

Feminism, Women's Human Rights, and Cultural Differences

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The recent global movement for women's human rights has achieved considerable re-thinking of human rights as previously understood. Since many of women's rights violations occur in the private sphere of family life, and are justified by appeals to cultural or religious norms, both families and cultures (including their religious aspects) have come under critical scrutiny.

The recognition of women's rights as human rights has been taking place on the global stage—from the grassroots to the international conference levels—in the last two decades. This has required considerable rethinking of human rights. Many specific human rights that are crucial to women's well-being need to be identified and acted on to stop clearly gender-related wrongs. In this paper, I first show how many such rights cannot be recognized as human rights without some significant challenges both to that concept itself and to some institutions basic to the various human cultures, certainly families and religions. I then explore some of the interesting connections, and lacks of connection, between Western feminism—especially Western academic feminism—and the global movement for women's rights. Finally, I offer some thoughts about feminist critique (thoughts that have been stimulated by reading works by and attending meetings of feminist activists concerned with women's issues in other cultures), and also some thoughts about what kinds of support I think Western feminists can give to the global movement for women's rights.

Because some of women's most basic rights—to freedom of movement and to work outside of the home, and to bodily integrity and freedom from violence—have been very much in the international news lately, I shall refer to these examples fairly often. But by doing this I do not mean to downplay the

importance of other crucial rights, such as rights to health care, to an adequate standard of living, and so on.

From the beginning of the post-World War II human rights movement, women have been formally included as holders of human rights. The Universal Declaration of Human Rights (1948) and many subsequent declarations, including the two United Nations International Covenants, that on Economic, Social and Cultural Rights (UNICESCR) and that on Civil and Political Rights (UNICCPR) proclaim the equal rights of human beings without regard to their sex. In practice, though, women are discriminated against in all of the world's countries, both in differing and in similar ways, and to a widely varying extent. Moreover, the grounds for this distinction have often been, and still are in many parts of the world (in some cultural or religious groups in all countries), seen as far more natural, inevitable, and benign than other grounds for distinction that human rights declarations prohibit—such as race, religion, or political opinion. Indeed, discrimination on the grounds of sex is frequently justified as being in accordance with many of the cultures—including religious aspects of these cultures—practiced in the world today.

It now seems quite startling that the Universal Declaration of Human Rights of 1948 should have so clearly repudiated distinctions of sex, given that there was not a country in the world at that time whose laws did not routinely make distinctions of sex, often on matters of basic rights. France and Italy had only just enfranchised women, and the Swiss did not do so (in national elections) until 1973. In most countries, sex discrimination in employment, family law, and many other areas of life remained routine for many years to come, and in many countries, violations of women's basic human rights are still commonplace (see, for example, Bunch 1994, 32-34). Nevertheless, the vast gap between declarations of rights and actual practice turns out to be a common pattern. This could make one quite cynical; for, as a few examples cited later will show, even declarations explicitly aimed at women's rights—such as the Universal Declaration of Women's Rights (1967) and the Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW (1979)—have been signed and even ratified by governments of countries whose laws or accepted practices are far from fulfilling the provisions of these conventions.

In general, the early universal human rights documents claim women's rights on a basis of equality with men and use gender-neutral language. This, however, as two feminist commentators have recently noted, can be "a double-edged instrument if it is used to punish women for failing to conform to the conventional norms expected of men" (Kaufman and Lindquist 1995, 121-22). The first declaration specifically aimed at women's human rights, the CEDAW, departs from gender-neutral language to address issues such as maternity leave, pregnancy-related health care, and affirmative action for women in

education and employment. However, in the last twenty years it has been increasingly recognized that taking women seriously as equal human rights claimants with men requires considerable further rethinking of the concept of human rights.

It was especially during the preparations for the 1993 U.N. World Conference on Human Rights, held in Vienna, that a major worldwide petition drive was launched and “took off like a rocket” (Friedman 1995, 28). The petition urged that the conference should “comprehensively address women’s human rights at every level of its proceedings” and recognize gender-based violence “as a violation of human rights requiring immediate action” (Friedman 1995, 28). As a result of this and a large strategic planning meeting bringing together women from many regions, women’s human rights groups were by far the most organized of the NGO participants, and they had considerable impact on the Vienna Declaration and Program of Action. This was followed up and improved in significant ways at the Fourth World Conference on Women in Beijing in September 1995.

Why was it necessary to rethink human rights—as it was—in order to address many important women’s rights?¹ Basically, because both the early conception of “the rights of man” in the seventeenth century and the original conception of international “human rights” in the mid-twentieth century were formulated with male household heads in mind. They were conceived as rights of such individuals against each other and, especially, against the governments under which they lived. It was generally recognized that there existed a sphere of privacy, protected by rights from outside intrusion, but not necessarily governed internally in accordance with the rights of its members. There can be little doubt that both Locke and his contemporaries and the framers of the Universal Declaration had male household heads foremost in mind when thinking about those who were to hold the “natural” and the “human” rights they respectively argued for and proclaimed (Bunch 1995; Okin 1989a, esp. 42-45; Pateman 1994). Locke gives, as an example of the private matters that no one would consider interfering with, a father’s decision about whom his daughter should marry (Locke 1950, 28-29). Any rights the daughter may have claimed in the matter go unmentioned. Some similar twentieth-century examples of obliteration of women’s rights in the private sphere will come up later.

