russia, France, UK, Germany, Netherlands, with the United States accounting for more than 50 percent of sales.[28] The United States also maintains over 200 permanent bases across the world, distorting local economies and employing many thousands of women as prostitutes (Sturdevant 2001). As noted earlier, poor women and their children suffer disproportionately from war and militarism, and the expansion of these raises deep philosophical questions about the meanings of war, peace, and security—especially security for women.[29]

Another set of topics for intercultural dialogue about global justice for women concerns remedial justice, reparation, or compensation for past and continuing wrongs. Do countries that have expropriated resources or fought proxy wars in other countries owe reparations to those countries and, if so, how should these be determined? Should wealthy countries compensate poor countries for the environmental

destruction to which they have made a disproportionate contribution not only through militarism, which is the single largest cause of environmental destruction, but also through other destructive practices, including the careless extraction of resources from poor countries, the establishment of factories in poor countries with weak environmental standards, and extravagant patterns of consumption, especially the profligate burning of fossil fuels. The last produces carbon dioxide that causes acid rain and global warming, accompanied by devastating floods and hurricanes and a rise in sea levels that may cause some Southern countries to disappear entirely. Since poor women in poor countries suffer disproportionately from poverty, social chaos, and environmental destruction, they would benefit the most from any system of remedial justice that might be established.

Most of the above topics concern issues of justice among countries. Since such justice is likely to be slow in coming, intercultural dialogue about global justice might also address the question of how in the meantime individual citizens can directly assist Amina Lawal and other poor women in poor countries. Imam and Medar-Gould note that not all victims of human rights violations can become international *causes célèbres* or subjects for letter-writing protests. They suggest that Western feminists who wish to help Lawal contribute to BAOBAB for Women's Human Rights or WRAPA, Women's Rights Advancement and Protection Agency, organizations that they respectively represent. Because money always comes with strings attached, promoting civil society initiatives in poor countries raises questions about the subversion of local democracies. Some critics argue that Northern-funded NGOs are a new form of colonialism, despite using the language of inclusion, empowerment, accountability, and grassroots democracy, because they create dependence on nonelected overseas funders and their locally appointed officials, undermining the development of social programs administered by elected officials accountable to local people.[30] In an integrated global economy, however, nonintervention is no longer an option; our inevitable interventions are only more or less overt and more or less morally informed. Although the foreign funding of women's NGOs has dangers, it is not necessarily imperialistic. Nira Yuval-Davis reports that many NGOs in the global South have been able to survive and resist local pressures through the aid provided from overseas, "as well

as the more personal support and solidarity of feminist organizations in other countries." She observes, "it would be a westocentric stereotype to view women associated with NGOs in the South as puppets of western feminism" (Yuval-Davis 1997: 120f).[31]

4. "SAVING AMINA"

The images of Amina Lawal that flashed around the world earlier this year show a beautiful African woman, holding a beautiful baby, looking at first sight like an African madonna. However her head is covered, her eyes downcast, she looks submissive, sad, and scared. Portrayed in bare feet and described as illiterate, she epitomizes the image of the oppressed Third World woman described by Chandra Mohanty. Her image has also been widely regarded as epitomizing the barbarity of Islamic fundamentalism. Such images encourage Western feminists to take up the supposed white man's burden of "saving brown women from brown men" (Spivak 1988: 296).

Challenging the "save Amina" petition and letter-writing campaign, Imam and Medar-Gould write:

> Dominant colonialist discourses and the mainstream international media have presented Islam (and Africa) as the barbaric and savage Other. Please do not buy into this. Accepting stereotypes that present Islam as incompatible with human rights not only perpetuates racism but also confirms the claims of right-wing politico-religious extremists in all of our contexts (Imam and Medar-Gould 2003).

They explain that when protest letters represent negative stereotypes of Islam and Muslims, they inflame local sentiments and may put victims of human rights abuses and their supporters in further danger.

