

**FEMINIST RESPONSES TO  
MULTICULTURALISM :  
AN EXAMINATION**

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**BY**

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## CERTIFICATE

This is to certify that this dissertation entitled '**FEMINIST RESPONSES TO MULTICULTURALISM: AN EXAMINATION**' submitted by **TAMANNA KHOSLA** in partial fulfillment of the requirements for the award of the Degree of Master of Philosophy has not been previously submitted for any other degree of this University or any other University. This is her own work.

We recommend that this dissertation may be placed before examiners for evaluation.

**PROF. SUDHA PAI**

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*Tamanna Khosla*  
(Tamanna Khosla)

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# INTRODUCTION

The issue of minority rights and multiculturalism is high on the political agenda of most states today, since most of them incorporate variety of minorities. Multiculturalism promises a deeper understanding of the demands by marginalized communities, thereby ensuring equality and justice for them. It does so by demanding special consideration for these groups, advocating "politics of difference" in contrast to the liberal "politics of indifference". Feminist too have had close affinity to "politics of difference" and therefore empathize with multiculturalist. They, have accordingly made claims for another marginalized community, that is women.

However multiculturalist stress on granting cultural rights also opens up possibility for conservative interpretation of ascriptive identities and identitarian politics. This is extremely problematic to feminists, as while multiculturalists pay special consideration to inequalities between groups, they fail to address inequalities within the groups. In fact to feminist granting of cultural rights would lead to continued subordination of women within the group. Thus they fear that limited gains made by feminist movement over the years may be attenuated by heightened multicultural sensibilities. After struggling for so long to increase gender equality in hiring wages and promotions, and to decrease violence against women, feminist ought to be concerned that their newly gained ground, might be lost by way of what starts as concessions to "difference"<sup>1</sup>.

The dissertation focuses on areas where multiculturalist and feminist interest converge as well as diverge from each other. However, it seeks to look at areas, which emerge out of this interface between the two.

The dissertation is accordingly is divided into four parts.

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<sup>1</sup> Bonnie, Honig, "my culture made me do it", in *is multiculturalism bad for women*. ed. Joshua Cohen, Mathew Howard and Martha Nussbaum. Princeton: Princeton University Press. 1999. pp.35-40; p.39.

The 1<sup>st</sup> chapter, deals with the notion of difference within multiculturalist and feminist thought; the question of which is at the forefront of discussions among political theorists today. In contrast to liberal notion of politics of indifference, politics of difference endorses diversity in culture, experiences, lifestyles and gender. It becomes the formative thought of multiculturalist and feminist thought. The emergence of what Cornel West has called "The new cultural politics of difference", has bred a profound suspicion of any hegemonizing, universalizing representation of 'us' and nourished a strong resistance against modes of political mobilization on the basis of such representation especially among those who used to be silenced or rendered invisible by them<sup>2</sup>. Difference has become doxa, a magic word of theory and politics, radiant with redemptive meaning<sup>3</sup>. However, need would be to have cautious approach towards purity of such a category; therefore 'Hybridity' makes difference into sameness and sameness into difference, but in a way that makes the same no longer same, different no longer simply different, thereby engendering difference and sameness in an apparent simultaneity<sup>4</sup>.

The 2<sup>nd</sup> chapter, follows the 1<sup>st</sup> chapter to look into areas where multiculturalist and feminist interests converge. Issues of recognition, stereotypes, differentiated citizenship, national identity, representation and culture are found to be key areas where feminist and multiculturalist interest converge. The issues have been at length discussed in the chapter.