A growing body of feminist human rights literature argues that the male bias of human rights thinking and its priorities had to change for women’s rights to be fully recognized as human rights. The problem is not so much that men’s claims to rights A, B, and C have been recognized, whereas women’s claims to these exact same rights have not—which is not to say that this never happens. The problem is that existing theories, compilations, and prioritizations of human rights have been constructed after a male model. When women’s life experiences are taken equally into account, these theories, compilations, and

prioritizations change significantly. Examples of issues that come to the fore, instead of being virtually ignored, include rape (including marital rape and rape during war), domestic violence, reproductive freedom, the valuation of childcare and other domestic labor as work, and unequal opportunity for women and girls in education, employment, housing, credit, and health care. The aim has been—and it has largely been achieved, by the Vienna Human Rights Conference and then further by the Fourth World Conference on Women in Beijing—to incorporate into the center of the discourse of human rights issues that are often matters of life and death for women (and for children), but that were previously “perceived as part of the women’s rights movement and hence of a special interest agenda . . . [and as] marginal to international law’s more ‘serious’ responsibility for human rights” (Peters and Wolper 1995, 2).

Some generally recognized human rights abuses have specifically gender-related forms that were not typically recognized as human rights abuses. Frequently, these abuses are perpetrated by more powerful family members against less powerful ones. For example, slavery is generally recognized as a fundamental violation of human rights. But parents’ giving their daughter in marriage in exchange for money or even selling her to a pimp has not typically been seen as an instance of slavery. If a husband pays a bride price for his wife or marries her without her adult consent; if he confines her to their home, forbids her to work for pay, or appropriates her wages; if he beats her for disobedience or mishap; these manifestations of slavery would not be recognized as violations of human rights in many parts of the world. In some parts, indeed, most of these acts would be regarded as quite within the limits of normal, culturally appropriate behavior in parents or husbands.² Also, there was little acknowledgement until recently of women’s particular vulnerability to poverty and need for basic social services, such as health care, because of both their biological reproductive capacity and their assumption, in virtually all societies, of greater responsibility for children.

Even most human rights activists, until very recently, have been unwilling to recognize many culturally sanctioned abuses and instances of neglect of women as serious violations of human rights. Recently, though, especially over the last decade, this perception has been very strongly challenged. For example, it took until 1995 in Beijing for the international community to recognize women’s right to say no to sexual intercourse. Even then, there was opposition from some quarters, including the Vatican, whose representatives “opposed the wording” of the clause (*New York Times*, 1995).

Those seeking to establish women’s rights as human rights also point out that much earlier human rights thinking focuses on *governments* as violators of human rights. This is readily apparent from the wording of most of the international agreements. For example, “a central feature of the international legal definition of torture is that it takes place in the public realm: it must be

'inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.' " (Charlesworth 1994, 72, 83, n. 103). But whereas governments can often affect, and act to reduce or try to eliminate, many violations of women's human rights, the violations themselves are much more likely to be carried out by individual men (and sometimes women, too). Part of the reason for the "invisibility" of gender-based violations has been the neglect in human rights talk of the private or domestic sphere. For it is in this sphere that great numbers of the world's women live most (in some cases, virtually all) of their lives, and in which vast numbers of violations of women's human rights take place (Peters and Wolper 1995, 2).

In many countries—at least during peacetime—a woman's most dangerous environment is the home she lives in. So the public/private dichotomy, which leads to the assumption that the rights bearer is the head of a household and that an important one of "his" rights is the right to privacy in his personal and family life, places serious obstacles in the way of protecting the rights of women and children.³ The problem is compounded by both the neglect and the denial of power differentials within households, and the assumption that families operate with a benignity never expected of the marketplace or the sphere of politics (Okin 1989b, 117-33; Pateman 1989). Promoting women's human rights clearly involves making changes in areas of life usually considered to be private, and "calling for government accountability in these areas requires a considerable reorientation of human rights law" (Friedman 1995, 20). Charlotte Bunch, noting that violation of men's civil and political rights in the public sphere "has been privileged in human rights work," says that "they did not fear . . . violations in the private sphere of the home because they were the masters of that territory" (Bunch 1995, 13). By contrast, "by far the greatest violence against women occurs in the 'private' non-governmental sphere" (Charlesworth 1994, 72). Also, it is important to note that how things happen in the private realm of the household, including how decisions are made and how responsibilities and work are allocated, has a considerable impact on who can participate fully and effectively in the public spheres of politics, civil society, and markets (Bunch 1995, 13).