Sensationalized criticisms of non-Western cultures reinforce Western as well as non-Western prejudices, promoting the impression that Western democracies are locked into a life and death "clash of cultures" with militant Islam (Barber 1992; Huntington 1996). Even philosophical criticisms sometimes have consequences outside the academy. Philosophy is often portrayed as an esoteric discipline practiced exclusively in ivory towers, but many moral and political philosophers

intend also to influence the "real" world.[32] Philosophical criticism may be a political intervention and may be taken up outside academia in ways that its authors do not necessarily intend (Alcoff 1992). *Nation* columnist Katha Pollitt, upset that militant Islamists had forced the Miss World pageant out of Nigeria, commented, "Not a good week for cultural relativism, on the whole" (Pollitt 2002). Western criticism of non-Western cultural practices is not in principle patronizing or xenophobic, but critics should be aware that our colonial history and current geopolitical situation influence the interpretation and consequences of such criticisms; for instance, opponents of immigration cite non-Western cultural practices as reasons for closing the borders of the United States to immigrants from poor countries.[33] Given this context, Western philosophers need to consider how their criticisms of non-Western cultural practices may be used politically. Amos and Parmar contend that racist British immigration policies were justified partly by invoking feminist opposition to arranged marriage (Amos and Parmar 1984: 11). President G. W. Bush and his wife Laura both rationalized the bombing of Afghanistan by the United States as necessary to save Afghan women from the oppression of the burkha (Bush, G. W. 2002; Bush, L. 2002, cited in Young 2003: 17f).

Philosophers wishing to save Amina and similarly situated women certainly are at liberty to criticize cultural traditions in Nigeria and other countries and such criticisms are often well deserved. However, it behooves us also to ask why these practices have become ensconced as cultural traditions. Nigeria is a country that enjoys huge oil revenues, yet its real per capita GDP declined by 22 percent between 1977 and 1998 (UNDP 2000: 185, cited in Pogge 2002: 235). As we have seen, gender inequality is correlated with poverty and, according to Thomas Pogge, the poverty suffered by most Nigerians is causally linked with the "resource privilege" that the existing international system accords to the de facto rulers of all countries. This encourages military coups, authoritarianism, and corruption in resource-rich countries such as Nigeria, which has been ruled by military strongmen for almost three decades and is listed near the bottom of Transparency International's chart of international corruption. In Pogge's view, "corruption in Nigeria is not just a local phenomenon rooted in tribal culture and traditions, but encouraged and sustained by the international resource privilege"

(112f). In such circumstances, for philosophers to focus exclusively on the injustice of Nigerian cultural practices is to engage in a form of culture blaming that depoliticizes social problems and diverts attention from structural violence against poor populations (Volpp 2000).[34]

In addition to bearing in mind the larger context that sustains many unjust cultural practices in the global South, Western philosophers who criticize those practices should also remember that Southern women are not simply passive victims of their cultures—notwithstanding the images of Amina Lawal. On the contrary, many countries in the global South, including Nigeria, have long-standing women's movements, and Nigerian feminists remain active in struggles to democratize their cultures and to protect women's human rights (Abdullah 1995; Basu 1995). Nigerian women are also active in struggles for justice against Western corporations; for instance, women from Itsekiri, Ijaw, Ilaje, and Urhobos are also currently challenging the activities of Shell Petroleum Development Company in the Niger Delta (Adebayo 2002). These women activists may have a better understanding of their own situation than that possessed by many of the Western philosophers who want to "save" them.

Western philosophers concerned about the plight of poor women in poor countries should not focus exclusively, and perhaps not primarily, on the cultural traditions of those countries. Since gender inequality is correlated so strongly with poverty, perhaps we should begin by asking why so many countries are so poor. To do so would encourage us to reflect on our own contribution to Amina Lawal's plight and this would be a more genuinely liberal approach because it would show more respect for non-Western women's ability to look after their own affairs according to their values and priorities." As citizens and residents of countries that exert disproportionate control over the global order, philosophers in the United States and the European Union bear direct responsibility for how that order affects women elsewhere in the world. Rather than simply blaming Amina Lawal's culture, Western philosophers should begin by taking our own feet off her neck.

13.10 MARTHA NUSSBUM ("WOMEN AND CULTURAL UNIVERSALS," *SEX AND SOCIAL JUSTICE*, 1999)

...Unlike the type of liberal approach that focuses only on the distribution of resources, the capability approach maintains that resources have no value in themselves, apart from their role in promoting human functioning. It therefore directs the planner to inquire into the varying needs individuals have for resources and their varying abilities to convert resources into functioning. In this way, it strongly invites a scrutiny of tradition as one of the primary sources of such unequal abilities.[1]

But the capabilities approach raises the question of cultural universalism, or, as it is often pejoratively called, "essentialism." Once we begin asking how people are actually functioning, we cannot avoid focusing on some components of lives and not others, some abilities to act and not others, seeing some capabilities and functions as more central, more at the core of human life, than others. We cannot avoid having an account, even if a partial and highly general account, of what functions of the human being are most worth the care and attention of public planning the world over. Such an account is bound to be controversial.

