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Facing the Problems of Feminism: Working Toward Resolution

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FACING THE PROBLEMS OF FEMINISM: WORKING TOWARD RESOLUTION

by

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ABSTRACT

In this thesis, I demonstrate how the numerous forms of oppression are grounded in a

hierarchical and binary thinking that permeates racism and sexism and that is present throughout

the feminist movement. It is this biased thinking that creates further divide among diverse social

groups resulting in a foundation for justifying oppressive practices. I argue that the human rights

framework is the best by which to defeat this problematic thinking, fostering a collectivity

among disparate people and establishing a more appropriate footing upon which to face the

problems of feminism. In the end, I claim that there must be a global commitment to end

oppression that begins with educating people as to the unjustified harm created by biased and

binary thinking and to the effectiveness of a human rights approach in eliminating any validation

of oppression.

INDEX WORDS: Feminist Theory, Philosophy, Oppression, Hierarchical, Binary, Dualistic,
                Human Rights, Education

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DEDICATION

To Jason Outlaw who preserved my sanity with his friendship and his humor and to whom I wish all the greatest gifts that life has to offer.

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Introduction

In the wealth of feminist theory that exists, there is a great deal of emphasis placed on the identification and exploration of the various forms of injustice against women. Feminist theory is rich with content concerning the unjust and oppressive nature of patriarchy and gender distinctions, the socialization of people in accordance with those distinctions, and the unequal treatment of minorities as a result of the oppressive majority. While life for many women has improved, there continues to be a sense that the problems central to current feminist debate are growing while any chance at resolution is rapidly diminishing. Bourgeois white women struggled for the right to vote and work outside of the home while ignoring race and class issues. While white and black women in the Western part of the world seek recognition of their oppression, women in "third-world" countries continue to suffer such cultural practices as binding of the feet and genital mutilation. Additionally, there are countless debates in feminism over the defamation of women through pornography, unequal treatment in the workplace, reproductive rights, homosexuality, and the list continues.

While it is indeed essential to recognize and to remind humanity of the problems against which feminism continues to struggle, there is relatively little focus on how to resolve these problems. Thus, there is need for a feminist methodology that will remain attentive to the different forms of oppression while proposing a solution toward which all people can collectively stride. It is pivotal that this methodology include a deeper sense of urgency about how to overcome the many forms of oppression against women instead of simply naming and offering an explication of those injustices.

In her book, *Analyzing Oppression,* feminist philosopher Ann Cudd claims that at its most basic level "oppression consists in the existence of unequal and unjust institutional

constraints."[1] Perhaps more important than discussing the *existence* of said constraints is questioning their source of strength and their endurance over time. Cudd attributes the perpetuity of oppression not only to dominant social groups, but also to the subordinate groups upon whom these constraints are forced. She claims that "oppression often seems to flourish when it is kept in place not by armed struggle, but by willing, or at least grudging, compliance by the oppressed."[2]

After taking a graduate class in Women's Studies, Cudd's comment here proved particularly striking to me. While discussing in class one day the many injustices suffered by minorities in the United States, one student declared that because she understood the U.S. to be founded upon racist and sexist ideals, any hope for change, any desire for equality among people was pointless; there could never and will never be any justice in this nation.

Perhaps this young graduate student is right. Perhaps the United States is doomed to failure. But how disheartening that a class full of passionate students, of students seemingly moved by the heightened injustice in their country, would turn that passion inward to function only as "grudging compliance," rather than as a catalyst for change. How frustrating to watch their downward gazes and slow nods in acknowledgment of the thoughts of this student. Week after week this three-hour class passed in constant heated conversation over the injustice of institutional oppression in the U.S., making the general agreement of the other students somewhat confusing to me. When I asked why this student thought that the country could never improve from its present state and why there could be no progress when people (such as us) did want there to be change, I was instructed by another student to "stop with this liberal we-need-to-save-the-world bullshit." Perhaps that is an example of angry grudging compliance.

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[1] Ann Cudd, *Analyzing Oppression*, 52.
[2] Ibid., 11.

It may appear naïve and seem futile and foolish to think that there could be any real justice among such diverse people, but being hopeful for change and equality is more constructive than being grudgingly compliant. There is not much point in being so moved and passionate about the rights of others, detesting the injustice of oppression and the power structures that keep that oppression alive, when all that one prefers to do is voice an opinion in an enclosed room without any hope that things could be different outside its doors.

While oppression is experienced in a variety of ways by different groups of people, it is generally understood as constituting those institutional constraints that serve to confine or restrain the liberties of particular groups of people. Targeting oppression is a fundamental ingredient in the feminist pursuit for justice. Analyzing oppression is an adequate starting point for feminist theory; a point from which feminist theory appropriately can begin to combat its harmful effects on minorities, and particularly on women. However, it is my belief that feminist philosophy cannot and should not stop there with proving the great significance and injustice of oppression. Detailed attention needs to be given to its source, its endurance, and ways by which it may be defeated.

In this thesis, I will begin by examining oppression, its roots and the ways by which it continues to thrive in society. I will demonstrate how oppression is predominantly grounded in and strengthened by a hierarchical binary or dichotomous thinking, and illustrate how this theory applies regarding white bourgeois feminism, black feminism, and global feminism. Subsequently, I will discuss how the problematic hierarchies of each may be addressed by applying a human rights framework to feminist struggle. In the end, I will argue that it is by adopting and educating in favor of a human rights discourse that we may confront the many issues of feminism in hopes of coming to some resolution.

CHAPTER ONE

Oppression: Its Foundation, Its Strength, Its Endurance

Before discussing oppression and how it applies to diverse peoples and in particular, to diverse women, it is necessary to identify its origins. Iris Marion Young and Ann Cudd dedicate a great deal of attention to the foundational factors of oppression. Because individuals are often thought to experience injustice as members of a group, it is necessary to explore in some detail the social group and its role in and relation to oppression. The discussion of social group formation as integral to understanding oppression is present in the work of both Young and Cudd. Each includes a detailed analysis of social groups and the impact that these groups have on individual identities and on human behavior. While a great deal of political philosophy overlooks or dismisses the importance of defining social groups in theories of oppression, preferring to focus on the individual, social group analysis offers a more concrete foundational account of oppression.[3]

Young begins her discussion of oppression by distinguishing between social groups and aggregates of people. She defines a social group as "a collective of persons differentiated from at least one other group by cultural forms, practices, or way of life."[4] These cultural forms and traditions signify a common history or set of beliefs that is shared by all members of the group.[5] Members then form a unity and identify with one another based upon their social status that is derivative of their common culture and history.

Different from the unity and solidarity that is observed in the social group, there are also capricious classifications of people called aggregates, which are not relevant to theories of oppression. Young explains that aggregates merely categorize individuals according to

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[3] Iris Marion Young, *Justice and the Politics of Difference*, 43; and Ann Cudd, *Analyzing Oppression*, 33.
[4] Iris Marion Young, *Justice and the Politics of Difference*, 43.
[5] Ibid., 44.

coincidental common features. Aggregates classify people according to shared attributes, such as hair or eye color, the type of house one lives in or the type of car one drives.[6]

To further clarify this distinction, it is helpful to look to the discussion of social groups by Joseph Raz and Avishai Margalit in their essay "National Self-Determination." Raz and Margalit set out to identify what constitutes a group as being suitable for self-government, and in so doing, they designate several characteristics of the social group. Though the topic of self-government is outside the scope of this thesis, the social group criteria as listed in this specific essay help to make clear the social group/aggregate distinction that Young proposes. The essay includes six criteria, the first four of which are applicable to this exploration of social groups.

Like Young, Raz and Margalit begin by first asserting that members of a group are those who share a common culture that influences their way of life and comprises, at least partly, the individual members' identity.[7] In the second characteristic, they claim that people growing up within the group will acquire the culture, taking part in its traditions and sharing a common history with other members. The third characteristic is that group membership must be mutually recognized by the group and the individual members.[8]

The fourth feature proves particularly significant in relation to Young's definition of the social group as it gives attention to how the group functions to promote certain behavior from its members. The fourth feature states that membership must be "highly visible" and must have a role in shaping the members' self-identity. Under the fourth feature, Raz and Margalit explain that group membership must aide members in their understanding of who they are, of why they act or react in a particular way, and of how they acquire their tastes and manner.[9] The first three

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[6] Ibid., 43.

[7] Margalit and Raz, "National Self-Determination," *The Journal of Philosophy* 87, no. 9 (September 1990): 443.

[8] Ibid., 444.

[9] Ibid., 445-6.

criteria in conjunction with the fourth establish that individual membership must demonstrate the culture, the way of life, and the behavior acceptable to the specific group, therefore revealing how one's membership is "highly visible" and able to be recognized by others.

