

Multiculturalism, Universalism and the Claims of Democracy

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Summary/Résumé/Resumen

Summary

This paper explores the tensions between universalism and cultural relativism, and the role of democracy in resolving these tensions. It argues that cultural relativism is not a useful ally for feminism. While the social meanings and significance of cultural practices are best understood by those who engage in them, the social construction of preferences and aspirations can mean that those most oppressed by a particular practice become less able to recognize its inegalitarian character. A “hands-off” approach to cultural difference can then end up capitulating to unjust social power. At the same time, principles of justice and equality are always formed in particular historical contexts, and often reflect the preoccupations of more powerful groups. This means they must always be regarded as open to contestation, reformulation and change.

One implication is that both principles and policies should be worked out with the fullest possible involvement of all relevant groups. In seeking to establish which rights should be regarded as inalienable or which practices as inimical to equality between women and men, it is not possible to rely on simple deduction from supposedly universal principles. We always need the maximum possible dialogue to counter the false universalisms that have so dogged previous practice, as well as the “substitutionism” that has allowed certain groups to present themselves as spokespersons for the rest. The persistent under-representation of women in most of the forums in which these issues are addressed then emerges as a particularly pressing problem.

Ensuring more inclusive participation is therefore a major element in addressing the tensions between universalism and cultural relativism, but the paper cautions against utopian expectations of achieving a fully inclusive democracy. If societies were to recognize as legitimate only those conclusions that emerged from the full and equal participation of men and women, young and old, more and less powerful across the globe, they would be unable to recognize the legitimacy of *any* rights, for there would always be issues about whether those included in the discussion were genuinely representative. The paper then argues for a “good enough democracy”, and concludes with a number of guiding principles that can help identify which practices are most indefensible or most at odds with sexual equality concerns.

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Résumé

L'auteur étudie ici les tensions qui existent entre universalisme et relativisme culturel et le rôle que joue la démocratie dans le règlement de ces tensions. Elle fait valoir que le relativisme culturel n'est pas pour le féminisme un allié utile. Si ceux (et celles) qui comprennent le mieux la signification et l'importance sociales des pratiques culturelles sont ceux (et celles) qui s'y sont engagé(e)s, la construction sociale des préférences et des aspirations peut signifier que ceux (et celles) qui sont les plus opprimé(e)s par une pratique donnée sont moins capables d'en discerner le caractère inégalitaire. Ne pas intervenir en matière de différences culturelles, c'est parfois finir par capituler devant un pouvoir social injuste. En même temps, les principes de justice et d'égalité se forment toujours dans des contextes historiques particuliers et traduisent souvent les préoccupations de groupes les plus puissants. Autrement dit, il faut toujours les considérer comme susceptibles d'être contestés, reformulés et modifiés.

Il s'ensuit que les principes, comme les politiques, devraient être définis avec la plus grande participation possible de tous les groupes concernés. En cherchant à établir quels droits devraient être jugés inaliénables ou quelles pratiques contraires à l'égalité entre hommes et femmes, il n'est pas possible de procéder par simple déduction à partir de principes supposés universels. On a toujours besoin du maximum de dialogue possible pour combattre les faux universalismes qui ont entaché la pratique dans le passé, ainsi que le "substitutionnisme" qui a permis à certains groupes de se présenter comme les porte-parole des autres. La sous-représentation persistante des femmes dans la plupart des instances où ces questions sont discutées apparaît alors comme un problème particulièrement pressant.

Face aux tensions entre universalisme et relativisme culturel, il importe donc d'assurer une plus large participation. Pourtant, il serait utopiste, estime l'auteur, d'attendre une démocratie sans exclusive aucune. Si les sociétés ne devaient reconnaître comme légitimes que les conclusions tirées avec la pleine et entière participation des hommes et des femmes, des jeunes et des personnes âgées, des puissants et des faibles à travers le monde, *aucun* droit ne pourrait plus être reconnu comme légitime, car on pourrait toujours contester la représentativité de ceux qui ont participé au débat. L'auteur plaide alors pour une "assez bonne démocratie" et conclut en énonçant plusieurs principes directeurs qui peuvent aider à déterminer quelles pratiques sont les plus indéfendables ou les plus contraires aux préoccupations d'égalité entre les sexes.

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Resumen

En estas páginas se estudia el conflicto existente entre el universalismo y el relativismo cultural, y el papel que desempeña la democracia en la resolución de este conflicto. Se defiende que el relativismo cultural no es un aliado útil para el feminismo. Si bien los significados y la importancia social de las prácticas culturales son mejor comprendidos por los que participan en las mismas, el establecimiento social de preferencias y aspiraciones puede significar que las personas más afectadas por una práctica particular tengan mayor dificultad en reconocer el carácter injusto de la misma. Por tanto, una política no intervencionista en lo concerniente a la diferencia cultural puede acabar conduciendo a un orden social injusto. Al mismo tiempo, los principios de la justicia y la igualdad siempre se constituyen en contextos históricos particulares, y a menudo reflejan las preocupaciones de grupos más influyentes, lo que significa que siempre debe considerárseles abiertos a la discusión, la reformulación y el cambio.

Una consecuencia es que, al elaborarse los principios y las políticas, los grupos pertinentes deberían colaborar del modo más estrecho posible. Al tratar de establecer los derechos que deberían considerarse inalienables o las prácticas que deberían estimarse perjudiciales para la igualdad entre hombres y mujeres, no es posible confiar en la simple deducción de principios supuestamente universales, sino que debe recurrirse en todo momento al máximo diálogo posible, para poder hacer frente a los universalismos falsos que tanto han menoscabado la práctica anterior, así como al “sustitucionismo”, que ha conducido a que determinados grupos se presenten como portavoces de grupos restantes. Por tanto, la infrarrepresentación persistente de las mujeres en la mayoría de los debates donde se abordan estas cuestiones se plantea como un problema particularmente grave.

En consecuencia, asegurar una participación más inclusiva es un factor fundamental al abordar el conflicto existente entre el universalismo y el relativismo cultural, pero en estas páginas se advierte contra la esperanza utópica de lograr una democracia plenamente inclusiva. Si las sociedades sólo reconocieran como legítimas las conclusiones resultantes de la participación plena y equitativa de los hombres y las mujeres, los jóvenes y los mayores, más o menos influyentes en todo el mundo, no podrían reconocer la legitimidad de *ningún* derecho, ya que siempre se discutiría si las personas que participan en el debate son genuinamente representativas. En estas páginas se defiende una “democracia suficientemente adecuada” y se concluye con una serie de orientaciones prácticas que pueden ayudar a identificar las prácticas más convenientes o que mejor se ajustan a los problemas de la igualdad de trato entre hombres y mujeres.