II. Anti-Universalist Conversations

The primary opponents of such an account of capability and functioning will be "anti-essentialists" of various types, thinkers who urge us to begin not with sameness but with difference — both between women and men and across groups of women — and to seek norms defined relatively to a local context and locally held beliefs. This opposition takes many forms, and I shall be responding to several distinct objections. But I can begin to motivate the enterprise by telling several true stories of conversations that have taken place at the World Institute for Development Economics Research (WIDER), in which the anti-universalist position seemed to have alarming implications for women's lives.[2]

At a conference on "Value and Technology," an American economist who has long been a leftwing critic of neoclassical economics delivers a paper urging the preservation of traditional ways of life in a rural area of Orissa, India, now under threat of contamination from Western development projects. As evidence of the excellence of this rural way of life, he points to the fact that whereas we Westerners experience a sharp split between the values that prevail in the workplace and the values that prevail in the home, here, by contrast, exists what the economist calls "the embedded way of life," the same values obtaining in both places. His example: Just as in the home a menstruating woman is thought to pollute the kitchen and therefore may not enter it, so too in the workplace a menstruating woman is taken to pollute the loom and may not enter the room where looms are kept. Some feminists object that this example is repellant rather than admirable; for surely such practices both degrade the women in question and inhibit their freedom. The first economist's collaborator, an elegant French anthropologist (who would, I suspect, object violently to a purity check at the seminar room door), replies: Don't we realize that there is, in these matters, no privileged place to stand? This, after all, has been shown by both Derrida and Foucault. Doesn't he know that he is neglecting the otherness of Indian ideas by bringing his Western essentialist values into the picture?[3]

The same French anthropologist now delivers her paper. She expresses regret that the introduction of smallpox vaccination to India by the British eradicated the cult of Sittala Devi, the goddess to whom one used to pray to avert smallpox. Here, she says, is another example of Western neglect of difference. Someone (it might have been me) objects that it is surely better to be healthy rather than ill, to live rather than to die. The answer comes back; Western essentialist medicine conceives of things in terms of binary oppositions: life is opposed to death, health to disease.[4] But if we cast away this binary way of thinking, we will begin to comprehend the otherness of Indian traditions.

At this point Eric Hobsbawm, who has been listening to the proceedings in increas-

ingly uneasy silence, rises to deliver a blistering indictment of the traditionalism and relativism that prevail in this group. He lists historical examples of ways in which appeals to tradition have been politically engineered to support oppression and violence.[5] His final example is that of National Socialism in Germany. In the confusion that ensues, most of the relativist social scientists — above all those from far away, who do not know who Hobsbawm is — demand that Hobsbawm be asked to leave the room. The radical American economist, disconcerted by this apparent tension between his relativism and his affiliation with the left, convinces them, with difficulty, to let Hobsbawm remain.

We shift now to another conference two years later, a philosophical conference on the quality of life.[6] Members of the quality-of-life project are speaking of choice as a basic good, and of the importance of expanding women's sphere of choices. We are challenged by the radical economist of my first story, who insists that contemporary anthropology has shown that non-Western people are not especially attached to freedom of choice. His example: A book on Japan has shown that Japanese males, when they get home from work, do not wish to choose what to eat for dinner, what to wear, and so on. They wish all these choices to be taken out of their hands by their wives. A heated exchange follows about what this example really shows. I leave it to your imaginations to reconstruct it. In the end, the confidence of the radical economist is unshaken: We are victims of bad universalist thinking, who fail to respect "difference."[7]

The phenomenon is an odd one. For we see here highly intelligent people, people deeply committed to the good of women and men in developing countries, people who think of themselves as progressive and feminist and antiracist, people who correctly argue that the concept of development is an evaluative concept requiring normative argument[8] — effectively eschewing normative argument and taking up positions that converge, as Hobsbawm correctly saw, with the positions of reaction, oppression, and sexism. Under the banner of their fashionable opposition to universalism march ancient religious taboos, the luxury of the pampered husband, educational deprivation, unequal health care, and premature death.