This situation of private rights violations is exacerbated by the fact that "respecting cultural differences" has increasingly become a euphemism for restricting or denying women's human rights. As feminist activist-scholars have been making clear, the relevance and even the sanctity of "cultural practices" is most often claimed when issues of sexuality, marriage, reproduction, inheritance, and power over children are concerned (issues that play a larger part in most women's lives than they do in most men's). And this often happens in contexts where traditions or rules of that same culture or religion are not called on in other areas of life, such as commerce or crime (see, for example, Shaheed 1994; Mayer 1994). In India, for example, partly because of

the history of violent religious intolerance, this distinction is built into the formal framework of the state; the different religious communities enforce their own "personal laws," and there is no uniform civil code of family law.⁴ This can have grave consequences for women, who are differently (albeit usually unfairly) treated in divorce, and in custody and inheritance issues, depending on which religious group they belong to.

It is important to note, in this context, that the rise and the growth in political power of religious fundamentalism in many parts of the world are closely related to rejection of the imposition of "Western" or "white" culture and ideas. Women's freedom and equality are often understood as clear symbols of Western values, in contrast to which and in reaction against which religious, conservative, or nationalist movements define themselves (see, for example, Afkhami 1995, esp. the introduction and chap. 4; Moghadam 1994, esp. chaps. 1, 3, and 19; Narayan 1998).

The continuing and rising influence of cultural or religious justifications for women's inequality is one important reason why it is so significant for women's rights to be recognized as human rights. Many people fail to perceive what or how big the problems are, and many serious inequalities between the sexes are still regarded by many people as invisible, insignificant, natural, or culturally appropriate. This is true of some people in positions of power both inside and outside the cultures in which some of the most obvious and egregious violations of women's basic rights are taking place. For example, in Afghanistan in the fall of 1996, when the Taliban regime closed girls' schools, denied all women the right to go to work or to leave their homes without being completely covered up (rules enforced partly by beatings of those who broke them, by Taliban adolescent thugs), the (male) medical director of a hospital in Kabul said (and was regarded by *New York Times* reporter John F. Burns, as "typical" in saying) that the restrictions placed on women were "a small price to pay for the peace" that the Taliban victory had secured. Burns himself asked whether Amnesty International's description of the situation as "a reign of terror" might not be "exaggerated" (*New York Times* 1996a).

Also in the fall of 1996, government officials in the Ivory Coast, when asked about the practice of clitoridectomy, were reported as conceding the "evils of genital cutting," or female genital mutilation, adding that, although they had a plan to educate people about the consequences of that practice, they had no budget or staff. The U.S. Embassy spokesman in Abidjan said, "it's a matter for local society to determine the extent to which these practices are to be tolerated." He was outdone in his cavalierness toward the girls and women harmed by the practice only by the French embassy spokesman, who said, "this is a marginal problem." Then, perhaps thinking again, this person added, "it's important, but to feed people is probably more important" (*New York Times* 1996b).

Such reactions shed some light on why it is important to fight the struggle for women's rights as a human rights struggle. It makes it *more difficult* for the old double standard, which obviously is still alive and well, to continue to convince people. It is difficult to imagine reactions similar to those just mentioned, to a situation in which all the men living under a given regime were kept under virtual house arrest. It is even more difficult to imagine such mild reactions to a sexual custom in which a man, in order to become marriageable and therefore able to survive economically, were allowed to ejaculate some sperm to be saved so that he could still reproduce, and then were pinned down by four or five people in order for his penis to be cut off with a knife. But this *would be* the closest male equivalent to female genital mutilation which, in its least invasive commonly practiced form, involves the removal of the clitoris, removing with it the possibility of female sexual satisfaction.⁵ These are the kinds of parallels that become entirely plausible, once one draws attention to wrongs done to women as violations of human rights.

Again, in many societies (including Western industrialized ones until very recently), domestic violence against women has not been regarded as an issue for police and other appropriate authorities to report or to combat; it is seen as just part of domestic life, a normal—albeit regrettable—part of relations between the sexes (see, for example, Ofei-Aboagye 1994). Consider, too, how significant it is that not until the 1990s was rape in war treated as an indictable war crime. To many, until recently, rape was just “what some soldiers did” under wartime circumstances (Friedman 1995, 26).

It is also very striking that many countries in which forms of serious discrimination against women are practiced have signed and ratified the CEDAW, though in many instances with reservations. Mali, for example, a country in which 80 percent of the women have undergone female genital mutilation as children or adolescents, has signed and ratified both the Convention on the Rights of the Child and the CEDAW (Toubia 1995, 25). Many countries that have signed such international conventions and declarations do have laws against customs or cultural practices that can be very damaging to women, such as child marriage, or dowry. But these laws are almost never enforced, and the customs are allowed to prevail, in practice nullifying the women's rights to basic freedoms and bodily integrity.

One reaction to this might be to say: So what difference does it make to recognize abuses of women as human rights violations? My answer is that, especially now that the “no cultural exemptions” clause was adopted, after considerable struggle, in Beijing (see p. 45 below), it enables the international community to put these issues unambiguously on the table. Most governments do not like to be international pariahs, to have the eyes of the world focus on them only for their worst practices or their failure to prevent practices harmful to women and children. It has been clear from some of the recent news reports

that ethnic and religious groups, too, can develop the same distaste for being seen as condoning serious harms done to women. Not surprisingly, Muslims in many countries—and even the governments of countries with strict Islamic laws—have distanced themselves from the particularly brutal fundamentalist types of behavior that the Taliban regime in Afghanistan has tried to justify as being in accordance with “Muslim principles” (*New York Times* 1996d).