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Introduction

Feminism is about change. It challenges the existing pattern of relations between the sexes, wherever these are characterized by subordination and inequality. In doing so, it necessarily takes issue with the customs and practices of existing societies. Feminists have pursued different priorities, disagreed over short-term strategies and, often enough, in their formulations of long-term goals. But whatever conclusions have been reached about the conditions for a sexually egalitarian society, most have seen these as applying beyond the confines of their own immediate world. If certain things are necessary for men and women to be equal in one society, then surely the same things must be necessary for men and women wherever they are?

This suggests that feminism is committed to a strongly universalist discourse of rights and equality—and, if cultural relativism were the only alternative to universalism, this suggestion would surely be right. I take cultural relativism to be the view that norms of justice are always relative to the society in which they are formed, reflecting values and practices that vary enormously from one society to another; that there is no “truth” outside these various local standpoints; and that it is therefore inappropriate to take the norms that emerge within one society as the measure against which to assess the practices of others. The strength in this position is that it captures the situated nature of any principles of justice, the way ideals like equality or autonomy or democracy become more or less prominent depending on historical conditions, and the way the previously unthinkable becomes possible as these conditions change. To take just the more obvious examples, there was a long period of time when people found it almost impossible to conceive of slaves as sharing a common humanity with freemen, or of women as entitled to the same rights and consideration as their male counterparts; one reading of this, most notably by Marx is that it was only as the evolution of market society made people more interchangeable that it became possible to think of them as in some sense equals. Whatever we make of this particular reading (which I find rather plausible), ideals are always formed in a particular context, and that context shapes and limits what people are able to conceive.

But while cultural relativism grasps at a truth about the contextual nature of principles of justice, it does so in a way that seriously overstates the incommensurability of the discourses that arise in contemporary societies, and wrongly represents the difference between cultures as a difference between hermetically sealed, internally self-consistent wholes. As Seyla Benhabib (1999) has argued, it gives the impression that a “culture” coincides with a society, which in turn coincides with a nation (or nation of origin). In doing so, it ignores the multiplicity of cultures with which any one person is associated, some of which will be very locally circumscribed, others associated with their political identifications or occupational positions, while others still (like religion) extend far beyond the boundaries of a single nation state. Cultural relativism suggests a degree of mutual insulation between “us” and “the others” that is very far from the realities of the contemporary world. It also encourages a troubling suspension of judgement when competing principles collide.

From a gender perspective, this last is a particularly pressing concern, for norms of justice are not formulated under conditions of gender equality. The “society” that generates and authorizes existing norms is never an innocent subject; on the contrary, since no society yet operates under conditions of gender justice, what is considered to be right and just within any given society must always be open to critical scrutiny. We do not have to hypothesize a standpoint outside society (the famous “view from nowhere”) to see how this process can occur. Sometimes the criticisms arise internally, from what are perceived to be inconsistencies between rhetoric and reality, or the failure to extend to one group of citizens rights and possibilities that have been regarded as entirely appropriate for others. In a world of rapid and extensive global communication, many criticisms will be provoked by comparison with principles endorsed elsewhere. We often draw on the experiences and values of other groups and societies to scrutinize prevailing understandings and formulate alternative norms.

Cultural relativism is not a useful ally for feminism, but the very reasons that make cultural relativism so unattractive have posed problems for universalism as well. If feminists have been peculiarly sensitive to the dangers of elevating existing cultural understandings to the status of unquestioned norms, they have been equally (and rightly) sensitive to way these cultural understandings shape what are then presented as universal principles of justice and truth. Much of the work of feminist philosophers and political theorists over the last 15 years has been devoted to exposing the “false” universalisms of mainstream theory: the elevation of a self-owning (masculine) individual as the supposed subject of liberal contract theory (Pateman, 1988); the association of universality with impartiality, and the injunction this places on subordinated social groups to put their own “partial” needs to one side (Young, 1990); the cultivation of conceptions of rationality and justice that expel any element of emotion or care.¹

In some cases, the object of the argument has been to develop a different understanding of universalism that detaches it from its masculine provenance; in others, there has been a more trenchant critique of the very possibility of universal theory or norms. In all cases, feminists have raised problems about the way the norms and perspectives of particular social groups (largely male) come to claim the authority of “universal” truth. I do not intend to rehearse the more philosophical arguments here. The point to stress here is that those concerned with gender justice have good reason to distrust what currently pass as “universal” principles and norms.

Since one of the problems that arises in discussions of this is that universal discourses of rights and equality often fail to engage adequately with difference, there is an obvious area of overlap between the problems encountered in achieving gender justice and those posed by justice between different cultures. One critique of universalism is that it looks to a common core of humanity behind all the (supposedly contingent) differences of class, gender, ethnicity, religion or race, and that in doing so it tends to equate equality with sameness, thereby leaving untouched systemic inequalities in power. Part of this critique (the least problematic part) revives an older objection associated with socialist critiques of liberalism to the effect that an

¹ See, for example, Carol Gilligan (1982) and Seyla Benhabib (1987).

equality of rights will generate inequality when it pays no attention to background conditions. Grand assertions about all individuals having the equal right to hold on to their property turn rather sour when one individual owns only the clothes she stand up in and another owns the Microsoft empire. In similar fashion, asserting the equal right of women and men to employment can end up pretty empty when the prevailing arrangement of familial and domestic responsibilities prevents most women from exercising this right. When understood as a claim about the basic human rights to which all people are entitled, universalism promises more than it can deliver: in extending to all the same set of rights and guarantees, it obscures (and may in some circumstances reinforce) those background inequalities that continue to generate inequalities of power.

This first part of the argument points to hugely contentious political questions, but is not, at a philosophical level, such a devastating critique. The political implication is that some groups may need different rights or guarantees from others in order to achieve the same kind of equalities: that there is not a single list of entitlements that should be applied in the same way to all individuals, and indeed, that there is often a compelling case for local variation. As is argued further below, it may be that societies need to introduce specific guarantees for the political representation of women—perhaps reserved government seats for women, or a minimum quota for women candidates—in order to combat the background inequalities that would otherwise exclude women from political influence and power. Or it may be that societies need to provide additional resources and opportunities for minority ethnic groups, in order to combat a history of marginalization, and that in doing so they have to modify what would otherwise be universally applicable regulations for entry to university or the civil service.