Now, the first four criteria help to differentiate the social group from an aggregate by emphasizing the importance of a cultural connection and shared understanding among group members. Where an aggregate is comprised of members according to purely arbitrary criteria, a social group must share a common culture, tradition and behavior among recognized group members. A good example of this distinction can be seen between an aggregate of women and a particular social group of women. Being biologically female is a necessary and objective attribute demonstrating that one belongs to an aggregate of women regardless of race, class or cultural differences. However, the individuals in this aggregate may be divided into social groups based on shared experiential and cultural factors that are not relevant in composing an aggregate of women. This distinction is particularly significant in feminist debate as black feminism highlights that white feminism often writes about the plight of "women" as such, thus ignoring or giving relatively little attention to the diverse experiences of women within that aggregate. What is important to make note of here is that the criteria from Raz and Margalit obtain; that is, together women do not comprise a social group unless they demonstrate a shared history, culture or self-understanding.

In this way, different from aggregates of people, group membership has a role in constituting one's identity. Group membership includes one's "particular sense of history, affinity, and separateness, even the person's mode of reasoning, evaluating and expressing feeling, are constituted partly by her or his group affinities." [10]   While Raz and Margalit and

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[10] Iris Marion Young, *Justice and the Politics of Difference*, 45.

Young each point out the influence of social groups on individual identity, it is important to realize that claiming that social groups have a role in shaping one's identity does not mean that people lack individuality or lack a sense of identity outside of the social group to which they belong.[11] Rather, this theory of social groups recognizes the influence that membership has on developing one's identity, claiming that "identity is constituted relationally, through involvement with—and incorporation of—significant others and integration into communities."[12]

Young makes the distinction between social groups and aggregates to emphasize that not all groups of people are joined together due to random commonalities. While aggregates are of little or no explanatory value in Young's theory of oppression, the analysis of social groups is essential to developing an adequate understanding of the foundation and endurance of oppression. According to Young, in addition to their building unity based on a shared history and culture, members of these groups further bind together through the recognition of their differences with other people or with other social groups. Group solidarity strengthens by acknowledging how the members' experiences, beliefs or ways of life contrast with those of other collectives, and consequently each group designates its members as "the people."[13]

This description of how the unity of social groups is intensified demonstrates the point at which social groups have the potential to become vehicles of oppression. There is nothing inherently problematic about recognizing similarities with others and forming groups based on those similarities or likewise with recognizing differences with others and forming groups based on those differences. However, when members not only acknowledge differences with other people or with other groups, but when they see those differences as irreconcilable, as designating

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[11] Ibid.

[12] Steven Epstein, "Gay Politics, Ethnic Identity: The Limits of Social Constructionism." *Socialist Review* 17 (May-August): 29.

[13] Iris Marion Young, *Justice and the Politics of Difference*, 43.

members of other groups inferior as persons, and as offering a legitimate basis for denying others valued resources and opportunities on the basis of their group membership, the groundwork for oppression is established. That is, when members consider themselves to be "the people," this signifies that anyone or any group existing outside of that collective is wholly "other." This in turn introduces the development of a hierarchical and binary thinking which serves to validate the mistreatment and oppression of selected groups of people by other more socially dominant groups. This mindset consists of dividing and ranking people or social groups due to the presence of similarities or differences and further presents a justification for treating people in accordance with those differences—as superior/inferior, normal/deviant, etc. There will be more said on the problem of hierarchical binary thinking after looking a little further into social group influence.

As Raz and Margalit point out in their fourth criteria, social groups also function to promote or evoke particular behavior in their members. In addition to the influence that social groups have on identity then, these groups have a great deal of impact on members' actions and reactions. In her work *Analyzing Oppression*, Ann Cudd focuses her theory on the relationship between oppression and social groups before highlighting the behavioral influences of the social group on its members. She defines oppression as "a harm through which groups of persons are systematically and unfairly or unjustly constrained, burdened or reduced by any of several forces."[14] The "several forces" to which Cudd refers include "social institutions, practices and norms in social groups by social groups."[15] Cudd further claims that humans oppress one

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[14] Ann Cudd, *Analyzing Oppression*, 23.
[15] Ibid.

another because of their dependence on and their reluctance to "extract themselves" from social groups.[16]

Where Young recognizes the distinction between social groups and aggregates, Cudd focuses her discussion solely on social groups, distinguishing between voluntary and non-voluntary social groups. Voluntary social groups are those in which members voluntarily organize around a common connection, share common goals or ideas and recognize that together they comprise a social group. Conversely, non-voluntary social groups are those composed of "collections of people" based on ethnicity, gender, class, demographic, etc.[17] While members of voluntary social groups work collectively to achieve particular ends, members of non-voluntary social groups *experience* collectively advantages or disadvantages based strictly on their being members of particular social groups. Moreover, members of non-voluntary social groups are subject to various social constraints that shape and influence the "legal rights, obligations and burdens, stereotypical expectations, wealth, income, social status, conventions, norms and practices" of those members.[18] Further Cudd explains, "the voluntariness of social groups admits of degrees," depending upon the amount of freedom members have in leaving the group or in joining another group.[19]

Cudd includes a more detailed explanation of social groups than Young does, delving into the different constraints that apply to different groups of people. She explains that social groups and institutions are examples of social facts that impose certain constraints on the actions of individuals.[20] Social constraints, according to Cudd, stand "as the preferences, choices, common beliefs, strategies, and payoffs that agents consider in making decisions or as the default

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[16] Ibid.
[17] Ibid., 41.
[18] Ibid.
[19] Ibid., 44.
[20] Ibid., 33.

assumptions that agents use when they act on intentions that are not fully or rationally considered." [21]   These constraints function to impose limitations on the suitability of particular actions by particular people and are highly susceptible to change as the social climate changes. Take, for example, the change in the social climate in the United States regarding the perception of and the outrage against, Muslim men and women after the Oklahoma City bombings or after the attacks on the World Trade Center. Before these acts of destruction in the United States, Muslim men and women were often regarded with suspicion by non-Muslim people because of the differences in their dress and in their lifestyle. After, the social climate altered and so too did the constraints on non-Muslim citizens and their actions toward Muslim men and women. What was once suspicion or ignorance quickly gave way to hatred and rage at the occurrence of any problem or destruction in the United States whether or not Muslim men and women were directly involved. Cudd explains that because of this propensity for change in social constraints, any theory of oppression must account for social facts as either endogenous or exogenous.[22] That is, the theory must clarify that some facts are based on natural or internal differences, while others develop as a result of current hegemony.

Cudd further claims that social constraints are not "unchangeable facts," but are exogenous variables that people are forced to confront in their daily lives.[23] It is important then to recognize that social constraints may be generated as a result of the fallible assumptions, beliefs, and prejudices of dominant social groups. While these constraints may not possess a factual or concrete footing, they remain potent in their ability to motivate people according to the

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[21] Ibid., 41.
[22] Ibid., 33.
[23] Ibid., 42.

corresponding advantages and disadvantages that they force upon non-voluntary social group members.[24]

To clarify how social constraints function one need only look to the everyday prejudices of people. The familiar bumper sticker displaying "♂+♀= Marriage" reveals why Cudd describes social constraints as exogenous and as constricting. This bumper sticker conveys the belief that there is no other socially acceptable form of marriage other than that of a heterosexual couple. It says that the only significant social fact about marriage is that it exists between a man and a woman rather than any other mutually loving and committed couple. Nevermind that this constraint allows for couples who may be abusive toward each other; as long as a couple is heterosexual, the legality and/or the sanctity of marriage remains intact.