Another reason for the importance of the recognition of women’s rights as human rights is that it affects women’s rights to asylum. It is no coincidence that, in the climate of international women’s human rights generated by the series of U.N. conferences culminating in those in Vienna, Cairo, and Beijing, both Canada and the United States granted legitimate refugee status to women fleeing persecutions such as forced marriage or genital mutilation. This, in turn, has further consequences. For, once a violation of rights has earned a potentially very large group of people refugee status, the United States and other countries likely to be sought as places of asylum have a new incentive to try to use what influence they can to stop or reduce the violations where they happen.⁶

As we have seen, rights of great importance to women were long left off the human rights agenda because, as Charlotte Bunch, one of the prime movers to get them on this agenda, has said: “they have been largely invisible and/or are dismissed as private family, cultural or religious rather than political matters” (Bunch 1994, 33). Many violations of women’s basic human rights both *occur within families* and are *justified by reference to culture, religion, or tradition*. So recognizing women’s rights as human rights means looking at the institutions of family, religion, and culture or tradition in a new light. Let us look now at two examples, families and religions, comparing the changes that have already occurred from how they were addressed in earlier U.N. human rights documents, compared to how they are addressed in the recent Beijing Platform for Action.

Article 16 of the Universal Declaration of Human Rights is devoted to marriage and family. It specifies that “the family is the natural and fundamental group unit of society,” that “marriage shall be entered into only with the free and full consent of the intending spouses,” and that “men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family . . . [and] are entitled to equal rights as to marriage, during marriage and at its dissolution” (United Nations, 1948). While they naturalize the heterosexual, two-parent family, these specifications—like many clauses in the declaration—are considerably more egalitarian about rights between the sexes than were laws and practices in virtually every country in the world at the time (and are in many countries now). Practices that violate them include arranged and coerced marriages, child marriages, unequal access to or terms of divorce, and, in some states of the U.S., along with other countries (until the Supreme Court declared them

unconstitutional in 1967), legal prohibitions against interracial marriage (*Loving v. Virginia* 388 U.S. 1 [1967]).

The declaration, however, also includes an article that reminds us that it focused more on male heads of households than other family members. Article 12 reads: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation." As well as the telling use of "his," in the current context of women's rights as human rights the mention of both "interference with his privacy" and "attacks upon his honour and reputation" sound far more ominous and objectionable than they probably did at the time. This is both because of our heightened awareness of violence in the "privacy" of family homes and because of the justification in some cultures of confinement, beating, and even murder of female household members if their sexual behavior (in some contexts, even their having been raped) is considered to have tainted their families' honor. The earlier treatment of families in the Beijing Platform for Action is far less abstract, definitely not constructed from the point of view of the male household head, and far more aware of what goes on and who does what in families. The clause most specifically on families starts: "Women play a critical role in the family . . . [which] is the basic unit of society and as such should be strengthened" (Covenant 1995, 15). It goes on to acknowledge that different forms of family exist in different cultural, political, and social systems. It specifically draws attention to women's greater contribution than men's to family care, to the social significance of this discrepancy, and to the desirability of shared responsibility for the upbringing of children among women, men, and society as a whole. It insists that women's family roles "must not be a basis for discrimination nor restrict the full participation of women in society" (Covenant 1995, 15).

Other clauses draw attention to the growing rate of female-headed households (about 25 percent globally in 1995), the causes of this phenomenon, and the greater likelihood of such families' being very poor (Covenant 1995, 13). Additional clauses point out that deprivation of and discrimination and violence against females in many parts of the world starts before birth and continues through the life cycle. These clauses imply that families play an active role in violating women's and girls' human rights. This is a very different, more critical, and much more complete picture of family life than the benign and rather abstract one in the Universal Declaration.

On the subject of religion, too, the recognition of women's rights as human rights has begun to change the perceptions of the U.N.'s proclamations, though here the changes have not progressed as far. In the Universal Declaration, Article 18 proclaims, "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom . . . , in public or private, to manifest his religion or belief in teaching, practice, worship and observance." However, in the UNICCPR

what is *added* to this set of rights is "the liberty of parents and, when applicable, legal guardians, to ensure the religious and moral education of their children in conformity with their own convictions" (United Nations, 1966a, Article 18). Thus, it seems, children are distinctly not included among the "everyone" who has the right to choose and to change "his" beliefs. Rather, these must conform with those of the child's parents.

The Beijing Platform for Action takes, as it does on the subject of the family, a less abstract and also a less than totally positive approach to religion. Its statement on rights having to do with religion and conscience starts by asserting that "religion, spirituality and belief play a central role in the lives of millions of women and men, in the way they live and in the aspirations they have for the future." It goes on to proclaim the same universal and inalienable "right to freedom of thought, conscience and religion," including the rights to worship and to practice one's religion as the earlier human rights documents did. But the clause on religion ends, it is interesting to note, with a caution: "However, it is acknowledged that any form of extremism may have a negative impact on women and can lead to violence and discrimination" (Covenant 1995, 13-14).⁷ No indication is given of what constitutes "extremism." But again, as in the case of families, it is significant that religions are recognized as not always unmitigated goods, at least from the point of view of women seeking equal rights.