Nor do these anti-universalists appear to have a very sophisticated conception of their own core notions, such as "culture," "custom," and "tradition." It verges on the absurd to treat India as a single culture, and a single visit to a single Orissan village as sufficient to reveal its traditions. India, like all extant societies, is a complex mixture of elements.[9] Hindu, Muslim, Parsi, Christian, Jewish, atheist; urban, suburban, rural; rich, poor, and middle class; high caste, low caste, and aspiring middle caste; female and male; rationalist and mystical. It is renowned for mystical religion but also for achievements in mathematics and for the invention of chess. It contains intense, often violent sectarianism, but it also contains Rabindranath Tagore's cosmopolitan humanism and Mahatma Gandhi's interpretation of Hinduism as a religion of universal nonviolence. Its traditions contain views of female whorishness and childishness that derive from the Laws of Manu.[10] But it also contains the sexual agency of Draupadi in the *Mahabharata*, who solved the problem of choice among Pandava husbands by taking all five, and the enlightened sensualism and female agency of the *Kama Sutra*, a sacred text that foreign readers wrongly interpret as pornographic. It contains women like Metha Bai, who are confined to the home; it also contains women like Amita Sen (mother of Amartya Sen), who fifty years ago was among the first middle-class Bengali women to dance in public, in Rabindranath Tagore's musical extravaganzas in Santiniketan. It contains artists who disdain the foreign, preferring, with the Marglins, the "embedded" way of life, and it also contains Satyajit Ray, that great Bengali artist and lover of local traditions, who could also write, "I never ceased to regret that while I had stood in the scorching summer sun in the wilds of Santiniketan sketching *simul* and *palash* in full bloom, *Citizen Kane* had come and gone, playing for just three days in the newest and biggest cinema in Calcutta.[11]

What, then, is "the culture" of a woman like Metha Bai? Is it bound to be that deter-

mined by the most prevalent customs in Rajasthan, the region of her marital home? Or, might she be permitted to consider with what traditions or groups she wishes to align herself, perhaps forming a community of solidarity with other widows and women, in pursuit of a better quality of life? What is "the culture" of Chinese working women who have recently been victims of the government's "women go home" policy, which appeals to Confucian traditions about woman's "nature"?[12] Must it be the one advocated by Confucius, or may they be permitted to form new alliances — with one another, and with other defenders of women's human rights? What is "the culture" of General Motors employee Mary Carr? Must it be the one that says women should be demure and polite, even in the face of gross insults, and that an "unladylike" woman deserves the harassment she gets? Or might she be allowed to consider what norms are appropriate to the situation of a woman working in a heavy metal shop, and to act accordingly? Real cultures contain plurality and conflict, tradition, and subversion. They borrow good things from wherever they find them, none too worried about purity. We would never tolerate a claim that women in our own society must embrace traditions that arose thousands of years ago — indeed, we are proud that we have no such traditions. Isn't it condescending, then, to treat Indian and Chinese women as bound by the past in ways that we are not?

Indeed, as Hobsbawm suggested, the vision of "culture" propounded by the Marglins, by stressing uniformity and homogeneity, may lie closer to artificial constructions by reactionary political forces than to any organic historical entity. Even to the extent to which it is historical, one might ask, exactly how does that contribute to make it worth preserving? Cultures are not museum pieces, to be preserved intact at all costs. There would appear, indeed, to be something condescending in preserving for contemplation a way of life that causes real pain to real people.

Let me now, nonetheless, describe the most cogent objections that might be raised by a relativist against a normative universalist project.

III. The Attack on Universalism

Many attacks on universalism suppose that any universalist project must rely on truths eternally fixed in the nature of things, outside human action and human history. Because some people believe in such truths and some do not, the objector holds that a normative view so grounded is bound to be biased in favor of some religious/metaphysical conceptions and against others.[13] *But* universalism does not require such metaphysical support.[14] For universal ideas of the human do arise within history and from human experience, and they can ground themselves in experience. Indeed, those who take all human norms to be the result of human interpretation can hardly deny that universal conceptions of the human are prominent and pervasive among such interpretations, hardly to be relegated to the dustbin of metaphysical history along with recondite theoretical entities such as phlogiston. As Aristotle so simply puts it, "One may observe in one's travels to distant countries the feelings of recognition and affiliation that link every human being to every other human being."[15] …

Neglect of Historical and Cultural Differences

The opponent charges that any attempt to pick out some elements of human life as more fundamental than others, even without appeal to a transhistorical reality, is bound to be insufficiently respectful of actual historical and cultural differences. People, it is claimed, understand human life and humanness in widely different ways, and any attempt to produce a list of the most fundamental properties and functions of human beings is bound to enshrine certain understandings of the human and to demote others. Usually, the objector continues, this takes the form of enshrining the understanding of a dominant group at the expense of minority understandings. This type of objection, frequently made by feminists, can claim support from many historical examples in which the human has

indeed been defined by focusing on actual characteristics of males.