Similarly, the causal efficacy that Cudd attributes to social constraints can be seen by an extension of the previous example. Suppose that a homosexual individual is raised in a family that lives according to the "♂+♀= Marriage" motto. Because that individual is connected to and cares for her family, she may strive to live in accordance with this heterosexist belief, fearing the rejection of or estrangement from her family. Therefore, because hegemonic social constraints do not allow for additional socially acceptable alternatives, they perpetuate the prejudices that infuse oppression by promoting certain beliefs and influencing corresponding actions.[25]

An objection to the theory that oppression is a constituent of the social is seen in methodological individualism. While there are some "weaker" versions of methodological individualism, such as structural or institutional individualism, that do admit the social influence of collectives on the individual, methodological individualism in its strongest form calls for the

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[24] Ibid.
[25] Ibid., 52.

explanation of social concepts and phenomena in terms of individuals.[26] Cudd further explains

that proponents of methodological individualism "argue that since social groups are 'nothing

more' than groups of individuals, we ought not to construct theories that explain using social

groups."[27]

While Cudd does not disagree with the individualist belief that groups are ultimately

reducible to individuals, she says that this fact in no way detracts from the explanatory

significance of social groups regarding human behavior. [28] Cudd argues that particularly with

non-voluntary social groups, it is undeniable that social facts influence the behavior of non-

voluntary group members. [29]

To illuminate Cudd's point here: during an afternoon spent watching football with a

friend of mine and four of his male friends, I became increasingly offended and frustrated by the

sexual and derogatory conversation among the men concerning women from the area and women

on television. After the men left, I found myself wondering at what age exactly boys learn to

talk that way about girls and about women. Surely, that acquisition of language does not just

naturally develop in each individual at a certain age. Rather, it is a byproduct of growing up in a

society in which men and boys are taught their superiority and the consequent inferiority of

women. This example illustrates Cudd's earlier claim about exogenous social constraints. As

Cudd points out, these social constraints "help to explain individual actions by revealing the

incentives that individuals have by virtue of their membership in non-voluntary social groups."[30]

In the case with the five men, it would conflict with the dominant social norm for one of the men

in that particular setting (i.e. watching football, drinking beer, etc.) to chastise the others for their

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[26] Lars Udehn,"The Changing Faces of Methodological Individualism," *Annual Review of Sociology* 28 (2002): 498.
[27] Ann Cudd, *Analyzing Oppression*, 33.
[28] Ibid.
[29] Ibid., 47.
[30] Ibid., 33.

crude, sexist behavior when due to hegemonic social fact, that type of behavior is aligned with the social constraints particular to that social group.

Addressing the methodological individualist objection shows that oppression is appropriately explained in terms of social group interaction. So, while "it is fundamentally the individuals" who suffer at the hand of oppression, they suffer "only as members of social groups." [31] To clarify, Young's theory defines the "us versus them" thinking that designates one group as superior to another, resulting in the formation of non-voluntary social groups that Cudd claims function as vehicles of oppression. Thus, social groups coupled with the problematic hierarchical and binary thinking together serve as a necessary condition for oppression. Social groups can exist in a non-oppressive role when members are voluntary members and when they do not designate themselves as "the people" based on their differences with other individuals or other social groups. Thus, it is not the formation of social groups, but their role in perpetuating oppression that must be examined.

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[31] Ibid., 23.

CHAPTER TWO

Applying the Theory: Hierarchical, Binary Thinking in the Feminist Movement

In *Justice and the Politics of Difference*, Iris Marion Young identifies what she refers to as the "five faces of oppression:" powerlessness, exploitation, violence, marginalization and cultural imperialism.[32] The order in which the five faces appear here varies from the order in which Young places them, but it is an order that corresponds very closely to the progression of the feminist movement.

The feminist movement began as the fight of white, bourgeois women in response to a patriarchy that designated the feminine as weak, child-like, powerless and dependent. The movement pushed on to attack the exploitation of and violence against women in the household, in the workplace, and in pornography, but remained ever-focused on the dominant white perspective. In response to this white feminism, Black women demanded that their marginalization be recognized, and that the movement stop excluding them from the struggle against oppression. Finally, in more recent years, the movement has begun to branch out to address the discrimination and mistreatment of women in other countries, particularly those in "third-world" countries. However, a "big sister" mentality is often put into place in *helping* "third-world" women out of their strife. Thus, the movement has retained the superior/inferior hierarchical binary from which it began. No matter how well-intentioned Western feminism has been, it was and in many respects continues to be, a movement that subscribes to a dichotomous, hierarchical framework.

In *The Second Sex*, Simone de Beauvoir highlights the influence of the male-oriented society in dictating the feminine to be essentially "Other."[33] Beauvoir argues against the social

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[32] Iris Marion Young, *Justice and the Politics of Difference*, 48-61.
[33] Simone de Beauvoir, *The Second Sex*, xxii.

constraints that place men and force women into a master/slave dichotomy.[34] Here the superior/inferior binary is established as the defining relationship between men and women. The exogenous social "facts" that portray women as "frivolous, infantile, irresponsible" then lock women into a submissive role—one in which they can remain suppressed and subordinate to men.[35]

The concept of the Other is a prevalent theme throughout *The Second Sex*, and one that grounds the many socially constructed characteristics of women. The Other encompasses everything that is not man. It is that which is foreign to man, that which he wishes to control, that to which he designates himself as master and Absolute.[36] The Other is a concept that thrives off of ambiguity, and as such, is open to the interpretation of men. For example, men may see women as sexual objects, as caretakers, and/or as mothers. As long as a woman remains subordinate and knows her existence as essentially Other, she will do best to conform to the wants and desires of her master.

It is this designating of women as essentially Other that white-bourgeois feminism set out to defeat. The feminist agenda at this stage in the feminist movement attacked the notion that women need exist as the subordinate counterpart in the master/slave hierarchical dichotomy. Women fought for equality and recognition as autonomous individuals capable of working, voting, and obtaining social and economic freedom.

As the movement progressed, white-bourgeois feminists continued their search for social and economic autonomy. In *Justice, Gender and the Family*, Susan Moller Okin constructs a feminist critique of John Rawls's *Theory of Justice*. Okin predominantly takes issue with Rawls's portrayal of the ideal family as one that is organized in accordance with traditional

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[34] Ibid., 57-8.
[35] Ibid., xxx.
[36] Ibid., xxii.

gender roles. Okin argues that posing the father and husband as the head of the family with the mother and children as subordinate and obedient members, prohibits women from being equal citizens with men. Thus, citing the hierarchically structured, patriarchal family as the ideal primary social institution strengthens the master/slave and superior/inferior hierarchical binaries, teaching in the early stages of child development that boys are superior to girls.

Again in Okin's work the influence of the social group plays out in the same manner that Young and Cudd described. The family unit is the first social institution for children, and while it is not problematic as such, it becomes so when promoting sexist ideals. The fight for equality according to the early feminist movement then, was one fought to achieve economic, social, and political freedom. It was, and in many ways continues to be, a fight for women to have a choice in their life pursuits and to be free to live an independent life should they want to do so.

In the work of Beauvoir and Okin, the feminist battle is focused on moving away from the socially constructed concept of woman or of feminine as one that signifies inferiority and as such renders women weak or powerless. Additionally, a prominent aspect of the white feminist perspective is the focus on the sexualized discrimination of women. Catharine MacKinnon's *Only Words* is based entirely on addressing the degradation and sexualized violence of women through pornography. MacKinnon argues against the subject/object hierarchical binary that identifies women solely as objects of sexual desire and sexual perversion. Like Beauvoir and Okin, MacKinnon sets out to diminish the belief that women are powerless objects to be used according to man's wants and needs. Further, MacKinnon argues against the exploitation and subordination of women through pornography, saying that because pornography subordinates

women, it should not continue to be protected as a form of free speech under the First Amendment.[37]

In her discussion of pornography and its harmful effects to women, MacKinnon also draws on racial discrimination, but only insofar as it too evokes sexual arousal in the perpetrator.[38] She asserts that "much racist behavior" is motivated by a sexual gratification or arousal that stems from racist crimes.[39] To defend her claim, MacKinnon states:

> Consider the pure enjoyment of dominance that makes power its own reward, reports of the look of pleasure on the face of racist torturers, accounts of the adrenalin high of hatred and excitement that survivors of lynchings describe having seen, the sexual atrocities always involved…Once the benefits and functions of much racial murder, torture, hatred, and dominance, perhaps even economic supremacy, are exposed as sexual…what of racism is left to explain? Something, but what? [40]

This passage illustrates how MacKinnon draws racial discrimination into her discussion as yet another mode of sexual oppression.

MacKinnon's inclusion of racial discrimination here provides an example of what is a common black feminist critique of white feminism. In her essay, "Race and Essentialism," Angela P. Harris argues that by focusing on the sexual oppression of "women," MacKinnon ignores issues of race, class, and sexual orientation. By drawing upon racism only insofar as it applies to sexism, MacKinnon "simultaneously recognizes and shelves racism, finally reaffirming that the divide between men and women is more fundamental."[41] Harris goes on to

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[37] Catharine MacKinnon, *Only Words*, 11.
[38] Wendy Brown, "The Mirror of Pornography," States of Injury: Power and Freedom in Late Modernity, 85.
[39] Catharine MacKinnon, *Only Words, 63.*
[40] Ibid., 63-4.
[41] Angela P. Harris, "Race and Essentialism in Feminist Legal Theory," *Stanford Law Review* 42, no. 3 (February 1990): 598.

say that MacKinnon's "color blind" approach designates black women as white women "only more so."[42]

Moreover, bell hooks directly addresses this critique of the white feminist perspective in *Feminist Theory: From Margin to Center*. Hooks explains that race and class discrimination have largely been omitted from feminist struggle because many feminists view sexist oppression as the "primary contradiction, the basis of all other oppressions."[43] This concept of sexism as existing somehow prior to all other forms of oppression may be seen in the work of MacKinnon in her discussion of sexualized racism and in her assertion that much of racist behavior evokes a sexual response in the perpetrator. MacKinnon offers no concrete support for the claim that those who commit racist crimes do so in order to attain sexual pleasure, and as such, she draws racial discrimination into her discussion as yet another mode of sexual oppression, rather than recognizing it as itself a problem. Thus, it seems that MacKinnon over-generalizes here and perhaps is too eager to defend sexuality as a primary vehicle for an oppressive patriarchy.