Thus, international perceptions of both family and religion have begun to be affected by the recognition of women as full human rights holders. "Family" has become a highly contested concept, as actual families around the world have been changing rapidly. The idealized picture of the family as an environment with completely shared interests, and in which altruism (or benign paternalism) can be expected to dominate self-interest, has been very much challenged. It is recognized that many of the decisions that lead to the gender imbalance in population in some parts of the world, and other decisions that adversely affect girls' and women's well-being, are decisions made in families (Sen 1990b). Indeed, Amartya Sen has suggested that definitions of self in terms of family in some parts of the world may be so strong that persons may have no conception of their own personal welfare: "In some contexts the family identity may exert such a strong influence on our perceptions that we may not find it easy to formulate any clear notion of our own individual welfare." His example is "a typical rural Indian woman" (Sen 1990a, 126-27). Other social scientists too, questioning the previously assumed "unity of interests" of families, are opening up the "black boxes" as which families were often portrayed and showing what happens within. They argue that the new attention to families in the international economic development process may be a backward step for women and children unless what goes on within families—including "intrahousehold dynamics of gender and power" and "gender-equity issues"—are kept constantly in mind (see, for example, Jaqu-

ette 1993). Studies show, for example, that opportunities for women to earn money can have very significant effects on children's well-being, and that they also tend to improve women's bargaining position in their families.

It is also becoming clear, from evidence from many parts of the world and many religions, that fundamentalism of various kinds—many of which are clearly growing in power—is harsh on women and imposes rules irreconcilable with many of women's human rights. The days when religion was (for whatever mixture of reasons) regarded as unquestionably a good thing that needed only to be protected and taught to people, preferably at as young an age as possible, seem to be waning.

Now I come, not without some trepidation, to the subject of Western academic feminism's hesitant or ambivalent approach to the issue of violations of women's rights in other cultural contexts. I want to discuss the relationship, during these years of recognition of "women's rights as human rights," between much of Western feminist scholarship and Third World women's activism. During the 1980s and early 1990s, there was a striking divergence between, on the one hand, the activities, the discourse, and the preoccupations of many Western feminist theorists (including some feminists of Third World origins working in Western academic contexts) and, on the other hand, the activities and perceptions of feminist activists in the Third World (including some First World scholar-activists, like Charlotte Bunch, and other activists, like Fran Hosken, who were most in contact with Third World activists).

As has been by now well documented, one of the primary preoccupations of many Western feminist theorists during this period was the differences among women. Many earlier books and articles of Second Wave feminism that had made claims about "women" or "woman," about "motherhood" or "the family," about "sexuality" (and so on) were charged with being essentialist; making false generalizations; ignoring important differences among women, families, sexuality, and so on—differences associated with race or class, ethnicity or religion, sexual orientation, and other attributes. There was some important truth to many of these charges, and many of the criticisms have had a salutary effect. Some of early Second Wave feminism was undoubtedly marred by racist, class-prejudiced, and heterosexist elements. Largely because of critiques from within feminism, most more recent feminist scholarship has become more inclusive and less inclined to false overgeneralizations.

However, the critiques were at times exaggerated and carried to absurdity. Both aspects of them—the truth and the absurdity—have been discussed elsewhere by many feminists (see, for example, Martin 1994; Benhabib 1995; Okin 1994; Walby 1992). During the 1980s and the early 1990s, postmodernist scholarship was highly influential in Anglo-American academia; at the same time, African American, lesbian, and other critics of earlier feminism were, often rightly, critiquing it for ignoring their needs, interests, and perspectives. The feminist antiessentialist critique that often combined the two was at times

carried to the extreme of asserting that no generalizations at all could or should be made about women, gender, mothering, or many other topics that some feminists thought it was still important to be able to discuss (see, for example, Spelman 1980; Kristeva 1981, esp. 137, 140).⁸ In addition, it was sometimes claimed that, whatever the quality of the evidence presented or the strength of the argument made, the suggestion by any white, middle-class feminist that women and girls in cultures other than our own are disadvantaged or oppressed by elements of their own cultures amounted to offensive cultural imperialism (see, for example, Flax 1995; Moruzzi 1994).⁹ After reading or experiencing these critiques, many feminists (whether First or Third World, but especially the former) might have felt more than somewhat inhibited about writing anything, especially about Third World women, that was not entirely contextualized and localized in its focus.

Chandra Talpade Mohanty's essay "Feminist Encounters: Locating the Politics of Experience," especially its critique of Robin Morgan's anthology *Sisterhood is Global*, exemplifies both of these types of critique. After conceding the "truly impressive" range of writing in the volume and disclaiming any intent "to lay blame or induce guilt," Mohanty critiques Morgan for being ahistorical, for erasing the effects of contemporary imperialism, for denying women's agency, for rendering invisible "the privilege of [her own] political 'location,'" and, above all, for generalizing about women's experience across cultures. Morgan is faulted for presuming to suggest that women share what she calls "universal sisterhood," " 'a common condition' . . . [which is] referred to at various points of her introductory essay as the suffering inflicted by a universal 'patriarchal mentality,' women's opposition to male power and androcentrism, and the experience of rape, battery, labour, and childbirth" (Mohanty 1992, 78-79, citing Morgan 1984, 1). Mohanty is clearly troubled by such generalization, even when the "white, western, middle-class privilege[d]" author of it has spent more than a decade communicating with women all over the world and inviting them to contribute to her anthology.