This is politically contentious, but not yet at odds with universalism *per se*. The proposed remedies may well involve interim modification of universal rules and practices—no simple schedule of universal rights and equalities, perhaps differential rather than identical rights—but the overall objective may still be that all groups and individuals should end up with the same conditions. The argument reminds us that universalism has to be nuanced by a better understanding of disparities in income or power, and suggests that one way of dealing with these disparities is to treat different groups differently. It does not otherwise take issue with the idea that the same rights should be universally enjoyed by all.

A second, more challenging, objection is that there are some differences that will always be there, and that many of these are differences we value and want to sustain. At one level, this is so obvious it is hard to see how anyone could have overlooked it. No conceivable scenario for social change is going to eliminate in their entirety all the differences between women and men (and there would be little reason to desire such a scenario). That this obvious point was so long overlooked reflects the dominance of class in previous critical thinking, for when one focuses on class as the central measure of inequality, it becomes more plausible to think of processes of elimination or suspension that either remove the difference or make it irrelevant to the distribution of rights and power. When extended to gender, race or sexuality, this approach becomes less compelling. Women do not want their acceptance into the world of equals to be

made conditional on others not noticing whether they are female or male (as if femaleness were something to be ashamed of); and the same clearly goes for those whose skin colour or sexuality marks them out as a minority group within their society. An equality that depends on others ignoring or overlooking key features of our identity is not an acceptable option; it has to be possible to be both different and equal.

Here too, the tension with universalism may be more apparent than real (universalism is more closely associated with the idea that all individuals should have the same rights or protections or entitlements than the idea that all individuals should end up the same), but it is at this point that we edge into the parallel arguments that have been developed in relation to cultural subordination. Sexual difference has almost always been associated with inequality: what marks women as different from men is also taken to mark them as of lesser value. The history of cultural difference is in some ways less depressing, already throwing up occasional examples of that more egalitarian respect for difference that has mostly evaded the relationship between the sexes. We often find ourselves intrigued, and sometimes positively impressed, by what we discover to be the different practices associated with different cultures, and there is a long history of individuals seeking to embrace cultures that are very different from their own.² But cultural difference, like sexual difference, still resonates with images of superiority and inferiority (and, indeed, those who do try to embrace a different culture sometimes end up in a patronizing relationship to their new-found communities, feeling that those born into the cultures do not sufficiently appreciate or understand the strengths of their own way of life).

Cultural difference is more often read as cultural hierarchy than cultural variation. There are said to be “better” and “worse”, “more advanced” and “more backward” cultures. Given this history, the deployment of universal principles as a measure for judging the practices and values of other cultures begins to look rather suspect: yet another case of those “false” universalisms that draw on the practices and values of one group for the delineation of supposedly universal rules, refuse to recognize the legitimacy of difference, and seek to impose the practices of the dominant group. Many feminists will sympathize with this suspicion, noting the parallels with their own experiences of gender. The twist in this case is that one of the key measures currently employed to differentiate “better” and “worse”, “more advanced” and “more backward” cultures is their treatment of women: whether they practice forms of genital mutilation that deny women (but not men) the enjoyment of their sexuality; whether they allow men (but never women) to have multiple marriage partners; whether they insist on the confinement of women to the home or the veiling of women when they go out in public; whether they insist on the segregation of the sexes in education or religious worship.

This is the issue that has surfaced in recent debates on the tensions between feminism and multiculturalism. Some feminists (myself included) perceive a close relationship between feminism and multiculturalism, seeing them as linked, not just because both tackle issues of inequality and oppression, but more deeply, because the oppressions they address share a

² The contemporary phenomenon in the United Kingdom of white youths “talking black” – adopting what they see as the street-culture of their Afro-Caribbean peers – is one interesting illustration.

common structure. In each case, the failure to recognize people as equals seems to be bound up in some way with the inability to accept difference: it is assumed that those marked by difference (and it is always the people on the margins who get marked by their difference while the others are somehow seen as the norm) should bring themselves into line with the others in their society in order to be included as full members.

This generates a strong coincidence of concerns between those pursuing sexual and those pursuing cultural equality, linked to a shared critique of the universalisms that have falsely generalized from one sex or one culture, and a shared perception that equality may depend on greater respect for/recognition of difference. For many feminists, the coincidence of concerns is reinforced by the knowledge that Western feminism too often read the world off the experience of white middle-class women, a knowledge learned through a lengthy period of internal critique and re-assessment which revolved around the very different experiences and priorities of women depending on their class, race, ethnicity, religion or nationality. But if these seemingly shared concerns make it impossible for women identified with one culture to criticize what they regard as the sexually oppressive practices of another, this pushes feminism into a form of cultural relativism that is not, in my view, compatible with feminist politics.

How are we to deal with this issue? Can feminists working in international organizations confidently draw up a schedule of basic women's rights that they then present as a requirement for all societies? Can feminists from the majority culture in a multicultural society take it on themselves to criticize what they see as the sexually inequalitarian practices of minority cultural groups? Can feminists from a minority culture take it on themselves to challenge the practices of the majority?

Despite my earlier reservation about treating cultural difference as a matter of "us" and "the others", I have posed this as a question about the critics from "outside". This is because it seems to me too easy to resolve the tension by pointing to the many women inside each "culture" contesting its understandings of women's position. In those parts of Africa where genital mutilation is most widely practised, there are many women's groups that have campaigned long and hard to get the practice declared illegal, and then campaign equally long and hard to get their governments to enforce the legislation. There are women activists across India working to publicize instances of dowry murder, campaigning for the employment rights of secluded women, and battling against the heavy weight of cultural practices that tie women's existence to oppressive notions of family honour and legitimize continuing sexual violence. In the United Kingdom, groups like Southall Black Sisters work inside as well as outside Muslim communities to challenge the power differential between men and women; and there are women within all the churches and religions organizing for greater equity between the sexes in the practices of their faith. This history of internal contestation reinforces what should be the starting point for thinking about issues of multiculturalism: that cultures are not monolithic, are always in the process of interpretation and re-interpretation, and are never immune to change. But I do not think we should rely on these observations to close off discussion of the "hard

case” scenario of external critique—as if criticism is legitimated when we can identify internal critics but not otherwise allowed.