MacKinnon's mistake, and the mistake of all other feminists who subscribe to the same belief, is that their vantage point is too narrow. While sexism may be a prominent form of oppression because it is the form that most women experience, that prominence does not constitute sexism as the basis for all oppression. For example, while it is accurate to say that pornography objectifies and degrades women, for MacKinnon to say that racist crimes fall under that same classification because they trigger responses of enjoyment and gratification is non sequitar. Saying that racist crimes evoke enjoyment in the perpetrator, does not prove that that enjoyment is sexual in nature, nor does it prove that because the enjoyment is present, that the

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[42] Angela P. Harris, "Race and Essentialism in Feminist Legal Theory," *Stanford Law Review* 42, no. 3 (February 1990): 592. Harris focuses mainly on a critique of MacKinnon's work as being essentialist. In her essay, "Keeping it Real: On Anti-'Essentialism'" from *Women's Lives, Men's Laws*, MacKinnon responds to Harris's critique saying that she is not essentialist, and argues against her work being interpreted as such.

[43] Hooks, bell, *Feminist Theory: From Margin to Center*, 36.

crime is sexist in nature. When one attempts to subsume additional counts of oppression under that which she knows and experiences, then she creates a "hierarchy of oppression" and she reinforces the marginalization of other minorities.[44]

Black feminists further argue that while the feminist movement claims to be in support of "women's" rights and "women's" equality, it is a movement that is focused only on the needs of white, middle-class women. It is a movement that is centered strictly on gender differences and the quest for social and economic independence. Black feminists question why this movement initially ignored class and race discrimination, as well as the interests and voices of women of color. Because the early feminist movement solely addressed gender issues rather than the interplay of gender, race and class, the movement left many women overlooked, silenced, and their opinions repressed.

Black feminists like bell hooks and Patricia Hill Collins argue against this marginalization of women of color in feminist debate. In her essay "The Social Construction of Black Feminist Thought," Collins explains that Black women struggle against two concepts central to oppression. The first "claims that subordinate groups identify with the powerful and have no valid independent interpretation of their own oppression," while the second designates the oppressed as "less human than their rulers and, therefore, less capable of articulating their own standpoint."[45]

Collins' wording of these concepts gives yet another pertinent example of the accuracy of Young and Cudd's analyses of social groups and their relationship to oppression. In addition to highlighting the validation of oppression from the dominant, white patriarchy, these concepts demonstrate the interaction of two separate hierarchical binaries: superior/inferior and

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[44] Ibid.
[45] Patricia Hill Collins, "The Social Construction of Black Feminist Thought," Signs 14, no. 4, Common Grounds and Crossroads: Race, Ethnicity, and Class in Women's Lives (Summer, 1989): 746.

Absolute/Other. The order of these two statements illustrates why it is important to take issue with hierarchical, dichotomous thinking rather than with the social group. To clarify, the first statement, which reflects the superior/inferior binary by juxtaposing "subordinate groups" versus "the powerful," demonstrates the type of mindset that must exist prior to exhibiting oppressive behavior. This is the mindset that enables people to justify their actions regardless of the perverse nature of those actions. The second statement, through its use of phrases such as "less human" and "less capable," reflects the same language that Beauvoir argues against in her early work in feminist thought; language that is indicative of the Absolute/Other hierarchical binary. Further, the ordering of the two statements is illustrative of Young's earlier point concerning groups who strengthen upon their members' recognition of their differences from others. The superior/inferior hierarchical binary lays the foundation for acting out and justifying oppressive actions against others while the Absolute/Other hierarchical binary further divides social groups, viewing "subordinate group" members not just as inferior, but as wholly Other. Thus, the concepts that Collins identifies reveal, by the same criteria given by Young and Cudd, the problematic combination of biased mindsets and corresponding discriminatory actions.

Hooks, and other Black feminists, maintain that without considering issues of race, class and sex, one cannot eliminate the patriarchal mindset that is at the heart of discrimination and oppression. Hooks explains that there needs to be a shift in methodology, not just in attitude, so that the needs of all those suffering from oppression may be heard.[46] Because white feminists or "privileged feminists" do not speak to diverse audiences they are failing to see the interconnections among race, class and sex.[47] Therefore, focusing primarily on gender difference, as do many white-bourgeois feminists, proves an insufficient basis on which to build

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[46] Bell hooks, *Feminist Theory: From Margin to Center*, 13.
[47] Ibid., 15.

feminist theory because it neglects other forms and acts of oppression. By dismissing the various modes of oppression, white women exploit their status, demonstrating that "like black men," they can assume "the role of the oppressor or the oppressed."[48]

In the end, hooks calls for recognition of all types of oppression and asks feminist theorists to modify their perspectives accordingly. She tells black women to "recognize the special vantage point [their] marginality gives [them] and make use of this perspective to criticize the dominant racist, classist, sexist hegemony as well as to envision and create a counter-hegemony."[49] She urges a foundation of feminist theory built on the notion of collective responsibility.[50] Thus, she claims that it is the responsibility of all people regardless of race, sex or class to gain recognition of the interconnectedness of individuals, and to use the knowledge of that interconnectedness as the key to defeating patriarchy and oppression.

The Black feminist critique, therefore, focuses on the continued marginalization of Black women in the feminist movement. What Collins and hooks hope to illuminate is that a movement that promotes equality among all people, a movement that purports to end oppression cannot be a movement that is strictly from the dominant white perspective. The movement must be attentive to the diversity of women and the diversity of their experiences, and therefore must strive to address the biased thinking that is at the root of oppression, rather than only the sexist consequences or byproducts of it.

Similar to the Black feminist call for the incorporation of diversity in white feminism, the same attention to diversity is also needed to adequately address the rights and interests of so-called "Third World women." As recent feminist theory turns its attention to an examination of the treatment of women in other cultures and other parts of the world, it is again faced with the

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[48] Ibid., 16.
[49] Ibid., 16.
[50] Ibid., 17.

challenge to let go of dominant mainstream perspectives, to eliminate the cultural imperialism that underlies its agenda. An example of the growing interest in and concern for international women is seen in Okin's *Is Multiculturalism Bad for Women?* Okin presents an essay by the same title as the book, and includes a variety of feminist responses to her work. In her essay, Okin reveals two difficulties concerning the relationship between multiculturalism and feminism. The first difficulty is one that Okin discusses openly, one that she questions and analyzes. However, the second difficulty is one that is reflected in her work, but of which she may not necessarily be aware.

Okin begins her discussion, clarifying what she understands as *feminism* and *multiculturalism*. She states that *feminism* is the belief that "women should not be disadvantaged by their sex, that they should be recognized as having human dignity equal to that of men, and that they should have the opportunity to live as fulfilling and as freely chosen lives as men can."[51] The aspect of multiculturalism with which Okin takes issue is the protection of minority cultures by guaranteeing individual and "special" group rights. Okin thus questions: when the rights of the individual conflict with the rights of the group, at what point is it appropriate to fight for the protection of individual rights over special group rights? That is, she speculates as to when the protection of the individual overrides respect for cultural differences.[52]

In response to those who advocate group rights, she says there are two issues left uncovered. First she says that these advocates treat cultural groups as "monoliths" and as such overlook the entitlement of the individual to her basic rights. Further, as is customary in her feminist theory, Okin expresses a great deal of concern over group rights advocates leaving

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[51] Susan Moller Okin, "Is Multiculturalism Bad for Women?" *Is Multiculturalism Bad For Women?*, 10.
[52] Ibid.

women and girls completely vulnerable and unprotected in the private sphere.[53] To demonstrate her cause for concern here, Okin discusses the male dominance that is expressed through such cultural practices as polygamy, clitoridectomy, and the forced marriage of pre-pubescent girls. These cultural traditions, she argues, serve only the needs and interests of men without regard for the effects they have on girls and women. As such, Okin warns against the liberal tendency to preserve cultural practices when these practices are founded upon gender inequalities. [54]

