Liberalism, Human Rights and a Culture of Domination: A Feminist Analysis

Introduction

The starting point for what eventually turned out to be a detailed investigation of liberalism was the United Nations' Fact Sheet, *Harmful Traditional Practices Affecting the Health of Women and Children* (United Nations, 1995). This Fact Sheet is part of the UN's human rights agenda and contains an explicit acknowledgement of Article 5 (a) of the 1979 Convention of the Elimination of All Forms of Discrimination against Women (CEDAW), concerning the elimination of 'customary practices' based on notions of 'the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women'. It criticises a number of practices justified by appeals to 'tradition' or 'culture' which, in the UN view, 'violate the rights to health, life, dignity and personal integrity' of the women and children subjected to them (United Nations, 1995: 4). The particular practices discussed are 'female genital mutilation (FGM); forced feeding of women; early marriage; the various taboos or practices which prevent women from controlling their own fertility; nutritional taboos and traditional birth practices; son preference and its implications for the status of the girl child; female infanticide; early pregnancy; and dowry price' (pp.3-4). At the end of Section I appraising 'harmful traditional practices and their effects on women and the girl child', the Fact Sheet places these practices within the category of 'violence against women', together with 'non-traditional practices, such as rape and domestic violence' (subsection F, pp.22-3).

But although there is much that is useful and beneficial in the UN approach and the intentions behind the Fact Sheet are good, it does give rise to a problem which is not addressed in the UN account. That problem is a covert reliance on a 'West'/'non-West' distinction which exonerates 'the West' from harbouring harmful practices. (For a discussion of this problem, see: Winter, Thompson and Jeffreys, 2002). This is chiefly expressed through the particular focus of attention the Fact Sheet brings to bear on 'harmful practices', that is, all the examples of such practices, bar one, are explicitly identified as 'non-Western' ones. The exception is the category of 'violence against women'. This is acknowledged to be universal (it occurs in 'the West' too), but it is separated1out into a category of the 'non-traditional' distinct from the other practices listed. In this sense the category of the 'traditional', along with the harm it causes, belongs elsewhere than in 'the West' (the wealthy industrialised metropolitan centres historically connected to Western Europe).

It could be argued that this focus on the practices listed in the first paragraph above is a necessary focus. For too long there was a reluctance on the part of what the Fact Sheet refers to as 'the international community' to condemn such practices on the grounds that there were 'sensitive cultural issues' involved. As a consequence, governments and the international community have been slow 'to challenge and eliminate' them (United Nations, 1995: 4). That is true, but the overall implication that 'the West' has no harmful traditions (or culture) remains problematic.

This is underlined by the distinction drawn between the 'traditional' (or 'cultural'—the terms are used interchangeably) on the one hand and the 'modern' on the other. For example, in the Fact Sheet quotes from the 1994 Preliminary Report of the UN Special Rapporteur on violence against women, Radhika Coomaraswamy:

> blind adherence to these practices and State inaction with regard to these customs and traditions have made possible large-scale violence against women. States are enacting new laws and regulations with regard to the development of a modern economy and modern technology and to developing practices which suit a modern democracy, yet it seems that in the area of women's rights change is slow to be accepted (p.5).

Here, 'customs and traditions' are seen as the cause of violence against women, while being contrasted with the 'modern' spheres of the economy, technology and government. Naming the 'customs and traditions' Coomaraswamy documents in her report as violence against women is vitally important for the well-being of millions of women, and she is quite correct to point out that nation states are largely reluctant to make any moves to abolish them. But the implication of this statement as it stands is that violence against women would disappear once nation states had introduced 'modern' arrangements in relation to women. This is hardly likely to be the case given that, as the Fact Sheet itself acknowledges, violence against women is still endemic even in the 'modern' nation states of the West.

I am not arguing that Coomaraswamy (or the UN) is wrong to emphasise the harmfulness of these practices. On the contrary, eliminating them is crucial if the situations of women around the world are to be improved. In fact, I do not want to criticise the Fact Sheet (or Coomaraswamy) for their opposition to these practices, but to use the UN document as a springboard for turning the focus of attention back onto 'the West' and its own harmful meanings and values ('culture'). More precisely, what I am concerned with in this particular project are the ways in which the harms peculiar to 'the West' and 'modernity' are disguised and denied by the chief ideological discourse of the age, i.e. liberalism.