Tensions between Sexual and Cultural Equality

In the most influential recent statement of the conditions for multicultural citizenship, Will Kymlicka (1995) argues that the case for minority cultural rights is entirely consistent with universalism so long as it is conceived on a relatively weak model. His first point is that the claims of minority cultures are justified precisely through reference to the universal rights of individuals, for if all individuals are to have the same rights and capacities for choosing how to lead their lives, and culture provides (as he argues) the context within which individuals can make meaningful choices, then members of minority cultures need the security of their own cultures in order to enjoy the same individual rights as others. The second point is that we should distinguish between the stronger self-government rights of indigenous peoples who have been involuntarily incorporated into a larger unit by conquest or colonization, and the lesser “polyethnic” rights of immigrant groups that have voluntarily uprooted themselves; the case for the former does not spill over into a case for the latter. His third point is that we should distinguish between the “external protections” that may prove necessary to secure the rights of minority cultures vis-à-vis other cultural groups, and the “internal restrictions” that illegitimately constrain individual members. Multicultural accommodation, in this view, does not mean that groups are to be allowed to discriminate among their members on the grounds of sex, race or sexual preference.

At first glance, this would seem to resolve any tensions between sexual and cultural equality. In their pursuit of equal citizenship, societies need to recognize more fully the rights of minority cultures, but any resulting policies of accommodation should be curtailed by reference to standard liberal guarantees on the rights of individuals. Whatever powers are delegated to the group in question, these must not be such as to violate the rights of its women members. So far, so good, but on closer examination, Kymlicka’s solution looks less satisfactory. First, it is not always so easy to distinguish between the legitimate “external protections” and the illegitimate “internal restrictions”. As Ayelet Shachar has argued (1998, 1999), one of the main concerns of identity groups vis-à-vis other groups or the state is to retain the authority to decide who is a group member: to decide, for example, who counts as a Jew or who is to be recognized as a member of a particular indigenous group. This authority operates primarily through family law, which can then involve significant restrictions on the rights of women members; and in many cases, the criteria for membership have been self-evidently discriminatory, as when Indian tribes in North American reservations have recognized the children of men who marry outside the group as full members, but not the children of women who marry outside. It is not always possible to draw a line between the external rights of the group and the internal rights of its members, and depending on how generously we interpret the first, they may well conflict with the second.

The further problem arises when Kymlicka considers the conditions in which the state could reasonably act against discrimination within a cultural group. "Obviously", he notes, "intervention is justified in the case of gross and systematic violation of human rights, such as slavery or genocide or mass torture and expulsions" (Kymlicka, 1995:169); and in the case of newly arriving immigrant groups, he does not think it wrong "for liberal states to insist that immigration entails accepting the legitimacy of state enforcement of liberal principles, so long as immigrants know this in advance and none the less voluntarily choose to come" (Kymlicka, 1995:170). This still leaves a very large area open to debate. At this point, Kymlicka backs away from what might be conceived as a coercive imposition of liberalism on minority groups, arguing that if there is a consensus within the community on the legitimacy of restricting individual rights, it may not be appropriate for governments to intervene. The theoretical protections for women then dissolve in the face of worries about imposition, and it seems that only the "gross and systematic violations" will qualify for action. We know, however, that much of the discrimination against women will fail this test, being of its nature more informal, "private", and covert. Much of it, moreover, will have become "naturalized" over the years, to the extent where even those most discriminated against may accept their conditions as legitimate and just. As Condorcet remarked in his essay "On the admission of women to the rights of citizenship":

Custom may familiarize mankind with the violation of their natural rights to such an extent, that even among those who have lost or been deprived of these rights, no one thinks of reclaiming them, or is even conscious that they have suffered any injustice (Condorcet, 1790).

It is in this context that Susan Moller Okin poses the question: "Is multiculturalism bad for women?"³ The questions she raises are primarily addressed to the internal politics of societies made up of a number of cultural groups (questions of cultural respect *within* countries, rather than *between* them); and the aspect of multiculturalism that most concerns her is the claim that minority cultures or ways of life are not sufficiently protected by guaranteeing the individual rights of their members, but should also be protected through special *group* rights or privileges. Examples include the decision of the French government in the 1980s to extend the normal understanding of marital dependant so as to enable immigrant men (from certain cultures) to bring multiple wives into the country; and the exemption of minority groups in the United Kingdom from a variety of legal regulations that might otherwise be construed as imposing a discriminatory burden on them. (The most quoted of these is the exemption of turban-wearing Sikhs from safety regulations that require motorbike riders to wear a helmet.) Further examples would include the recognition of customary (religious) law in countries like India, where worries about the political effects of imposing standardized legislation on Muslim and Hindu alike left considerable areas of family law under the control of religious authorities; or the delegation of marriage and divorce disputes in Israel to the religious courts of the different communities.

³ For her extended discussion of this, see Okin (1998). An abbreviated version, with a number of critical and supportive responses, came out in *The Boston Review*, October/November 1997, and this was later published, with some additional contributions, as Susan Moller Okin with respondents (see Okin et al., 1999).

In all such cases, sensitivity to ethnic or religious difference has meant a modification of what would otherwise be universally applicable rules and regulations. In very many of these cases, the exemptions allow for greater inequality between women and men. Okin argues that:

...we—especially those of us who consider ourselves politically progressive and opposed to all forms of oppression—have been too quick to assume that feminism and multiculturalism are both good things which are easily reconciled (Okin et al., 1999:10).

In her analysis, there are more often tensions than compatibilities, and we then have to decide whether to prioritize cultural group rights or prioritize women's equality.

What we need to strive toward is a form of multiculturalism that gives the issues of gender and other intragroup inequalities their due—that is to say, a multiculturalism that effectively treats all persons as each other's moral equals (Okin et al., 1999:131).

Although this final statement would seem a pretty good summary of what is necessary for gender justice, reactions to Okin have been mixed—including reactions from other feminists. I note here three recurrent objections.

Appealing to principles that are also negated by Western societies

One objection is that the criticism of minority cultural practice appeals to principles of equality and autonomy that are also being negated by practices in the majority culture; that Western societies have a poor record on women's rights and equalities; and that one should put one's own house in order before trying to sort out anyone else's. The critique of polygamy or arranged marriages or the enforced seclusion of women gives the impression that all is well in the heartlands of liberal democracy. Since women in the most developed societies continue to suffer from inequalities of pay and employment, from gross violations of their bodily integrity through rape and domestic violence, and a persistent devaluation of their sex as reflected in cultural and political representation, the implied contrast with majority cultural practice is deeply disingenuous.