It seems that overall, Okin's concern for the harsh mistreatment of women in other countries is well-placed. However, interspersed throughout her article are statements that contain cultural imperialist undertones. For example, Okin argues that many of the world's cultures, including the Western cultures, were founded upon patriarchal, sexist traditions; however, Western women fought against those traditions, rather than accept them, and consequently helped progress the culture away from those ideals.[55] While Okin clarifies that she does not mean to say that Western cultures do not still contain sex discrimination, she uses this point to demonstrate that women of other cultures should follow the example of Western women who fought against patriarchal traditions. Further, in contrasting the Western lifestyle with that of women in other cultures, she says:

> women in more liberal cultures are, at the same time, legally guaranteed many of the same freedoms and opportunities as men. In addition, most families in such cultures…do not communicate to their daughters that they are of less value than boys, that their lives are to be confined to domesticity and service to men and children…This situation…is quite different from that of women in many of the world's other cultures [56]

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[53] Ibid., 12.
[54] Ibid., 15-7.
[55] Ibid., 16.
[56] Ibid., 17. It is debatable whether Okin's point is right here. Certainly women in Western societies may be more inclined to agree with her; however, this comment can be construed as imperialist or at least as displaying an imperialist mindset by non-Western women.

It is claims and comments such as these that allow for Okin to be interpreted as asserting the cultural imperialism of Western societies.

Here again, though the face of oppression has changed, the hierarchical binary remains as a result of the "cultural imperialism" reflected in the perspective of a Western woman talking about "Third-World" women. Cultural imperialism is a form of oppression that relies on several hierarchical dichotomies, including superior/inferior, Absolute/Other, normal/deviant and center/periphery. The center/periphery hierarchical binary is one that continues to reflect the marginalization of a subordinate group—in this instance, Western feminism designates the center, while "third world" women comprise the periphery.

In her essay, "Is Western Patriarchal Feminism Good for Third World/Minority Women?" Azizah Y. Al-Hibri, attacks the position of Okin and accuses her of universalizing Western principles. She critiques Okin, saying that her essay is clearly written from the "perspective of the dominant cultural 'I,' a Western point of view burdened with immigrant problems and the human rights conflicts they engender."[57]

Al-Hibri warns that addressing feminist concerns in other cultures requires more than a mere extension of Western principles and practice. She faults Okin for conflating religious versus cultural practices or sentiment, illustrating that Western feminism needs to become more informed as to the origin of religious or cultural difference. That is, Western women cannot look at a veiled Muslim woman and immediately assert that that woman must be uninformed since she is living in compliance with sexist practices.[58] As a Muslim, Al-Hibri suggests that in order to reform sexist traditions in Muslim countries, Western feminism must respect the religious and cultural sentiments of the people while "recognizing the sanctity of the first and the flexibility of

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[57] Azizah Y. Al-Hibri, ""Is Western Patriarchal Feminism Good for Third World/Minority Women?" *Is Multiculturalism Bad for Women?* 41.
[58] Ibid., 46.

the second."[59] She advises then, that before Western feminism observes through its narrow Westernized lens the religious and cultural constraints of women in other countries, it must work to inform itself about the origin of those constraints in order to see if they are, in effect, oppressive.

It is important to note that Okin focuses the majority of her essay on cultural practices such as clitoridectomy; wedding young, prepubescent girls; and the forced marriage of rape victims to their perpetrators. She does mention as an aside in her essay discrimination against women in different religions. So, when Al-Hibri offers this critique of Okin, it is somewhat unfair because she is addressing a secondary argument that Okin makes without acknowledging it as such. Conversely, Al-Hibri's critique is highly pertinent to feminist debate because it names several problem areas for Western feminism and warns against a mere extension of Western values to other countries and other people. Thus, Al-Hibri encourages Western women to start listening to rather than dictating the perspectives of women in other countries.

As is shown throughout this chapter, each of the faces of oppression when considered in this order responds to the different aspects of oppression that are addressed by diverse women in the feminist movement. What is important to recognize is that integral to each of these faces is the existence of a foundational hierarchical, binary thinking that keeps division and justifies unequal treatment between and among social groups.

Because the argument presented in the first chapter and applied here in the second is that the origins of oppression lie in hierarchical, binary thinking and in its influence on group identity and on behavior, the focus of the next chapter will be to present a framework that eliminates the problematic dichotomies that have permeated society as well as the feminist movement. In order to defeat this biased thinking, there must be a reconciling of difference and unity, a call to

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[59] Ibid., 43.

collectively battle against oppression while recognizing the experiences and voices of many

diverse women. In the next section, I will explore how that unity may be achieved without

discounting for diversity.

CHAPTER THREE

The Effectiveness of a Human Rights Framework

In her essay "Gender and Race: (What) Are They? (What) Do We Want Them To Be?"
Sally Haslanger provides an analytic examination of gender and race and whether they serve any
legitimate purpose as social constructs. Haslanger begins her essay by citing four concerns that
will be the focus of her work and that should be the focus of any feminist, anti-racist
methodology. First, the methodology must identify and explain persistent inequalities among
people due to social constructs such as gender and race. Second, it must be sensitive to the
similarities and the differences among people. That is, the methodology must not create a false
sense of unity by focusing on only the similarities of diverse women while ignoring their
differences, and it must not view differences as constitutive of irreconcilable tensions. Thirdly,
the methodology must give an account of how social constructs are embedded in a wide range of
social phenomena.[60] And finally, the theory must address the "need for accounts of gender and
race that take seriously the agency of women and people of color of both genders, and within
which we can develop an understanding of agency that will aid feminist and antiracist efforts to
empower critical social agents."[61]

Haslanger's concerns as listed here offer guidelines that are essential to any feminist,
anti-racist methodology hoping to be effective both in theory and in practice. The first chapter
here cites social groups as potential vehicles of oppression and therefore addresses Haslanger's
third concern. The second chapter illustrates the hierarchical, binary thinking that underlies the
different forms of oppression and as such addresses Haslanger's first concern. However,

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[60] Sally Haslanger, "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" Noûs 34, no. 1
(2000): 36.
[61] Ibid.

Haslanger's second and fourth points have thus far gone largely unexplored and will be discussed in this chapter.

Recognizing similarities as well as differences is certainly no easy task and is often a point of great contention in feminist theory. As is seen in the previous chapter, white bourgeois feminism is often accused of subsuming the experiences and needs of Black and Third-World women under the white feminist agenda. While white bourgeois feminists may think they are including minority women in the feminist pursuit for justice, their inability to recognize the diversity of these women contributes to the oppression of Third-World women and women of color by acting in accordance with the superior/inferior dichotomy. White bourgeois feminists assume a position of authority and speak *for* minority women instead of listening to and accepting that these women are capable of thinking and speaking for themselves.

This difficulty of acknowledging both unity and difference can be seen in the work of Young. In her feminist theory, Young argues in favor of a "politics of difference" requiring that "equality as the participation and inclusion of all groups sometimes requires different treatment for oppressed or disadvantaged groups."[62] Young's politics of difference is constructed in response to the "assimilationist ideal" of Richard Wasserstrom in "On Racism and Sexism."[63]

In his article, Wasserstrom argues that racism and sexism may be combated and perhaps even eliminated by thinking of race and sex as having the same social significance as one's eye color.[64] He explains that removing the social implication of race and sex results in the loss of political rights, obligations, and institutional benefits in accordance with those social constructs. Wasserstrom applies the assimilationist ideal first to race, saying that if people were to recognize race as the equivalent of eye color, racism would not exist, and there would be no need for

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[62] Iris Marion Young, *Justice and the Politics of Difference*, 157.
[63] Ibid., 158.
[64] Richard A. Wasserstrom, "Racism and Sexism," Philosophy and Social Issues, 24.

programs or policies which protect against prejudice and discrimination.[65] He claims that while

this ideal would surely abolish racism, he is uncertain about its effectiveness when applied to

sex. He says, "it must be acknowledged that to make the assimilationist ideal a reality in respect

to sex would involve more profound and fundamental revisions of our institutions and our

attitudes than would be the case in respect to race."[66] Wasserstrom thus believes that sexism is

more deeply embedded in society as is evident with the presence of sex roles "as a central part of

the society's ideology."[67] He claims that removing the social significance of sex would require

the elimination of sex roles, of marriage laws requiring the union of one man and one woman,

and of the understanding that the virtues of a good man are different from those of a good

woman, etc.[68]