The harms I am referring to are a consequence of the damage caused by what I have called 'domination'. I will be saying more about my use of this terminology and what it refers to later (and I have already said something about it in the papers included on this website). All I want to say at the moment is that the term covers what is usually referred to by the 'gender, class and race' terminology, but with three important modifications. The first is that the usual discussions of 'gender, class and race' focus without exception on those who are victimised, the oppressed, whereas I am more concerned with the structures that do the victimising (or more precisely, the ideological mechanisms whereby the structures that do the victimising are justified and maintained). In that sense, the 'gender, class and race' terminology is an inadequate (and inaccurate) description of what I mean by 'domination', but itis the dominant, indeed the only, terminology used in the literature.

The second modification posits male supremacy as the primary form of domination, however else it is characterised as well, since the project I am engaged upon remains a feminist one. One consequence of this priority of male supremacy is that I do not use the word 'gender' (unless I am criticising its usage or using it in its original grammatical context), because it too often functions either as a euphemism for male supremacy or as an evasion of the real issue altogether. Another consequence is that I do not see domination as consisting of three distinct, even if interrelated, parts, but as a coherent whole informed by the logic and requirements of male domination.

The third modification I have made to the 'gender, class and race' scenario is that my focus in what follows is on the 'class' dimension. In other words, the structure of

domination I will be investigating is capitalism. This does not mean the other two dimensions have been left behind. Rather, I see capitalism3as one form of male supremacy, both because those who benefit most from the system of wealth accumulation are men, and because an economic system based on profit at the expense of the satisfaction of human need subscribes to the same dehumanised values as male supremacy. (For a similar account in the case of race, see: *Radical Feminism Today*, chapter 9).

Because my focus is on economics, the harms I will be referring to can bsummed up by the concept of poverty (in the ordinary sense of lack of or inadequate access to sufficient material resources to ensure comfort and dignity). But unlike the UN Fact Sheet, my purpose is not to enumerate and describe harmful practices in detail. The harms of poverty have been well documented elsewhere, including by the UN itself, and some of this documentation is referenced on this website. What is missing from this documentation, though, is any recognition of the reasons for the poverty. Rarely is it acknowledged that the world economy places the interests of the already rich and powerful above even the most urgent needs of those who are visibly failing to thrive under the same system (except, of course, by those who are struggling against that very reality). In the dominant discourse, including that of the UN, the damage is analysed in detail while its causes are ignored or denied outright (as, for example, when 'globalisation' - capitalism's latest phase - is held to be in the interests of all when it clearly isn't).

What I will be concerned with here, however, is neither the system nor its effects - researching either would be wildly beyond my resources. What I am interested in are those meanings and values which justify the system and condone the harm, even while they purport to resist it—hence my interest in liberalism.

The UN itself is situated within the meanings and values of liberalism, as is the human rights framework within which the Fact Sheet is couched. As a consequence, UN initiatives for making the world a better place are caught in the same dilemma as liberalism—they must use language which undermines their stated purpose by denying the real causes of the problems they are trying to redress. Take as one preliminary example of the influence of this dilemma of liberalism, the section of Article 5(a) of CEDAW quoted at the beginning of the Fact Sheet. The exact wording reproduced in the front of the Fact Sheet is:

> States Parties shall take all appropriate measures … to modify the social4and and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women (United Nations, 1995).

The phrase 'the inferiority or the superiority of either of the sexes' denies what is at stake. It evades the real problem, which is the (perceived) inferiority of females and the (perceived) superiority of males. It is not the case that sometimes women are regarded as superior, and sometimes men are regarded as inferior. Without exception, the problems addressed by the Fact Sheet exist because women are subordinated to men. The expressed purpose of CEDAW is to work in the interests of women, not men (or not directly, although anything that contributes to acknowledging the humanity of

women enhances the humanity of men). That purpose is undermined by talk about 'either of the sexes'.

It is also undermined by the talk of equality—'the equal rights of men and women', 'the participation of women, on equal terms with men'. What can it mean to say women ought to be equal to men? Which men? Men themselves are not equal. The CEDAW preamble does show some awareness of this. It emphasises 'the eradication of … all forms of racism' as 'essential to the full enjoyment of the rights of men and women'. But its belief in what it calls 'the new international economic order' explicitly excludes economic inequality from the list of what needs to be eradicated if 'full equality between men and women' is ever to be achieved. This new order, says CEDAW, is 'based on equity and justice', and it will 'contribute significantly towards the promotion of equality between men and women' (United Nations, 1996: 245).