I think there are circumstances in which this would be a valid complaint. I have often been struck by the dishonesty of those who draw on the language of sexual equality to characterize Muslim communities in Europe as alien, backward, pre-modern, but otherwise exhibit no interest in sexual equality. In such circumstances, one cannot but think that the real agenda is racism rather than a high-minded concern for the rights of Muslim women. The complaint is hardly valid, however, as applied to feminists who have spent most of their lives campaigning against what they see as gender injustices in their own society. Nor is it so obvious that people must "earn" the right to speak out against injustice by first demonstrating their track record closer to home. If they have not done so, we may query their complacency; we may doubt their grasp of gender issues; and we may sometimes want to question their real agenda. But even in the worst case scenarios, where highlighting injustice elsewhere is primarily about claiming the superiority of one's own society or group, there may still be an injustice to address.

Appealing to principles that are themselves open to critique

This second objection returns us to the worries about universalism, and whether the principles employed to criticize the cultural practices of others are just a glorified version of the principles that underpin one's own. Prioritizing the rights of individuals over the rights of groups, for example, may reflect a particular conception of the relationship between the individual and his/her community that values personal autonomy and mobility over the ties of family or community, that sees freedom as "freedom from" the constraints of tradition, and attaches relatively little weight to the sense of belonging to a particular community or group. This conception of human freedom has been linked historically to the evolution of market society, which values individuals by their contribution to production rather than their status in the social order and often requires them to detach themselves from family, community or country in their pursuit of work. The detached and autonomous individual then becomes the focus for liberal ideals of freedom and equality, but it may be that the high value liberals attach to autonomy illegitimately takes what has become a central preoccupation of Western cultures and turns it into a universal norm.⁴

That principles of justice emerge and change through time is, I think, beyond question. That they often express and legitimize the partial experiences of particular societies—and as many feminists would add, of particular groups within particular societies—also seems to me beyond question; and one consequence of this is that all principles of justice have to be regarded as open to contestation, revision and critique. But questions of historical provenance do not settle which norms are the most defensible, and there are certain elements in the liberal conception of freedom and equality that feminists would be ill advised to drop.

One of the strengths of liberalism is its insistence on the separateness of each individual; as Martha Nussbaum (1999) has argued, this recognition is crucial for women, whose needs and personas have too often been subsumed under the "greater good" of the family or community or state. There are many women around the world today whose individuality is so little recognized that they are systematically passed over in the distribution of food or health care, or required to sublimate their own needs and desires in the perpetuation of family honour. The results are not just unpleasant, but all too often deadly. In the famous calculation by Jean Dreze and Amartya Sen (based on comparison of male to female ratios around the world), one hundred million women are "missing"—missing, one can only assume, because girls and women have been systematically ignored and denied in the allocation of foodstuffs and medical supplies (Dreze and Sen, 1989). Women desperately need to be recognized as separate beings, whose well-being is distinct from that of a husband's. In Nussbaum's formulation, they need more rather than less liberal individualism; they need the flourishing of individual human beings to be made prior to the flourishing of the state or nation or religious group.

⁴ Sawitri Saharso (2000) argues for a modified understanding of autonomy that is worthy in Western liberal eyes but also compatible with what she sees as a different kind of autonomy characteristic of Asian cultures. Bhikhu Parekh makes a stronger claim, arguing that when liberals set up autonomy as the central moral norm, they deny the authentic otherness of non-liberal cultures. See, for example, "A varied moral world" in Okin et al. (1999).

My own view of liberalism is that it is still deeply flawed by the priority it gives to choice over equality, and by a conception of the individual as “owner” of his/her self.⁵ But the debate on this continues within what are regarded as liberal cultures as well as within those regarded as nonliberal; and if it would be mistaken on the one side to dismiss liberalism as just the local prejudice of the West, it would be equally mistaken to treat it as a foreign import that has no purchase in Africa or Asia or the Middle East. The issue we should be focusing on is the tension between sexual and cultural equality: whether the requirements of gender justice (however we come to define these) come into conflict with the requirements of justice between cultural groups, and if so, whether we can resolve this by giving priority to one over the other. Displacing this onto a debate about liberalism—one side defending its superior conception of justice, the other pointing out its incipient tendencies toward cultural imperialism—may not be the best way of promoting this discussion. On the contrary, it may unwittingly reinforce what Richard Bellamy describes as “a widespread liberal prejudice that pluralist objections to liberalism derive solely from illiberal throwbacks miraculously marooned in the modern world” (1999:3). So while doubts about liberalism are often justified, I would advise against turning the debate on gender and cultural justice into a debate that places feminism/liberalism on one side and multiculturalism on the other. In this context, the source of the ideals is less pressing than whether they provide adequate guides to policy.

Failing to understand the social meaning of different practices

A third objection levelled at Okin is that her understanding of the practices she criticizes is constrained by her “outsider” status, and that particularly in her critique of the religious practices that segregate women from men and enforce their subordination, she overstates the patriarchalism of what she describes. I am not primarily concerned with whether this is a fair criticism of the specific points she makes, but more with the underlying issue about who is in the best position to understand.

There are three sub-issues here. The first relates to the observation in the last section about misreading objections to liberalism as “illiberal throwbacks miraculously marooned in the modern world”. Against this perception, I find it more compelling to read contemporary assertions of cultural, religious or ethnic identity, and their associated demands for recognition, as a quintessentially modern phenomenon. One only has to think of the recent movements against secularism in India, the Islamist revival of the 1980s, or the “re-discovery” of ethnic and religious identities in the former Yugoslavia, to recognize that cultural and religious identities have come to matter in a new way over recent decades. Within Europe, one might also look at the tensions that arise between first- and second-generation migrants, and the bewilderment of parents who worked hard to assimilate with the dominant culture when their children (and not only their boy children) now reject this. Global migration is intensifying problems of group inequality within countries, often along the fault line of ethnic or religious difference; while between countries, globalization and its associated “sharp shocks” has generated counter-movements that frequently mobilize along cultural lines. Within this, women are often significant players. In Turkey, the mobilization of Islamist women was one of the major

⁵ I develop this further in Phillips (2001).

contributors to the electoral success the Welfare Party in the local elections of 1994 (Arat, 1998), and their challenge to the secular dress codes that denied “covered women” access to the universities or professions has been one of the most explosive political battles in recent years. If we fail to understand these developments as features of contemporary politics, we will end up with an oversimplified picture of ancient patriarchy tussling with modern principles of sexual equality. This would be a reassuring picture—making the issues considerably easier than they really are—but it is not in accord with reality.