In her critique of Wasserstrom's account, Young clarifies that Wasserstrom opts for this

assimilationist ideal for three reasons. First, this ideal reveals the arbitrary nature of group-based

social distinctions. Second, the assimilationist view holds a standard of equality and justice that

does not vary according to exogenous social variables and is not relative to particular social

groups. Third, this account maximizes individual choice, allowing for people to develop

themselves without being constrained by dominant social norms.[69] This assimilationist view,

according to Young, demonstrates an "ideal of universal humanity" that, in her opinion, serves to

deny natural difference and rejects the "reality or the desirability of social groups."[70]

Young takes issue with Wasserstrom's entire approach. She says if gender and race

become socially insignificant, there will exist "no political rights or obligations connected to race

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[65] Ibid., 24-5.
[66] Ibid., 25.
[67] Ibid., 18.
[68] Ibid., 26.
[69] Iris Marion Young, *Justice and the Politics of Difference*, 159.
[70] Ibid., 159 and 163.

and sex…no important institutional benefits associated with either…no reason to consider race or gender in policy or everyday interactions."[71] As a result, Young claims that eliminating the significance of gender and race is neither desirable nor a solution to racism and sexism.[72] Therefore, she argues that the assimilationist ideal should be forfeited for a politics of difference. The politics of difference requires "institutional changes" which include "group representation in policy-making and an elimination of the hierarchy of rewards."[73] Further, Young claims that different from the assimilationist view or a "liberal humanism" which ignores race, gender, religious and ethnic differences, the politics of difference places further emphasis on the need for oppressed groups to have their own separate organizations, excluding those from privileged positions. Young's view thus embraces difference and as such, she argues that the emphasis on difference will reconfigure the implications of its meaning, not to posit a particular people as "other," but to come to encourage a social acceptance of heterogeneity.[74]

There are several problems with Young's understanding here. First, concerning her critique of Wasserstrom, drawing an analogy between sex and race and the social significance of eye color does not deny difference. Difference is still present, but it no longer carries the weight of having social implications, advantages or disadvantages. Losing the social significance of sex and race means that there can be no arbitrary justification for treating or viewing one group of people as superior or inferior to another group of people. For example, if one's sex were the social equivalent of eye color, then the discrepancy in the pay scale between men and women would be socially unacceptable. While the disparity in pay is recognized today, it continues to exist and is slow to decrease because of the socially accepted power relations in the man/woman

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[71] Ibid., 158.
[72] Ibid.
[73] Ibid., 167.
[74] Ibid., 171.

hierarchical dichotomy. The Institute for Women's Policy Research (IWPR) reports that in 2002 the median wages of women working full-time, year round were 76.2 percent of the median wages of men who worked full-time, year round.[75] According to IWPR, between the years of 1983-2000, "approximately 45 percent of the wage gap between men and women could not be explained by the combined effect of differences in human capital, industry and occupation, unionization, and work hours."[76] That 45 percent reveals that sex discrimination remains a factor in the wage gap between men and women. The power structure that infuses this pay scale discrepancy is perhaps reliant on the traditional patriarchal assumption that women ought to be the primary caretakers of the family while men ought to be the primary providers. Therefore, adjusting the difference in the pay scale between men and women also involves acknowledging and deconstructing the traditional power relations between men and women.

Conversely, adjusting a difference in the pay scale between a blue-eyed versus a brown-eyed person performing the same job would perhaps be executed without much objection as there are no power relations, no hierarchical binaries that exist between blue-eyed and brown-eyed people. Hence, Wasserstrom's argument in favor of removing the social implications of sex and race is not an argument that ignores differences or disbands social groups, but it eliminates the traditional justifications for accepting and acting in accordance with unjust power relations.[77]

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[75] Amy Caiazza, April Shaw, and Misha Werschkul, "Women's Economic Status in the States: Wide Disparities by Race, Ethnicity, and Region," 9.

[76] Ibid., 10.

[77] It may be worth noting that Wasserstrom's ideal removes any type of defense of a gender-based justification of the wage gap between men and women. Under this ideal, women would no longer be the socially acceptable or socially expected parent to take time off of work for the purpose of raising children. Men would be just as likely to take a voluntary hiatus from work to stay at home with their children. Additionally, this ideal ensures against the argument that anyone taking leave from their employment for a period of several years would return to their same position with their pay and benefits increasing as though they had never left.

Young's concern over the loss of political rights and institutional benefits associated with race and sex and the subsequent exclusion of certain social groups in policy-making also seems to be a misunderstanding of Wasserstrom's account. Young's difficulty here appears to be that she is not making a distinction between biological sex and social sex, or gender. When Wasserstrom says that the assimilationist ideal would eliminate the social significance of sex, he does not deny biological sex differences, but he drives the point that *gender* differences should be rendered insignificant. Though he never uses the term, he notes the implications of the assimilationist ideal as always involving what feminists now refer to as gender—the social construct of sex.[78] In the non-sexist society promoted by the assimilationist ideal "persons would not be socialized so as to see or understand themselves or others as essentially or significantly who they were or what their lives would be like because they were either male or female."[79] Therefore, if *gender* and race lose their social significance, then theoretically, there is no justification for and no reason to include prejudice concerning political rights, institutional benefits, policy-making, etc.

Moreover, if Young is concerned that losing the social weight of gender may result in the loss of the reproductive rights of women, this argument does not seem to obtain. Doing away with gender removes the validation of the unjust treatment of women in accordance with the superior/inferior and subject/object hierarchical dichotomies. Without the social implications of gender that have thus far fueled traditional patriarchy, women can no longer be seen as infantile or childlike or as somehow unable to exercise their own rights or make their own decisions as to what is best for their lives and/or bodies. Thus, thinking of sex and race as having the same

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[78] See Susan Moller Okin, *Justice, Gender and the Family*, 6.
[79] Richard A. Wasserstrom, "Racism and Sexism," Philosophy and Social Issues, 26.

social implications as eye color would defuse these dichotomies, and women would no longer be subject to the supposed authority of men when considering women's reproductive rights.[80]

With the use of his assimilationist ideal, Wasserstrom clearly demonstrates an attempt to end oppression or socially oppressive forces where Young's theory does not. As was previously stated, Wasserstrom is concerned with eliminating the rewards and consequences that social constraints attribute to a particular gender or a particular race. Wasserstrom is attempting to dispel hierarchical binaries, thereby ensuring that people are eligible for the same opportunities in life. It is not clear then why Young assumes that removing the advantages and disadvantages linked to gender and race will ultimately result in the elimination of social groups. Perhaps her confusion rests in the fact that Young does not distinguish between voluntary and non-voluntary social groups as is seen in Cudd's account. Wasserstrom's view seems to eliminate the problematic non-voluntary social group that collectively experiences rewards or consequences based on the social reception particular to that group. His view does not, however, call for the elimination of social groups as Young is perhaps too quick to suggest. In the end, Wasserstrom's view removes the hierarchical binaries that justify the conception of women and minorities as secondary citizens to white men, acknowledges that some, not all social groups are problematic, and calls for the elimination of those harmful, non-voluntary social groups. By Wasserstrom's account then, women and minorities retain their rights, while losing the prejudices that serve to keep them oppressed.

Wasserstrom's ideal, therefore, is preferable to that of Young. Young's politics of difference, while seemingly well-intentioned, serves to perpetuate the very hierarchical,

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[80] If there is still some concern over the protection of reproductive rights with the removal of the social significance of sex, the assimilationist ideal used in conjunction with the human rights framework would protect women's reproductive rights while continuing to ensure against the justified mistreatment of women. It may also be interesting to note that The Center for Reproductive Rights references human rights as the basis for its mission to protect the rights of women.

dichotomous thinking that is so problematic. While it certainly is important to embrace difference and to accept a methodology and a practice that accounts for diversity rather than attempting to subsume it, to focus one's theory entirely on the preservation of difference allows for greater tensions and perhaps further grounds for discrimination among social groups. Young's theory is overly optimistic about the possibility that organizing strictly according to social group differences will eventually lead to a greater appreciation for heterogeneity. By dismissing the elimination of the social significance of sex and race and arguing in favor of an emphasis on group differences, Young demonstrates the very struggle with reconciling unity and difference against which Haslanger warns.

Unlike Young's account, Wasserstrom's theory corresponds well with Haslanger's second concern. That is, Wasserstrom demonstrates that it is possible to have diverse people without acknowledging that diversity as warranting particular advantages and disadvantages. Removing the social implications of sex and race presents a goal for feminist, anti-racist theory. Still, a methodology is needed to attain that goal—a methodology that will reinforce the importance of recognizing the differences among people while not designating those differences as falling into some hierarchical binary.