It is far from clear what this objection shows. In particular it is far from clear that it supports the idea that we ought to base our ethical norms, instead, on the current preferences and the self-conceptions of people who are living what the objector herself claims to be lives of deprivation and oppression. But it does show at least that the project of choosing one picture of the human over another is fraught with difficulty, political as well as philosophical.

Neglect of Autonomy

A different objection is presented by liberal opponents of universalism. The objection is that by determining in advance what elements of human life have most importance, the universalist project fails to respect the right of people to choose a plan of life according to their own lights, determining what is central and what is not.[16] This way of proceeding is "imperialistic." Such evaluative choices must be left to each citizen. For this reason, politics must refuse itself a determinate theory of the human being and the human good....

IV. A Conception of the Human Being: The Central Human Capabilities

The list of basic capabilities is generated by asking a question that from the start is evaluative: What activities[17] characteristically performed by human beings are so central that they seem definitive of a life that is truly human? In other words, what are the functions without which (meaning, without the availability of which) we would regard a life as not, or not fully, human? [18]

The other question is a question about kind inclusion. We recognize other humans as human across many differences of time and place, of custom and appearance. We often tell ourselves stories, on the other hand, about anthropomorphic creatures who do not get classified as human, on account of some feature of their form of life and functioning. On what do we base these inclusions and exclusions? In short, what do we be believe must be there, if we are going to acknowledge that a given life is human?[19] The answer to these questions points us to a subset of common or characteristic human functions, informing us that these are likely to have a special importance for everything else we choose and do....

I introduce this as a list of capabilities rather than of actual functionings, because I shall argue that capability, not actual functioning, should be the goal of public policy.

Central Human Functional Capabilities

1. *Life*. Being able to live to the end of a human life of normal length,[20] not dying prematurely or before one's life is so reduced as to be not worth living.
2. *Bodily health and integrity*. Being able to have good health, including reproductive health; being adequately nourished; [21] being able to have adequate shelter.[22]
3. *Bodily integrity*. Being able to move freely from place to place; being able to be secure against violent assault, including sexual assault, marital rape, and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.
4. *Senses, imagination, thought*. Being able to use the senses; being able to imagine, to think, and to reason — and to do these things in a "truly human" way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training; being able to use imagination and thought in connection with experiencing and producing expressive works and events of one's own choice (religious, literary, musical, etc.); being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech and freedom of religious exercise; being able to have pleasurable experiences and to avoid no beneficial pain.
5. *Emotions*. Being able to have attachments to things and persons outside ourselves; being able to love those who love and care for us; being able to grieve at

their absence; in general, being able to love, to grieve, to experience longing, gratitude, and justified anger; not having one's emotional developing blighted by fear or anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.[23])

6. *Practical reason*. Being able to form a conception of the good and to engage in critical reflection about the planning of one's own life. (This entails protection for the liberty of conscience.)
7. *Affiliation*. (a) Being able to live for and in relation to others, to recognize and show concern for other human beings, to engage in various forms of social interaction; being able to imagine the situation of another and to have compassion for that situation; having the capability for both justice and friendship. (Protecting this capability means, once again, protecting institutions that constitute such forms of affiliation, and also protecting the freedoms of assembly and political speech.) (b) Having the social bases of self-respect and no humiliation; being able to be treated as a dignified being whose worth is equal to that of others. (This entails provisions of nondiscrimination.)
8. *Other species*. Being able to live with concern for and in relation to animals, plants, and the world of nature.[24]
9. *Play*. Being able to laugh, to play, to enjoy recreational activities.
10. *Control over one's environment*. (a) *Political*: being able to participate effectively in political choices that govern one's life; having the rights of political participation, free speech, and freedom of association. (b) *Material*: being able to hold property (both land and movable goods); having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure.[25] In work, being able to work as a human being, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers.