The second point is that we do not understand social practices unless we understand the social meanings with which they are invested, and that critics from outside a particular cultural setting are often too ready to dismiss what they do not understand. I have never heard a plausible version of this that makes me less critical of genital mutilation, and I have found it hard to sympathize with the explanations of polygamy when these invariably explain why men should have multiple wives rather than women having multiple husbands. But I can see that the critique of arranged marriages often fails to differentiate between marriages that are forced on unwilling partners and marriages arranged by parents concerned with their children’s best interests; and that veiling sometimes contests the sexual commodification of women even while confirming unveiled women as “sexually loose”.

A number of the respondents to Okin’s essay stress what they see as her lack of sympathy for religion, and that gulf between believers and non-believers (even greater, it often seems, than the gulf between those who follow different religions) is indeed one of the more difficult ones for the social critic to bridge. There are limits to what we can ask of the social critic (we clearly cannot insist that people engage in a particular practice or embrace a particular set of beliefs before venturing any judgement), but differences in culture and religion have provided a particularly fertile ground for misunderstanding, and it is likely that many of the initial judgements will prove too simple or too harsh.

Against both these points is a third issue that concerns the tendency of all human beings to make the best of a bad job (Condorcet’s point). It must surely be that “insiders” can claim a deeper understanding of their social meanings and social practices, but they may also be so thoroughly subordinated by their conditions that they are unable to recognize any injustice. Though this edges disturbingly close to notions of “false consciousness”, I think it remains an indispensable element in feminist thought. Sexual oppression is not justified by the generations of women who have put up with it; nor is it justified by them saying that the silencing of women in public or the unequal division of domestic labour is “natural” and right. We know that people living in unjust or impoverished conditions adjust their expectations downwards in order to survive and remain sane; we know that women can live their lives by images of femininity that do immense damage to their self-esteem; we know that people living in relations of domination often find it hard to imagine themselves living under anything else. Perceptions of what is desirable are always shaped and constrained by perceptions of what is possible, and the fact that a woman living in a society where women have always taken the responsibility for children and household may think it unnatural for men to take an equal share

does not require us to suspend our critique of the sexual division of labour. Similarly, the fact that women living in societies where girls are considered unmarriageable if they freely enjoy their sexuality may insist on the genital mutilation of their daughters does not require us to regard the practice as what they freely “choose”. Choices are made within particular social constraints, and much of the time we are not even aware that other choices are possible. If so, this suggests that those most subordinated may also be those least able to recognize the injustice of their position. It may then be the outsiders, not the insiders, who are best placed to judge.

This is not a comfortable conclusion, and clearly has to be moderated by the earlier points about the tendency to misrepresent current tensions as episodes in the battle between modernity and tradition, and the likely misreading of social practices and values by those who can only view them from outside. In most cases, the starkness of the conclusion is further moderated by the presence of internal critics who do not accept their conditions as either natural or just, but I have argued that this last cannot be the decisive consideration. Criticism will certainly be better informed when there are internal as well as external critics, and the resulting dialogue may well lead to a different understanding of values and rights. We should not, however, conclude that there is nothing to be said about abuses of women’s rights until these abuses have been challenged from inside. We should not, as Martha Nussbaum observes, allow the fears of a “do-gooder colonialism” to block initiatives toward gender justice (Nussbaum, 1999:32).

Equalizing Women’s Power

All the above is by way of preamble and clarification: setting out the reasons for anticipating both alliance and tension between feminism and multiculturalism; arguing the dangers of cultural relativism but also the legitimate concerns about universalism; challenging the paralysis that sometimes sets in when confronted with cultural claims. Let me restate some key points:

- Cultural relativism, understood as the belief that norms of justice are relative to the society in which they are formed and that it is inappropriate to take the norms that emerge within one society as the measure against which to assess the practices of others, is not a useful way forward.
- At the same time, principles of justice are always formed in a particular historical context, and often reflect the preoccupations of more powerful groups. This does not prevent such principles from having a universal application, but it does mean they must always be regarded as open to contestation, reformulation and change.
- Cultural reification, understood as the belief that “cultures” are monolithic, internally self-consistent and externally sealed off from other influences, is not a plausible way of understanding the world.
- The social meaning and significance of cultural practices is best understood by those who engage in them, and it is all too easy for “outsiders” to misread them.
- At the same time, the social construction of preferences and aspirations suggests that those most oppressed by a particular practice may also be the least well equipped to recognize its inegalitarian character. Evidence of internal support or consensus is not decisive, and a “hands-off” approach to cultural difference can end up capitulating to unjust social power.

If principles of justice are always potentially skewed by the conditions of their formulation, and the understanding of social practices is always open to re-interpretation in the light of new knowledge and experience, one clear implication is that both principles and policies should be worked out with the fullest possible involvement of all relevant groups. So this implies not just the “global citizens” working to define human rights or principles of justice, nor the religious and cultural leaders representing the principles of “their” culture or religion, but also the more hidden constituencies with what may be their very different experiences, perspectives and concerns. In seeking to establish which rights should be regarded as inalienable or which practices are inimical to equality between women and men, it is not possible to rely on simple deduction from supposedly universal principles. We always need the maximum possible dialogue to counter the false universalisms that have so dogged previous practice, as well as the “substitutionism” that has allowed certain groups to present themselves as spokespersons for the rest. The persistent under-representation of women in most of the forums in which these issues are addressed then emerges as a particularly pressing problem. This leads us to what I have elsewhere described as a “politics of presence” to ensure full participation of all those concerned (Phillips, 1995).

I do not mean by this that matters of basic principle are to be settled by majority vote, and I shall return shortly to reasons why democratization alone is not enough of an answer. But it is only in relatively rare circumstances that policy disagreements involve fundamental issues of principle—pitting equality, for example, against inequality, or the right to life against the right to kill. More commonly, disagreements revolve around competing interpretations of such principles, as in the famous disputes about when a foetus becomes a human being, and whether it has an independent right to life. Even if we start (as I would recommend) from an unashamed commitment to equality, this often turns out to settle surprisingly little. To give some of the commoner examples, it can be argued that equality means desegregation: no separate spheres for men and women, no separate enclaves for white and black. But there is often a compelling egalitarian case for segregation, as when people suggest that, in the context of current gender relations, girls will get more equal attention from their teachers and a more equal opportunity to advance their education if they are taught in single sex schools; or that in a context of racist attacks, ethnic minority groups will enjoy more equal security when they are able to concentrate in the same neighbourhood rather than being dispersed throughout a wider community. The French *affaire des foulards* (when Muslim schoolgirls were banned from wearing headscarves in school) was argued in competing discourses of equality: on the one hand, that all citizens should be equally bound by the same principles of secularism; on the other, that it was unfair to prevent Muslim students from wearing a symbol of their religion when Catholic schoolgirls were permitted to wear the crucifixes that symbolize their own.