Mohanty is particularly critical of a passage in Morgan's introduction in which Morgan refers to a series of experiences related by women whose writing is included in the anthology, and then asks: "And do we not, after all, recognize one another?" (Mohanty 1992, 83 citing Morgan 1984, 35-36). The suggestion that women can recognize each other's experiences and problems across cultural, class, and ethnic lines seems both incredible and reprehensible to Mohanty, especially "in the context of the mass proletarianization of Third World women by corporate capital based in the U.S., Europe and Japan." With Morgan's notion of universal sisterhood, Mohanty says, her "middle-class, psychologized notion . . . effectively erases material and ideological power differences within and among groups of women" (Mohanty 1992, 83). Preferable to the pursuit of such a "reductive utopian vision," Mohanty suggests, is "uncovering alternative, non-identical histories which challenge and disrupt

the spatial and temporal location of a hegemonic history" (Mohanty 1992, 84).¹⁰ The timing of her critique is no less significant than its severity: first published in 1987, it was published in the revised version cited here in 1992. In these years, the "women's rights as human rights" movement was gathering steam and, in 1992, women all over the world were organizing and preparing the huge women's rights petition that was to have such impact at the 1993 Vienna conference.

The antiuniversalizing climate of much Western academic feminism was hardly conducive to the framing of women's rights as universal human rights. However, during the same decade-and-a-half in which feminists in academia who attempted to find, or claimed to have found, anything but differences between women were being taken to task for "essentialism," Third World feminists and grassroots activists, as well as some Western feminists who were prepared to buck the tide, were working together to achieve the recognition by the international human rights community of women's rights as human rights. These women were having a very different experience and coming to very different conclusions than were postmodernist and other antiessentialist academic feminists. Holding hearings in their own countries, meeting and networking in regional and subregional groups, and then combining their knowledge at international meetings, groups from Africa, the Asia-Pacific region, and Latin America, as well as those from more economically developed parts of the world, were finding that women had a lot in common. They found that discrimination against women; patterns of gender-based violence, including domestic battery; and the sexual and economic exploitation of women and girls were virtually universal phenomena (Friedman 1995; Bunch 1994). At a time when many Western academic feminists were shrinking from making statements about women and gender and regarding "patriarchy" as an outdated overgeneralization, some 240 participants from 110 nongovernmental organizations (NGOs) in the Asia-Pacific region concluded the following:

Patriarchy which operates through gender, caste, class and ethnicity, is integral to the problems facing women. Patriarchy is a form of slavery and must be eradicated. Womens' rights must be addressed in both the public and private spheres of society, in particular in the family. (Bunch 1994, †)

The Committee on the Elimination of All Forms of Discrimination Against Women issued such general statements as: "Women continue to be discriminated against all over the world as regards the recognition, enjoyment and exercise of their individual rights in public and private and are subject to many forms of violence" (quoted in Bunch 1994, 35). The Women's Caucus of the NGO-Coordination Group, in preparing for the 1993 Vienna conference, addressed "systematic gender discrimination" and said, "violence against women is closely linked to women's structural inequality and there is a critical

need for reporting on gender discrimination in all countries" (quoted in Bunch 1994, 36).

At the same time, these groups were also loudly protesting the serious economic problems of many Third World women, and attributing many of them to the structural adjustment policies that were being enforced by the World Bank and other international financial powers, at the expense of social programs that directly affected women's well-being.¹¹ They did not contend that all of women's problems were identical from state to state, from culture to culture, from class to class, throughout the world. What was happening, though, was that through the channels of NGOs and other similar groups operating at many levels, many of the silent (or silenced) voices of women were finally being heard—voices that had been previously in no way represented by their male-dominated governments; voices that in many cases felt free to speak out, in the company of others concerned with women's rights, against what they experienced as abuses of women and girls. Many of them undoubtedly felt safe from the repercussions that they would probably suffer if they spoke out at home in their own countries.

As they spoke out, they recognized important general truths that affected the lives of many women around the globe. They recognized that women are greatly affected by laws and customs having to do with sexuality, marriage, divorce, child custody, and family life as a whole—laws and customs that often contribute to women's lesser power within their families. They recognized that women and girls are much more likely to be rendered sexually vulnerable than men and boys—far more likely to be sexually abused or exploited, and far more directly and drastically affected by their fertility than men, unless given the means and the power to control it. Third, they recognized that women and women's work tend to be valued considerably less highly than men and men's work—regardless of how productive or essential the actual work may be. In recognizing these things and thinking about how to counteract them, women achieved miracles, in the form of the international proclamations of women's rights achieved in Vienna, followed up in important ways in Cairo and then in Beijing.