The "capabilities approach," as I conceive it,[26] claims that a life that lacks any one of these capabilities, no matter what else it has, will fall short of being a good human life. Thus it would be reasonable to take these things as a focus for concern, in assessing the quality of life in a country and asking about the role of public policy in meeting human needs. The list is certainly general — and this is deliberate, to leave room for plural specification and also for further negotiation. But like (and as a reasonable basis for) a set of constitutional guarantees, it offers real guidance to policymakers, and far more accurate guidance than that offered by the focus on utility, or even on resources.[27]

The list is, emphatically, a list of separate components. We cannot satisfy the need for one of them by giving a larger amount of another one. All are of central importance and all are distinct in quality. This limits the trade-offs that it will be reasonable to make and thus limits the applicability of quantitative cost-benefit analysis. At the same time, the items on the list are related to one another in many complex ways. Employment rights, for example, support health, and also freedom from domestic violence, by giving women a better bargaining position in the family. The liberties of speech and association turn up at several distinct points on the list, showing their fundamental role with respect to several distinct areas of human functioning … strenuous fasting. Whether for religious or for other reasons, a person may prefer a celibate life to one containing sexual expression. A person may prefer to work with an intense dedication that precludes recreation and play. Am I saying that these are not fully human or flourishing lives? Does the approach instruct governments to nudge or push people into functioning of the requisite sort, no matter what they prefer?

Here we must answer: No, capability, not functioning, is the political goal. This is so because of the very great importance the approach attaches to practical reason, as a good that both suffuses all the other functions, making them human rather than animal,[28] and figures, itself, as a central function on the list. It is perfectly true that

functionings, not simply capabilities, are what render a life fully human: If there were no functioning of any kind in a life, we could hardly applaud it, no matter what opportunities it contained. Nonetheless, for political purposes it is appropriate for us to shoot for capabilities, and those alone. Citizens must be left free to determine their course after that. The person with plenty of food may always choose to fast, but there is a great difference between fasting and starving, and it is this difference we wish to capture. Again, the person who has normal opportunities for sexual satisfaction can always choose a life of celibacy, and we say nothing against this. What we do speak against, for example, is the practice of female genital mutilation, which deprives individuals of the opportunity to choose sexual functioning (and indeed, the opportunity to choose celibacy as well).[29] A person who has opportunities for play can always choose a workaholic life; again, there is a great difference between that chosen life and a life constrained by insufficient maximum-hour protections and/or the "double day" that makes women in many parts of the world unable to play....

The aim of public policy is production of *combined capabilities*. This means promoting the states of the person by providing the necessary education and care; it also means preparing the environment so that it is favorable for the exercise of practical reason and the other major functions.[30]

This clarifies the position. The approach does not say that public policy should rest content with *internal capabilities* but remain indifferent to the struggles of individuals who have to try to exercise these in a hostile environment. In that sense, it is highly attentive to the goal of functioning, and instructs governments to keep it always in view. On the other hand, we are not pushing individuals into the function: Once the stage is fully set, the choice is up to them....

A preference-based approach that gives priority to the preferences of dominant males in a traditional culture is likely to be especially subversive of the quality of life of women, who have been on the whole badly treated by prevailing traditional norms. And one can see this clearly in the Marglins' own examples. For menstruation taboos, even if endorsed by habit and custom, impose severe restrictions on women's power to form a plan of life and to execute the plan they have chosen.[31] They are members of the same family of traditional attitudes that make it difficult for women like Metha Bai to sustain the basic functions of life. Vulnerability to smallpox, even if someone other than an anthropologist should actually defend it as a good thing, is even more evidently a threat to human functioning. And the Japanese husband who allegedly renounces freedom of choice actually shows considerable attachment to it, in the ways that matter, by asking the woman to look after the boring details of life. What should concern us is whether the woman has a similar degree of freedom to plan her life and to execute her plan.

As for Metha Bai, the absence of freedom to choose employment outside the home is linked to other capability failures, in the areas of health, nutrition, mobility, education, and political voice. Unlike the type of liberal view that focuses on resources alone, my view enables us to focus directly on the obstacles to self-realization imposed by traditional norms and values and thus to justify special political action to remedy the unequal situation. No male of Metha Bai's caste would have to overcome threats of physical violence in order to go out of the house to work for life-sustaining food.

The capabilities approach insists that a woman's affiliation with a certain group or culture should not be taken as normative for her unless, on due consideration, with all the capabilities at her disposal, she makes that norm her own. We should take care to extend to each individual full capabilities to pursue the items on the list — and then see whether they want to avail themselves of those opportunities.

Women belong to cultures. But they do not choose to be born into any particular culture, and they do not really choose to endorse its norms as good for themselves, unless they do so in possession of further options and opportunities — including the opportunity to form communities of affiliation and empowerment with other women. The contingencies of where one is born,

whose power one is afraid of, and what habits shape one's daily thought are chance events that should not be permitted to play the role they now play in pervasively shaping women's life chances. Beneath all these chance events are human powers, powers of choice and intelligent self-formation. Women in much of the world lack support for the most central human functions, and this denial of support is frequently caused by their being women. But women, unlike rocks and plants and even horses, have the potential to become capable of these human functions, given sufficient nutrition, education, and other support. That is why their unequal failure in capability is a problem of justice. It is up to all human beings to solve this problem. I claim that a conception of human functioning gives us valuable assistance as we undertake this task.