The CEDAW preamble says no more about this 'new international economic order', and it is difficult to know what the drafters of the Convention had in mind. There is, after all, nothing either equitable or just, for example, about multinational agribusiness that destroys local subsistence livelihoods, about 'structural adjustment policies' that demand the dismantling of publicly funded systems of health, education and welfare, about 'free trade agreements' that place weak national economies at the mercy of the powerful, about third world sweat shops in free trade zones, about tax havens that enable the rich to avoid contributing to the wealth of their own nations. These effects of globalisation were well known at the time the Convention was adopted in 5 December 1979—Susan George's *How the Other Half Dies: The Real Reasons for World Hunger* was first published in 1976, for example. CEDAW shows no awareness of this, but how is equality to be achieved if there is no recognition of the nature and causes of inequality, of what I have called 'domination'? This preamble to CEDAW, like liberal thought in general, reads as if equality already exists. There is a continual slippage from a belief in equality as an ideal to the belief that equality already structures and informs social arrangements. Only under conditions of already existing equality does it make any sense to talk about 'the inferiority or the superiority of either of the sexes'.

Hence, the UN Fact Sheet, and the human rights framework more generally, together make a good starting point for analysing the harmful 'culture' of the West. Because appeals to human rights do not arise out of nowhere, a crucial aspect of any discussion of human rights has to be an acknowledgement of the social contexts which give rise to their formulation. Something must already be happening to call forth the doctrines. People need rights because they don't have them, either because of the persistence of blatant affronts to human dignity, safety and security, or because of unjust social arrangements which display a callous indifference to people's welfare. This insight, that positive assertions of right, justice, freedom, dignity, etc. arise out of negative social conditions, is not new. It was recognised by Heraclitus, a Presocratic philosopher who lived during the fifth century B. C. Among the fragments of his work to survive there appears the saying: 'They would not have known the name of justice, if these things did not take place', 'these things' being experiences of injustice (Nussbaum, 1993: 248). Explicit statements of ideals like justice and rights are motivated by the need to redress already existing social wrongs.

This project starts from the premiss that human rights violations are not random occurrences, but the consequence of something more systematic, of social conditions structured around meanings and values which evoke atrocities even while they are being

deplored. I ask what kind of a world it is where human rights are violated and it seems that nothing can be done about it, where people are tortured, murdered, massacred and starve in their millions, and yet either no one is responsible or the perpetrators cannot be brought to justice. What is it, I ask, which is allowing these things to happen, even, it would sometimes seem, encouraging and eliciting them? If it is the case that evil is sanctioned in the sense that it is, or is seen to be, permissible,[1] what is it that is condoning it? I argue that it is the culture of liberalism that condones the harm by ignoring or denying the existence of those social arrangements I have referred to as 'domination'.

It is no accident that the globalised economic policies of the last three decades responsible for the injustices and inequities listed above are referred to as 'neo-liberal'. The term 'liberal' in a political context has positive connotations among the political left, especially in the US where 'liberal' is as far left as it is possible to go and still be taken seriously in mainstream politics. But liberalism is not always on the side of the oppressed. As Immanuel Wallerstein has pointed out liberalism, as the dominant belief system, can adopt either a right-wing or a left-wing political colouration depending on the circumstances. As a consequence, liberalism is not, as is commonly supposed, the theory of democracy. Rather, it is antagonistic to democracy in any sense which implies people's participation in the process of government. It serves to legitimate domination, both within nation states and internationally, by buying off the 'dangerous classes' with universal suffrage, and with unrealistic, and hence false, promises of 'freedom', 'equality' and 'development' (Wallerstein, 1995). The ways in which liberalism does this will be the subject of what follows in this section of the website.

References

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[1] For discussions of the idea that social destructiveness involves tacit permission, see: Sanford, Comstock and Associates, 1971. As the editors put it in the Preface: 'Most social destructiveness is done by people who feel they have some kind of permission for what they do, even to the point of feeling righteous, and who commonly regard their victims as less than human or otherwise beyond the pale' (p.ix)