One of the most significant innovations of the Program for Action that emanated from the Beijing Conference was its unprecedentedly strong rejection of "cultural" justifications for violating women's human rights. The statement reads as follows:

While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of states, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms. (Covenant 1995, 9-10)

Further on, the document specifies, "Any harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated" (Covenant 1995, 112). It seems clear that thousands of Third World feminist activists were saying, "We want to be rid of these cultural excuses for women's oppression that have plagued us so long." If it was not clear earlier, surely it was clear now that bending over backward out of respect for cultural diversity could do great disservice to women and girls.

I shall finish with a few tentative words about some of the roles feminists (both Western and Third World) might play as social critics in the women's human rights arena. In particular, I shall focus on the question of how one can be sufficiently steeped in a culture and its social context to have any real depth of knowledge about it and, at the same time, have some critical distance from it. It seems that some of the best feminist social critics are "inside-outside critics"; that is, persons from within a culture who at some point in life have experience outside of that culture that makes them critical of at least some of its practices. The work of many such feminist critics is compelling, informed by detailed knowledge and understanding, and thought-provoking. These critics include Farida Shaheed, who cofounded and writes about the advocacy group Women Living under Muslim Laws; Rosemary Ofei-Aboagye, who has written from her adopted country, Canada, about domestic abuse in her native country, Ghana; Francis Kissling, the ex-nun who is director of Catholics for Free Choice, and who, though she still describes herself as a Catholic, is certainly "far out" in many of her beliefs and not much loved by her church's male hierarchy; Nahid Toubia, the Sudanese surgeon now living in the United States, who has become the leader of the struggle for global action against female genital mutilation; Fatima Memissi, from Morocco, who, with other feminists from Muslim countries, is reinterpreting the *Qur'an*; and Mahnaz Afkhami, exiled from her native Iran to the United States and now director of the Washington D.C.-based Sisterhood is Global Institute, which has recently issued a manual aimed at translating the language of women's human rights so that they will be recognizable to and attainable in a variety of predominantly Muslim countries, from Jordan to Bangladesh and Malaysia.

But though these women are all undoubtedly, in a sense, particularly informed and effective as "inside-outside critics," being a critic so located is surely neither necessary nor sufficient for being an informed and effective feminist critic. Some people, on leaving their culture of birth, become perceptive critics of it, while others, who may have been similarly positioned in the same culture and then left it, remain ardent devotees rather than critics of it. Still others, who remain in their culture of origin develop deep and radical critiques of aspects of the practices and beliefs that surround them. How, otherwise, could Taslima Nasrin, who (I believe) had never been outside her native Bangladesh, become such an outspoken critic of its laws and customs oppressive to women that a *fatwah* (religious edict) was declared against her?

(And surely, to become this kind of feminist "critic from within" is even more unusual when one lives, as Nasrin did, in a society with little tolerance for dissent about its cultural practices concerning women.)

In addition, the very concept of "inside" and "outside" is problematic. For example, is an upper-class, British-educated, city-dwelling woman in India "inside" or "outside" the culture that makes rural poverty in India even more damaging and limiting for women than for men? And what of an immigrant in a European country who lives ghettoized, virtually without contact with the other culture(s) of her new country? It should also be taken into account that, as Uma Narayan has recently argued, being perceived even as partly an "outsider," especially if "Westernized," can be debilitating to Third World feminists trying to be effective within their cultures of origin (Narayan 1997, 1998).

There must surely be other ways of becoming, and dimensions to being, a good feminist critic than by being located both "inside" and "outside" of a given culture. For some persons, becoming unusually empowered in some way while remaining in their own culture can enable them to be effective critics. Having an unusual series of traumatic experiences resulting from an aspect of one's culture can also make one critical of it. Fauziya Kasinga, who was granted asylum in the United States in 1996 because she was in imminent danger of female genital mutilation and forced marriage in her native country, Togo, came from a family whose members became social critics out of a combination of these two circumstances. They had become relatively rich, and both parents had had sisters who had suffered or died from the procedure. Little did they, or their daughter—who was imprisoned in the United States until her lawyer found a judge who believed her story—expect it, but her case, which grew out of her family's critical stance toward an abuse of women commonly practiced in their own culture, has probably done more than any other event to bring this particular human rights violation to the forefront of the Anglo-American world's attention (*New York Times*, 1996e).¹²

There are other critics of their own country's and other countries' treatment of women whose effectiveness does not seem to be *caused by* deep contextual exposure to their original culture (though they may have this) followed by separation and a view from a distance. Think of Amartya Sen, whose power as a critic of abuses of women in many Third World countries comes in part from his concern for the sufferings of such women, but also from the particular combination of analytical and statistical skills he has developed as an economist and philosopher.¹³

It is also, surely, possible to become a good critic of some harms done within a culture by taking the anthropologist's route—going from outside to inside, where, if thorough and careful in one's listening and learning, one can become very knowledgeable about a culture without either becoming co-opted by it or losing the capacity to be critical of some aspects of it.

So, it seems, there is clearly no single criterion, nor any clear set of criteria, for what constitutes good feminist criticism and helps to get and to keep women's rights violations on the global agenda. However, listening to previously "silent voices" can play a very important role, and there seems to be little doubt that "inside-outside" critics can play an important role here (Parpart and Marchand 1995; Ackerly forthcoming). More than anything else, it seems, the grassroots-to-NGOs and NGOs-to-international fora contacts and discussions of the 1980s and 1990s, by which the previously silent voices of many women could be and can continue to be heard, have done much to change the way the world thinks about women's human rights.