In "Reclaiming a Human Rights Culture: Feminism of Difference and Alliance," Mallika Dutt argues for a human rights discourse as the effective footing on which to establish a unifying account of feminism without neglecting diversity. Dutt discusses several areas in which feminism should organize around the human rights paradigm: popular education, violence against women, economic and social rights, and health and reproductive rights. In Dutt's view, popular education should be used as a vehicle through which women become empowered. She says that humanity ought to begin its fight against oppression by educating women to the fact

that their existence is not inferior to that of men. They must be informed of their basic rights and of that to which they are ultimately entitled as human beings.[81] Note that this stance on the education of women is one that will address not only the plight of Western women, but of all women. While experiences of oppression differ according to social groups, Dutt's view here explains that our first task is to wrest the superior/inferior dichotomy from its pervasive role in global gender relations.

When applying the human rights framework to violence against women, Dutt explains that this paradigm has repeatedly proven its strength by stirring international interest and awareness of gendered and sexualized violence. The use of this paradigm brought violence against women to the "forefront of the UN agenda," caused its recognition in the Vienna Declaration on Human Rights and "led to the appointment of a UN Special Rapporteur on Violence Against Women."[82] Arguing against oppression from a human rights framework then, eradicates the possibility of justifying the abuse or exploitation of women and minorities.

Demanding the recognition of oppression as a human rights issue sends a global message that is not easily ignored. Oppression becomes a reality to all people, rather than a problem solely for those who directly experience it. To illustrate why this paradigm is more effective and indeed more preferable to those methodologies that continue to argue from a "special interest" perspective, it is helpful to look again at the work of Catharine MacKinnon in *Only Words*.

MacKinnon's agenda here is to demonstrate that pornography elicits violence against women and minorities by associating acts of violence with sexual arousal. She argues against the protection of pornography as an act of free speech, claiming that any language or act that promotes inequality, especially those that serve to threaten and defame a particular group of

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[81] Mallika Dutt, "Reclaiming a Human Rights Culture: Feminism of Difference and Alliance," *Talking Visions: Multicultural Feminism in a Transnational Age*, 237.
[82] Ibid., 240-1.

people, should not be legally pardoned.[83] While MacKinnon is certainly correct in arguing

against the exploitation and objectification of women and minorities, her work consists mainly of

arguments continually asserting the harm that pornography and sexualized violence forces upon

only women and minorities. If women and minorities are understood as fulfilling the object role

of the subject/object binary and are thus understood as being somehow less human than those

who fulfill the subject role, then it will not matter to the dominant social group that the

subordinate social groups are harmed. Focusing on how and why the pornographic industry and

sexualized violence are harmful only to specific groups, rather claiming this as a violation of

human rights, seems to allow MacKinnon's arguments to be more easily overlooked. These

issues thus retain their position in the periphery, remaining "special interest" problems that are

largely ignored by an industry and society that adheres to the superior/inferior and subject/object

hierarchical dichotomies.

Conversely, the human rights paradigm proves more effective by removing the "special

interests" aspect of oppression. Keeping violence against women and minorities in the periphery

rather than demonstrating why this violence is a violation of human rights is perhaps why

pornography can be acceptably dismissed as "only words." If one does not first argue against

women and minorities being the "object" half of the subject/object dichotomy or the "inferior"

half of the superior/inferior dichotomy, then any arguments made against the unjust treatment of

women and minorities lose their vigor and consequently, we see that the sexualized crimes

against which MacKinnon argues do not get the attention nor the retributive action that they

deserve.

The strength of the human rights paradigm is seen again in Dutt's discussion surrounding

economic and social rights. Here Dutt drives the point that bringing women's issues to light in

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[83] Catharine MacKinnon, *Only Words*, 71.

the economic and social realms demonstrates that the injustices suffered by women are a public, not a private concern. She cites the *Universal Declaration of Human Rights* as a suitable foundation around which people can and should unite to combat the social and economic mistreatment of women and other minorities.[84] The *Declaration* contains thirty articles delimiting the basic rights, entitlements and freedoms of all people. The following excerpts are taken from the *Declaration*:

> *Article 1.* All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
>
> *Article 23.* (2) Everyone, without any discrimination, has the right to equal pay for equal work.
>
> *Article 25.* (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
> (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Because each person is at least entitled to these human rights, it is not left to the discretion of any dominant people or hegemony to deny these rights to others on the basis of gender, race or class differences. Thus, regardless of gender, class, or cultural disparity, each person is warranted in her claim to be guaranteed these provisions. This understanding in conjunction with the education requirement helps to build upon a global intolerance against the unequal treatment of women across cultural divides.

While the human rights discourse seems a sound basis from which to battle against oppression, there are several criticisms that raise pertinent points about this framework. Inderpal Grewal objects to this paradigm in her essay "On the New Global Feminism and the Family of Nations: Dilemmas of Transnational Feminist Practice." Grewal argues that the human rights framework does not avoid the very hegemonies that prove so detrimental to women's rights, and

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[84] Mallika Dutt, "Reclaiming a Human Rights Culture: Feminism of Difference and Alliance," *Talking Visions: Multicultural Feminism in a Transnational Age*, 238.

instead functions as a universalizing discourse that continues to estrange Third-World women. She claims that arguing for women's rights as human rights is meant "to assert the rights of the individual as a private, autonomous being" and many women in various parts of the globe are not seen as independent, autonomous individuals.[85] Thus, according to Grewal, the human rights discourse reinforces the marginalization of Third-World women.

Grewal further criticizes the human rights discourse for promoting the "moral superiority" of Western women who, she claims, will inevitably use this paradigm to create a false sense of sisterhood, so as to remain the older and wiser sister to the unknowing and underdeveloped Third World sisters.[86] Grewal argues that the human rights paradigm can be used to enhance unjust power relations between the Western world and so-called developing countries. She claims that there is no guarantee that the superpower mentality of some will be dispelled given the emphasis on or the organizing around the human rights paradigm.[87]

This criticism of the human rights discourse is also present in Chandra Talpade Mohanty's "Under Western Eyes: Feminist Scholarship and Colonial Discourses." Mohanty argues that while it is important for women to organize across boarders, it is necessary to keep in mind the differences of women and to resist promoting a homogenization of women's experiences under a problematic hegemony. Mohanty centers her discussion on three analytic principles which she observes and which she urges Western women to avoid when extending their academic discourse across international borders.[88]

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[85] Inderpal Grewal, . "On the New Global Feminism and the Family of Nations: Dilemmas of Transnational Feminist Practice," *Talking Visions: Multicultural Feminism in a Transnational Age*, 505.
[86] Ibid., 511.
[87] Ibid.
[88] Chandra Talpade Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," Boundary 2. Vol. 12, No. 3, On Humanism and the University I: The Discourse of Humanism. (Spring-Autumn, 1984): 336-7.

Addressing first the legitimacy of the category "women," Mohanty questions whether it is appropriate or even desirable for women to organize around gender. She finds the category of "women" problematic for two reasons. First, she argues that to assume that women exist as an already coherent group sharing "identical interests and desires, regardless of class, ethnic or racial location" further strengthens the patriarchal dichotomy that is posed between women and men.[89] This method of promoting the collective identity of women seems to reflect the reduction of difference and the perpetuating of the "absolute other" that were the concern of both Young and Grewal. Moreover though, Mohanty argues that if women are organizing under this category as a result of their shared oppression, then the focus of the feminist discourse surrounding this category shifts to proving the shared oppression rather than working to combat it.[90] Thus, Mohanty wants to move away from an oppression-based organizing, citing that it dwells too heavily on women as objects, as universal dependents or as victims.[91] Instead, she argues for the need to formulate a Sisterhood that takes into account the historical and political differences among diverse women.

Mohanty's argument here illustrates the final of Haslanger's concerns: that feminist, anti-racist theory must include accounts of gender and race that will appreciate the agency of all women regardless of the country or culture to which they belong and that will foster the empowerment of these peoples in combating their diverse experiences of oppression. Furthermore, Mohanty's critique builds upon that of Grewal, offering criticism that is absent empty and unsupported claims and presenting key warnings and suggestions for the human rights discourse. Grewal's arguments, by contrast, prove more accusatory than constructive, making such claims as that the United States "assumes that certain foreign cultures are very oppressive to

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[89] Ibid., 337.
[90] Ibid.
[91] Ibid., 338-41.

women, unlike [itself]" and that the United States considers itself a "unified nation free of violent practices against women, except for domestic violence and rape."[92]

Making unsupported accusations against the United States detracts from an important claim underlying Grewal's work—a claim which Mohanty more clearly defines; namely that by promoting a universalizing discourse, Western women continue to ostracize women in developing countries by refusing to recognize these women as capable of naming and leading their own struggles against oppression. Highlighting this need to examine the motivations underlying Western methodology, Mohanty argues that Western feminism makes "a colonialist move in the case of a hegemonic first-third world connection in scholarship."[93] According to Mohanty, as a result of this commitment to universalizing "women's" oppression, Western feminism neglects the historical contexts of the diverse women and cultures that it examines. She argues that organizing women around their common oppression is not only unjustified, but it continues to perpetuate the very dichotomy that it attempts to dispel. Mohanty claims, therefore, that this Western agenda ultimately sets up the United States and European feminists as subject, while designating "third world women" as objects to be analyzed from a supposedly superior or at least more informed perspective.