The requirements of equality are rarely transparent, and sorting them out is not just a matter of the depth of one’s commitment or the clarity of one’s thought. It also matters where one is coming from, what kind of experience one brings to bear on the issue, and from what kind of position one speaks. Perspectives matter, for consciously or not, all of us draw on local knowledge and past experience in making our political judgements, and we often reach

contrasting conclusions depending on our location in hierarchies of power. When national governments contest what they see as the intrusiveness of international agencies, they often make the point that schedules of rights have been drawn up by the more powerful nations and do not adequately reflect their own rather different experiences. They rarely, however, go on to recognize the further implication about the way their own understandings have been formed: the dominance of particular groups in defining what counts as “traditional” culture, and the persistent under-representation of women’s voices in identifying what is defensible and fair. Social customs that reflect patterns of male dominance are often wrongly represented as part of what “the society” wants to sustain. Where this happens, cultural claims can become a vehicle for maintaining the subordination of women.

The case for equalizing women’s access to decision-making arenas is therefore closely bound up with the issues explored in this paper. Women need equality of political and policy representation for a whole range of reasons: as a straightforward matter of fairness between the sexes; so as to provide more vigorous advocacy for interests that would otherwise be overlooked; so as to challenge the infantilization that regards women as better looked after by the (supposedly) more knowledgeable men. All these are substantial reasons in themselves. The crucial addition is that societies cannot confidently establish which policies are most just without the equal involvement of women and men, young and old—of the less as well as the more powerful members of the society.

Basic principles are often very basic, not really saying much about how they are to be interpreted and applied. The safe translation from principle to policy is heavily dependent on local knowledge and differences of perspective, and policy prescriptions that are arrived at without the full involvement of all social groups are always open to doubt. When women are excluded from (or significantly under-represented in) decision-making assemblies and forums, we cannot but suspect the supposed universalism of the policies that then emerge, and this applies *a fortiori* to the self-defined voices of any “community” or “culture”. Equalizing the power of men and women in the processes of policy-formation and decision-making has to be seen as central to resolving the tensions discussed here.

Consider, in this context, the issues that arose in the constitutional disputes in Canada leading up to the referendum on the 1992 Charlottetown Accord.⁶ The Accord promised to strengthen the self-government powers of Aboriginal peoples and the province of Quebec, and Aboriginal leaders argued that one measure of this self-government was that they should have the power to suspend the provisions of the 1982 Charter of Rights and Freedoms. They argued that the Charter had been developed without the equal involvement and consent of Aboriginal peoples; that its schedule of rights had been drawn up in relation to preoccupations and experiences that differed from their own; and that the principles enshrined in it reflected an adversarial approach to rights conflicts that was at odds with their own values and traditions. Since one of the key provisions of the Charter was the protection it offered to women seeking legal equalities

⁶ For a good discussion of the tensions these posed between sexual and cultural equality, see Deveaux (2000), and also chapter 5 of Phillips (1995).

with men, this threatened to set up a stark conflict between Aboriginal self-determination, on the one hand, and sexual equality, on the other. Sexual equality figured in the arguments about sovereignty as an illegitimate imposition. For some participants, it was an alien imposition that was at odds with their community's traditions; for others, it was said to be a legitimate enough objective, but more appropriately dealt with by policies devised by Aboriginal governments themselves.

Since the objections to the Charter seem to conform to my own argument about policies deriving from an unrepresentative gathering tending to overlook certain preoccupations or concerns, this might seem to place me in a quandary: if I think policies have to be worked out with the full and equal involvement of all those affected, how can I then defend what was an imperfectly derived charter of rights and freedoms and allow it to override self-government concerns? Fortunately for my argument—and rather more to the point, for the many Aboriginal women who had benefited from the sex equality provisions—other organizations also entered the arena.

In the light of entrenched forms of discrimination against them by leaders of their own communities, some women argued that they could not trust their local band chiefs or indeed national leaders to guarantee their sex equality rights at the local reserve level or to include such protections in proposed Aboriginal constitution (Deveaux, 2000:528).

Moreover, a number of native women's groups, including most notably the Native Women's Association of Canada, argued that future Aboriginal governments should continue to be bound by the Charter's provisions.

Though women were still imperfectly represented in the subsequent public debate, there was enough space for their different interpretations of self-determination and equality to be aired; and significantly, this developed not just as a debate between supporters and opponents of self-government, but also as an internal argument between groups that were equally committed to self-government goal. In the event, a surprising majority of Aboriginal peoples living on reserves voted against the provisions for self-government in the Accord, and this outcome has been partly attributed to the issues raised about sexual equality. As Monique Deveaux puts it, "the sense that it exposed a serious rift among Aboriginal associations was not insignificant to the accord's ultimate defeat" (2000:531).

Democracy scores rather well in this example. It enabled different groups to articulate competing understandings of cultural group rights and sexual equality, and thereby generated a more nuanced debate than the initial, rather stark, alternative between protecting cultural traditions and securing women's equality. It would be overly complacent, however, just to leave things here. There is an understandable tendency among those tussling with issues of multiculturalism and universalism to look to the democratization of debate as the solution, to insist that principles must be formulated in dialogue, that women's participation is crucial in challenging monolithic representations of cultural traditions and that competing voices must be heard. My argument so far falls broadly within this pattern, but I do not want to suggest that

democratization is enough of an answer, or that we should drop the philosophical meanderings about universality and concentrate on getting more women involved.

There is always an element of utopianism in appealing to democratic participation to solve all our problems, for who in her wildest dreams expects the right kind of egalitarian democracy to occur? If we set the conditions at too high a high level—only recognizing as legitimate, for example, what emerges from the full and equal participation of men and women, young and old, more and less powerful across the globe—we will end up in precisely the kind of paralysis I want to argue against. We would probably be unable to recognize the legitimacy of *any* cultural rights, for there would always be issues about whether the voices of the community or culture in question were genuinely representative. Nor would we be able to settle *any* policies for sexual equality, for there would always be a question mark about the inclusiveness of the decision-making process through which the policies emerged. This is not where I want to end up. We have to aim at a “good-enough” democracy, rather than paralysing ourselves with an impossible ideal, and my argument should be seen as a case for more extensive consultation—and more equal representation—rather than a statement about the only conditions under which gender justice could emerge.