[1] See Amartya Sen, "Equality of What?" in *Choice, Welfare, and Measurement* (Oxford: Basil Blackwell, 1982), 353–72; and M. Nussbaum, "Aristotelian Social Democracy," in *Liberalism and the Good*, Bruce Douglass, Gerald M. Mara and Henry S. Richardson eds., (New York & London: Routledge, 1990), pp. 203-252.

[2] Much of the material described in these examples is now published in *Dominating Knowledge: Development, Culture, and Resistance*, ed. Frédérique Apffel Marglin and Stephen A. Marglin (Oxford: Clarendon Press, 1990). The issue of "embeddedness" and menstruation taboos is discussed in S. A. Marglin, "Losing Touch: The Cultural Conditions of Worker Accommodation and Resistance," 217–82, and related issues are discussed in S. A.Marglin, "Toward the Decolonization of the Mind," 1–28. On Sittala Devi, see F. A. Marglin, "Smallpox in Two Systems of Knowledge," 102–44; and for related arguments, see Ashis Nandy and Shiv Visvanathan, "Modern Medicine and Its Non-Modern Critics," 144–84. I have in some cases combined two conversations into one; otherwise things happened as I describe them.

[3] For Sen's account of the plurality and internal diversity of Indian values, one that strongly emphasizes the presence of a rationalist and critical strand in Indian traditions, see M. Nussbaum and A. Sen, "Internal Criticism and Indian Relativist Traditions," in *Relativism: Interpretation and Confrontation*, ed. M. Krausz (Notre Dame: Notre Dame University Press, 1989), 299–325 (an essay originally presented at the same WIDER conference and refused publication by the Marglins in its proceedings); and A. Sen, "India and the West," *The New Republic*, June 7, 1993. See also Bimal K. Matilal, *Perception* (Oxford: Clarendon Press, 1995) (a fundamental study of Indian traditions regarding knowledge and logic); and B. K. Matilal, "Ethical Relativism and the Confrontation of Cultures," in Krausz, ed., *Relativism*, 339–62.

[4] S. A. Marglin, "Toward the Decolonization," 22–23, suggests that binary thinking is peculiarly Western. But such oppositions are pervasive in Indian, Chinese, and African traditions (see M. Nussbaum, "Human Capabilities, Female Human Beings," in *Women Culture, and Development: A Study of Human Capabilities,* M. Nussbaum and Jonathan Glover, eds., (Oxford: Clarendon Press; New York: Oxford University Press, 1995). To deny them to a culture is condescending; for how can one utter a definite idea without bounding off one thing against another?

[5] See Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983). In his *New Republic* piece, Sen makes a similar argument about contemporary India: The Western construction of India as mystical and "other" serves the purposes of the fundamentalist Bharatiya Janata Party (BJP), who are busy refashioning history to serve the ends of their own political power. An eloquent critique of the whole notion of the "other" and of the associated "nativism," where Africa is concerned, can be found in Kwame Anthony Appiah, *In My Father's House: Africa in the Philosophy of Cultures* (New York: Oxford University Press, 1991).

[6] The proceedings of this conference are now published as M. Nussbaum and A. Sen, eds., *The Quality of Life* (Oxford: Clarendon Press, 1993).

[7] Marglin has since published this point in "Toward the Decolonization." His reference is to Takeo Doi, *The Anatomy of Dependence* (Tokyo: Kodansha, 1971).

[8] See S. A.Marglin, "Toward the Decolonization."

[9] See Nussbaum and Sen, "Internal Criticism," and A. Sen, "Human Rights and Asian Values," *The New Republic*, July 10/17, 1997, pp. 33–34.

[10] See Roop Rekha Verma, "Femininity, Equality, and Personhood," in *Women, Culture, and Development: A Study of Human Capabilities,* M. Nussbaum, ed., (New York: Oxford University Press, 1995).

[11] Satyajit Ray, "Introduction," in *Our Films, Their Films* (Bombay: Orient Longman, 1976; reprinted, New York: Hyperion, 1994), 5.

[12] Personal communication, scholars in women's studies at the Chinese Academy Social Sciences, June 1995.

[13] Note that this objection itself seems to rely on some universal values such as fairness and freedom from bias.