At this point in history, when much has been "declared" but so much remains to be implemented, what can Western feminists do to help further women's rights internationally? Some would say there are so many abuses of women in our own society that we should just get on with trying to do something about these, and mind our own business with respect to the rest of the world. I think this is a reasonable answer for some. Yet it is clear that the movements for women's human rights—including some of the most basic—in many countries, are much helped by the international support they have been increasingly gaining and by the continued, if careful, criticism of women's rights violations from feminists outside the cultural context, as well as those within.

Women who are struggling against culturally or religiously sanctioned violations of women's rights most commonly say that they need, above all, three things. One that is essential is to be carefully listened to; to have the opportunities to engage in deliberation that can lead to the recognition of unmet needs and unrecognized rights and to the development of strategies for change (Ackerly forthcoming). Another is financial support; for many women's organizations formed for resistance from within have few and meager sources of funding. The third is the kind of intellectual and political support from Western feminists, and from the international community, that does not assault other cultures, but takes care to acknowledge their many valuable or neutral aspects while it criticizes those aspects that are harmful to women and girls.

NOTES

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1. There is substantial overlap between the material in the three following paragraphs and parts of my "Culture, Religion, and Female Identity Formation: Responding to a Human Rights Challenge," unpublished manuscript (n.d.).

2. For example, in March 1997, a court ruled in a pathbreaking case in Pakistan that the marriage of a twenty-one-year-old woman, though entered into without having been arranged by her father, was valid. Apparently, previously in Muslim Pakistan, much as in Locke's England, an adult woman could not enter into a valid marriage with the man of her choice. Some of the customs I mention, such as bride price, are sometimes justified as customs that honor the woman and her family. However, the practical effect of bride price is often to oppress women and to serve men. On the latter point, see Kaufman and Lindquist 1989, 131, citing Russell 1989.

3. A recent example of this attitude can be seen in the comment of the chief of pediatrics at a large hospital in Seattle, when interviewed about Congress's criminalizing of female genital mutilation. He said, "I think this is an issue that should be decided by a physician, the family and the child. Privacy should prevail and the brouhaha is inappropriate" (*New York Times* 1996c). On the arbitrariness of the public/private distinction where women's right to be free from violence is concerned, see Charlesworth 1994, 72-74.

4. For two different accounts of a case that focused international attention on such laws, see Das 1994, 117-58; Pathak and Rajan 1992, 257-79.

5. Nahid Toubia, Sudanese surgeon and expert on female genital mutilation, writes, "The male equivalent of clitoridectomy (in which all or part of the clitoris is removed) would be the amputation of most of the penis. The male equivalent of infibulation (which involves not only clitoridectomy, but the removal of or closing off of most of the sensitive tissues around the vagina) would be the removal of all of the penis, its roots of soft tissue, and part of the scrotal skin" (Toubia 1995, 9).

6. At the fall 1996 Association for Women in Development Conference in Washington, D.C., a "Listening Session" on the subject of female genital mutilation was hosted and attended by a half-dozen representatives from the U.S. Department of State, who came to listen to anyone who wanted to speak on the subject. The session drew about 150 women from many different countries, with very different extents of knowledge about and experience of the practice.

7. On conflicts between women's rights and cultural or religious rights, see also Charlesworth 1994, 74.

8. This tendency is also found, along with a lot of thoughtful insight and analysis, in some parts of Chandra Talpade Mohanty's essays, notably "Under Western Eyes: Feminist Scholarship and Colonial Discourse" (1991, 51-80, esp. 56-57, 66-69) and "Feminist Encounters: Locating the Politics of Experience" (1992).

9. See also the four references to the practice of clitoridectomy in *Third world women and the politics of feminism*, all of which focus not on the harm done to women by the practice but on the alleged harm done by Western feminists who oppose it (Mohanty et al. 1991, 57-58; 76 n. 7; 218-19; 322).

10. Ironically, Mohanty's own work was critiqued shortly thereafter for "overlook[ing] class in all its dimensions" and for "implicitly deny[ing] subject agency to 'Third World' women" (Marchand 1995, 57). This suggests that once one travels at all far down the critical path of postmodernism, there is no destination short of both scholarly and political paralysis.

11. It is clear that in some regions of the world, economic problems caused at least largely by these financial pressures played a part in the failure of more moderate governments and the rise of conservative or fundamentalist regimes that created harsher conditions for women.

12. The *New York Times* devoted approximately five full pages to the subject of female genital mutilation in 1996, much of them as a result of detailed and thorough investigative reporting in some of the African countries in which the practice is most common (see *New York Times* 1996b, 1996c).

13. If the number of times one sees it cited are any indication, Sen's article, "More than One Hundred Million Women are Missing" (1990b) must have raised many people's consciousness of the many forms of abuse—from before birth until premature death, from the obvious to the subtle—that women experience in many countries, but especially in Sen's native South Asian region.

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