The further complication derives from the “on the one hand/on the other hand” pairing that notes the insights that “insiders” will bring to debate, about the social meaning and significance of their cultural practices, but sets this against the social construction of preferences and aspirations that can make it hard for those most oppressed by a particular practice to recognize it as unfair. I think it highly unlikely that a discussion conducted on genuinely inclusive lines would fail to throw up evidence of internal opposition to practices that constrained women’s freedom or subjected them to arbitrary male power; and I think this particularly unlikely in the light of what I have argued about the inter-penetration of different cultures and different ethical ideals. I also believe (and have argued elsewhere⁷) that the very process of inclusion encourages people to stretch their sense of what is desirable and possible, enabling them to articulate previously repressed interests and concerns. But what if all this is too starry-eyed? What if there still turns out to be no internal contestation, or the dissident voices that are raised turn out to be regarded as unrepresentative by the vast majority of women? Should “outsiders” then reassure themselves with the notion that practices are legitimate because hardly anyone engaged in them states an objection? Should they restrict themselves to condemning only policies that are being actively contested from inside?

Modesty is not always a virtue, and important as it is to challenge the arrogance of those who believe they can settle everything from first principles, this line of inaction would be taking modesty too far. I do not, that is, think we can close off discussion of what I have termed the “hard case” scenario of external critique. Democratization should be regarded as a crucial element in tackling tensions between multiculturalism and women’s equality, but democratization sometimes becomes indefinite postponement, and is better regarded as part,

⁷ For example, in Phillips (1995).

rather than all, of the solution. Despite the questions I have raised about the shaky basis on which supposedly universal principles get formed, there is no getting away from guiding principles as a way of identifying which practices are most indefensible and most at odds with sexual equality concerns.

The ones I offer here are not particularly original: harm is one; equality a second; whether people enjoy substantive conditions for choice is a third. Though the harm that is done to people by the various practices enjoined on them is always contestable—what I regard as harmful will not always coincide with what you think most damaging to a person’s well-being or self-esteem—this contestability should not blind us to questions of degree. Harm varies in grievousness and reversibility: this is presumably what Will Kymlicka has in mind when he identifies the “gross and systematic violations” of slavery, genocide or mass torture as legitimating external intervention, and intimates a range of lesser violations that liberal societies might have to condone. My own list would be somewhat longer and would certainly include the irreversible violation of bodily integrity involved in rape or genital mutilation, or the sometimes reversible but still gross harm of being forced into a marriage against one’s will. There are certain harms that are sufficiently grievous to override worries about the legitimacy of any one person’s understanding, and do not allow for indefinite postponement until full consultation has occurred. In the messy world of real politics, it is important to retain a sense of scale, for even if all harms are philosophically contestable, some are patently more compelling than others. Here, too, we should aim at “good-enough” discriminations, and not set the standards of rigour so high as to paralyse any kind of action.

Harm addresses the content of a practice; the equality principle asks whether it is permitted for both women and men. One might set aside, for example, the question of whether it is better for people to have one or many (or no) marriage partners, or whether this is something that can be usefully discussed by any except the individuals involved. If the laws of a society permit men to have multiple marriage partners but do not extend the same latitude to women, there is still a *prima facie* case for complaint: something is being presented as acceptable for one sex but entirely illegitimate for the other. In this context, the formality often associated with the equality principle (and criticized as such by many feminists) works to its advantage, for it is not necessary to take up a position on the content of the practice, only whether it applies equally to both women and men.

The third principle addresses an issue that has recurred through my argument, which is whether we can take consent as evidence that there is no problem, or should also be considering the substantive conditions that enable people to choose. Political theorists sometimes refer to the distinction between “voice” and “exit” as different ways of getting at people’s preferences and choice: so sometimes we explicitly voice our approval or dissatisfaction, perhaps through voting or writing or participating in a political campaign; other times we show what we think by getting up and going away. Either can be taken as evidence that certain practices are consensual, for if no one has either objected or left, there cannot be very much of a problem. As applied to the situation of many women around the world (and I include here some of the most

developed liberal democracies), this offers far too rosy a vision, for neither voice nor exit is an easy option if you live in daily fear of physical abuse and see no prospect of earning a living outside your present community. So while it is hardly appropriate for one person or group to dictate to another what they “ought” to be choosing, it can also be inappropriate to take silence as evidence of consent. Choice depends on substantive conditions. These include, at a minimum, having the political and civil freedoms that enable one to “voice” an objection, and the educational and employment opportunities that make “exit” a genuine choice.

With each of these principles, of course, the devil is in the detail, and there is an (entirely defensible) circularity that returns us to the democratic agenda. As the harm continuum stretches out, for example, beyond the more extreme cases of grievous bodily harm, there will be numerous instances where the issues are far from obvious—either because there is genuine uncertainty over the harm involved, or because its scale seems too indecisive to justify sacrificing other values. I have already mentioned the case of segregated education, which is arguably something that harms girls and boys by restricting their communication with members of the opposite sex and encouraging an ideology of separate spheres, but is also arguably of benefit to both in promoting more favourable conditions for learning. Or consider the harm that is done to women whose religion denies them the opportunity to serve as priests or rabbis. I might feel that this is unquestionably a harm, or might suspend judgement on the content of the harm and simply note the inequality that permits this to men but not also to women; but I might still want to weigh these considerations against the harm done to religions if they are forced by legislative intervention to standardize their arrangements for worship and comply with equal opportunities law.⁸

The uncertainties thrown up in the application of general principles to specific cases bring us back to the necessity for inclusive participation, for these uncertainties are best resolved when all relevant groups are fully engaged in the decision-making process. Cultural claims matter: they are themselves important claims about equality, and not to be arrogantly dismissed by reference to a pre-ordained list of universal rights. But cultural claims are too often framed by a monolithic understanding of “culture” that overstates the internal consensus and misrepresents social customs that sustain male dominance as practices “the society” wants to sustain. The best protection against this lies in the mobilization of alternative voices, which will often evoke more nuanced readings of the tension between cultural and sexual equality, and may well modify the understanding of both. The full representation of women in discussion and decision making is a crucial condition for settling the troubled relationship that is developing between multiculturalism and the defence of women’s rights. It is important, however, not to be too starry-eyed about democracy, and not to postpone action until that ideal democracy occurs.

⁸ In her discussion of these matters, Martha Nussbaum defends a political liberalism that respects different religious conceptions, even when these entail metaphysical positions about the superiority of men over women, or individuals choosing to live non-autonomous lives. See “A plea for difficulty” in Okin et al. (1999).

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