[14] See HF for a longer version of this discussion.

[15]Aristotle, *Nicomachean Ethics* VIII. I discuss this passage in M. Nussbaum, "Aristotle on Human Nature and the Foundation of Ethics, in *World, Mind, and Ethics, Essays on the Ethical Philosophy of Bernard Williams* (Cambridge & New York: Cambridge University Press, 1995), pp. 86-131, and *Non-relative Virtues: An Aristotelian Approach,* (Helsinki, World Institute for Development Economics Research, 1987).

[16]This point is made by the Marglins, as well as by liberal thinkers, but can they consistently make it while holding that freedom of choice is just a parochial Western value? It would appear not; on the other hand, F. A. Marglin (here differing, I believe, from S. A.Marglin) also held in oral remarks delivered at the 1986 conference that logical consistency is simply a parochial Western value.

[17]The use of this term does not imply that the functions all involved doing something especially "active." See here A. Sen, "Capability and Well-Being," in *The Quality of Life*, 30–53. In Aristotelian terms, and in mine, being healthy, reflecting, and being pleased are all "activities."

[18]For further discussion of this point, and for examples, see HN.

[19]See HN for a more extended account of this procedure and how it justifies.

[20]Although "normal length" is clearly relative to current human possibilities and may need, for practical purposes, to be to some extent relativized to local conditions, it seems important to think of it — at least at a given time in history — in universal and comparative terms, as the *Human Development Report* does, to give rise to complaint in a country that has done well with some indicators of life quality but badly on life expectancy. And although some degree of relativity may be put down to the differential genetic possibilities of different groups (the "missing women" statistics, for example, allow that on the average women live somewhat longer than men), it is also important not to conclude prematurely that inequalities between groups — for example, the growing inequalities in life expectancy between blacks and whites in the United States — are simply genetic variation, not connected with social injustice.

[21]The precise specification of these health rights is not easy, but the work currently being done on them in drafting new constitutions in South Africa and Eastern Europe gives reasons for hope that the combination of a general specification of such a right with a tradition of judicial interpretation will yield something practicable. It should be noticed that I speak of health, not just health care; and health itself interacts in complex ways with housing, with education, with dignity. Both health and nutrition are controversial as to whether the relevant level should be specified universally, or relatively to the local community and its traditions. For example, is low height associated with nutritional practices to be thought of as "stunting" or as felicitous adaptation to circumstances of scarcity? For an excellent summary of this debate, see S. R. Osmani, ed., *Nutrition and Poverty* (Oxford: Clarendon Press, WIDER Series, 1990), especially the following papers: on the relativist side, T. N. Srinivasan, "Undernutrition: Concepts, Measurements, and Policy Implications," 97–120; on the universalist side, C. Gopalan, "Undernutrition: Measurement and Implications," 17–48; for a compelling adjudication of the debate, coming out on the universalist side, see Osmani, "On Some Controversies in the Measurement of Undernutrition," 121–61.

[22]There is a growing literature on the importance of shelter for health; for example, that the provision of adequate housing is the single largest determinant of health status for HIV-infected persons. Housing rights are increasingly coming to be constitutionalized, at least in a negative form — giving squatters grounds for appeal, for example, against a landlord who would bulldoze their shanties. On this as a constitutional right, see proposed Articles 11, 12, and 17 of the South African Constitution, in a draft put forward by the African National Congress (ANC) committee adviser Albie Sachs, where this is given as an example of a justiciable housing right.

[23]Some form of intimate family love is central to child development, but this need not be the traditional Western nuclear family. In the development of citizens it is crucial that the family be an institution characterized by justice as well as love. See Susan Moller Okin, *Justice, Gender, and the Family* (New York: Basic Books, 1989).

[24]In terms of cross-cultural discussion, this item has proven the most controversial and elusive on the list. It also properly raises the question whether the list ought to be anthropocentric at all, or whether we should seek to promote appropriate capabilities for all living things. I leave further argument on these questions for another occasion.

[25]ASD argues that property rights are distinct from, for example, speech rights, in the sense that property is a tool of human functioning and not an end in itself. See also M. Nussbaum, "Capabilities and Human Rights," *Fordham Law Review* 66(2): 273-300 (1997).

[26]Sen has not endorsed any such specific list of the capabilities.

[27]See Sen, "Gender Inequality and Theories of Justice," in WCD, 259–73; Becker, "The Economic Way of Looking at Behavior."

[28]See HN. This is the core of Marx's reading of Aristotle.

[29]See Chapter 4.