While this common criticism from Grewal and Mohanty is important, it does not necessarily discount the effectiveness of the human rights position, though it calls attention to and warns against a potential downfall of the framework. Both Grewal and Mohanty are correct in questioning who will be enforcing the human rights discourse and what power relations will come into play during its use. However, neither examines the potential for the human rights

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[92] Inderpal Grewal, . "On the New Global Feminism and the Family of Nations: Dilemmas of Transnational Feminist Practice," *Talking Visions: Multicultural Feminism in a Transnational Age*, 513-4.
[93] Chandra Talpade Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," Boundary 2. Vol. 12, No. 3, On Humanism and the University I: The Discourse of Humanism. (Spring-Autumn, 1984): 349.

framework to deconstruct those unjust power structures as is a main point with Dutt's argument in favor of this paradigm.

Dutt anticipates the criticism that Grewal and Mohanty pose, saying that "universalisms such as human rights are criticized either because all individual experience is said to be contingent on the location of the person involved and/or because cultural or other differences between people need to be respected."[94] While it is indeed important to acknowledge the criticism offered by Grewal and Mohanty warning against a Western cultural imperialism, the fact remains that Western dominance is neither a necessary, nor a sufficient condition of applying the human rights framework to feminist struggle. In her words, Dutt claims "There need not be a contradiction in the assertion that human rights are universal and that they recognize difference."[95] I do think that Dutt is correct here. The human rights framework is not mutually exclusive with acknowledging and accepting diversity.

It seems that, particularly in the work of Grewal and Young, there is a misunderstanding that permeates the discussion surrounding the human rights framework and that needs some clarification. That is, Grewal and Young, and surely many others, need to understand that claiming that women experience oppression all across the world does not constitute the claim that there is one particular form of oppression against all women as one type. The human rights framework both acknowledges and defends the diversity as well as the unity among not only women, but humanity. A human rights discourse demands that no matter what the culture, no matter who the oppressed, *everyone* is entitled to specific rights regardless of race, gender or class.

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[94] Mallika Dutt, "Reclaiming a Human Rights Culture: Feminism of Difference and Alliance," *Talking Visions: Multicultural Feminism in a Transnational Age*, 231.
[95] Ibid., 233.

Without neglecting difference, "we must connect our experiences and organize with people in other parts of the world to better counter the economic, social and political forces at play."[96] In this way, the human rights paradigm is not a commitment to universalizing in the way that Grewal and Mohanty suggest, and it is not a way by which Western feminism may project its own sentiments about oppression onto other women and other cultures; rather, the human rights framework organizes individuals in order to have the numbers and the voices necessary to guarantee that the problems of feminism be heard and that they be understood as the serious local and global threats that they are.

As such, so long as Western feminism stops projecting local conceptions of oppression onto other women and other cultures, the human rights framework is a way by which to build solidarity among women and among humanity. This discourse proves an effective method for breaking down unjust power relations by demanding the recognition of the most basic rights of all people and by refusing to acknowledge the positing of any group as superior to any other. If, as is argued in the first chapter, the foundation of oppression is a hierarchical, binary thinking that is reflected in social group identity and behavior, then the human rights framework is the necessary construct through which to defuse the prejudiced thinking that allows for people to construct unjust power relations in accordance with misguided, biased perceptions.

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[96] Ibid., 243.

Conclusion

The human rights framework provides the tools necessary to overcome and eliminate oppression. If used correctly, this framework disallows any justification of powerlessness, exploitation, violence, marginalization and cultural imperialism. That is, provided that individuals are held to the minimal requirements of the rights as stated in the *Universal Declaration of Human Rights*, there cannot be a universalizing of experiences, nor grounds for a dominant country or people forcing its beliefs or its perceptions onto any other country or people. The effectiveness of this framework lies precisely in its eliminating any justification for problematic universalizing or for uncontested cultural imperialism.[97] The human rights methodology deconstructs the hierarchical binaries that are the foundation of oppressive relations, and as such creates grounds for building a solidarity among people that is necessary for the complete elimination of oppression.

A great deal of feminist literature expresses the view that oppression cannot be defeated unless people collectively struggle against it without denying their diversity. Cudd claims that the object cannot be for humanity to live a meaningful life "in spite of or in the face of oppression," but that people must collectively work to end oppression.[98] Hooks also supports this call to collectively organize saying that "establishing a unity among people will defeat hierarchical dualities and will replace these dualities with an ethic of communalism, shared responsibility, and mutuality."[99]

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[97] By saying that we should avoid a "problematic universalizing" of experiences, I do not mean to suggest that there are no instances in which women share similar experiences. The act of universalizing, as I understand it, includes the silencing of diverse voices; it stymies the presence of an open dialogue by projecting the experiences of one group (usually a dominant social group) onto the experiences and ideas of another group. In my view, universalizing adheres to and indeed requires the presence of hierarchical, binary thinking where having an open discourse over shared experiences does not.

[98] Ann Cudd, *Analyzing Oppression*, 243 footnote 8.

[99] Bell hooks, *Feminist Theory: From Margin to Center*, 40.

A problem throughout the feminist movement has been that forming this unity always allowed for the silencing of voices and the oversight of the experiences of some women, whether it was/is ignoring the circumstances of black women by white women, or overshadowing women of "developing countries" by Western women. This issue has become of particular interest and concern in feminist theory, but the literature surrounding this problem seems more focused on pointing out this flaw rather than suggesting ways to address it.

It is my view that the best way to form unity while acknowledging disparity is through the human rights framework. This methodology is certainly no "quick-fix:" with problems as large and as deep as racism and sexism, there is no quick fix. The human rights framework, however, offers a solid ground upon which people can collectively struggle against and eventually end oppression while maintaining their sense of diversity. If people begin to recognize the harm that can be caused by hierarchical, binary thinking, and they accept the human rights discourse as the appropriate footing upon which to dispel that prejudiced thinking, then we will begin to gain ground in the battle against oppression.

From here, people need to build upon a collective commitment to end oppression, and perhaps the most powerful and effective way by which to foster that commitment is through education. In addition to stating that the *Universal Declaration of Human Rights* should be "disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories," Article 26 of the *Declaration* states:

> Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

There is no more powerful tool, no more effective method to build upon a global intolerance of the exploitation and maltreatment of people than through education. The *Declaration* should be something that children are taught throughout school in order to cultivate this intolerance and to promote change. Of course this means that the changes will be seen from generation to generation and will not occur as rapidly as we would like, but the change *will be* occurring. People will begin to live and to teach their children to value and respect human rights, and eventually an ideal like Wasserstrom suggests will have the potential to come into effect.

It is important to note that intolerance in this instance, while a term that is usually avoided when talking about a non-racist and non-sexist methodology, is meant to urge people against an unquestioning multiculturalism. In order to accept diversity and to respect cultural disparity, we need not also accept or be tolerant of the abuse, neglect, and mistreatment or misrepresentation of particular groups of people. By adopting the human rights framework, we become intolerant of violations of those rights in the sense that we reject any justification for human rights violations based on the binary, hierarchical thinking that supports oppressive practices. It is important to differentiate that being respectful and mindful of difference does not mean being tolerant of the ways in which some cultures or some groups of people violate the human rights of others.

In order to dispel hierarchical, dichotomous thinking, feminist theory that serves as a catalyst for social change must urge people to appreciate diversity as well as to recognize the power and the significance of unity. By removing the justification for the mistreatment of particular social groups, the human rights paradigm makes concrete what so many wrongly see as malleable. It unifies people and creates solidarity at the human level, eliminating the notion that "different" means "inferior." Thus, educating people about the importance of human rights

rather than a willing or grudging acceptance of hierarchical, binary thinking will ultimately

empower people and stir them into collective action over a principle of entitlement.

      Not even Ghandi or Martin Luther King, Jr. could be said to have ended oppression on

their own; it was their ability to lead masses to protest the oppression that changed the world.[100]

<div align="right">

-Ann Cudd

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[100]Ann Cudd, *Analyzing Oppression*, 243. This quote is taken from footnote 8.

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