The 3<sup>rd</sup> chapter, looks into the feminist critique of multiculturalism while the two may converge on certain issues, on key area of granting group rights to cultural groups, feminist position diverge from multiculturalist position. However what needs to be emphasized is that feminism is not a single strand of thought; and therefore they are deeply divided over various issues around culture. Feminist point by taking

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<sup>2</sup> Rita, Felski, "The doxa of difference", *Signs*. 1997. Vol.23. No.1. pp.1-21; 1.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid. p.19.

up issues as varied from polygamy to rape, to show, how granting group rights leads to oppression of women within the group. However, it is not only minority but also majority cultures, which have shades of patriarchy as cases such as ERA, Case X, Sati, show. The solution varies from granting no group rights and granting individual rights, to inter group equality working in tandem with intra group equality. What feminist point out is that culture should not trump all other considerations.

The IV<sup>th</sup> chapter, conclusion look at issues on which feminism sensitizes multiculturalism and vice-versa and in turn how both need to be sensitized to certain issues. While feminist talk of the broad issue of group rights and definition of multiculturalism, multiculturalist sensitize feminists to issues of cultural complexity, full force of multiculturalist critique, to recognize partiality of their cultural view contextualized understanding of patriarchy and indigenous mediums of struggle. Both in turn need to recognize the issues of cultural constraint, that is on issue of cultural implanation on children, complexity of understanding post colonial societies etc. Debates around equality/difference and universalism/particularism and need for interference with purity of such categories is also looked into.

Thus dissertation focuses to the fact that while culture and its location are considered of central importance to feminist; however what is problematic to feminist is when this culture becomes a source of continued subordination for women. It is here, where they critique multiculturalist demand for cultural rights to groups; which according to them would not be favourable to women's cause. Thus distinguishing between enabling and oppressive cultural norms is a fundamental challenge of multiculturalism, a challenge that has yet to be successfully confronted.<sup>5</sup>

The exploration of these disagreements sharply clarifies the central question in this debate. How should we understand a commitment to equality in a world of

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<sup>5</sup> Robert, Post. "Between Norms and Choices" in ed. J. Cohen, Op. cit. p.68.

multiple human difference, grim hierarchies of power, and cruel division of life circumstances?<sup>6</sup> And at its best moments the debate, pushes beyond such clarification, forcing us to rethink our understanding of feminism and multiculturalism, and to reflect on the practical prospects for reconciling these different aspects of the radical idea of human equality (to consider how we might achieve, in Susan Moller Okin's words, "a multiculturalism that effectively treats all persons as each other's moral equals")<sup>7</sup>, with adequate respect for differences between them.

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<sup>6</sup> J. Cohen, Mathew Howard and Martha C, Nussabaun. "Introduction Feminism, Multiculturalism and Human Equality" in *Ibid.*; p. 5.

<sup>7</sup> *Ibid*



## CHAPTER I

# THE NOTION OF DIFFERENCE WITHIN FEMINIST AND MULTICULTURALIST THOUGHT

### I. LIBERALISM AS POLITICS OF INDIFFERENCE

Liberal democratic theory as it has historically evolved is based on certain core assumptions, which infact underlie all liberal arguments. First, such assumption is that liberal theory is **individualistic** in asserting or assuming the moral primacy of the person against the claims of any social collectivity. **Second** that it is **egalitarian** or based on equality, because, it confers on all such individuals the same moral status and denies the relevance to legal or political order of difference in moral worth among human beings. **Third**, it is **universalist** because it affirms the moral unity of the human species and accords a secondary importance to specific historical association and cultural forms.<sup>1</sup>

Historically these very characteristics formed the bedrock of French Revolution and American civil war (the two most eloquent articulation of democratic aspiration), which questioned social prejudices, wherein class and race were used to justify exclusion and discrimination in the public

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<sup>1</sup> Chandran Kukathas, "Are there any cultural rights", *Political Theory*, 20 (1), 1992: 105-139 at 108.

and political domain. With time the women movement added its voice to this lot. In its struggle against gender based inequality and discrimination, it too invoked the notion of equality. Dissenting religious groups, for instance Catholics and Jews in England and protestants in France also employed the principle of equality to question their exclusion from public life.<sup>2</sup>

As far as theorizing about democracy was concerned, the notion of natural equality was supplemented by the idea that all persons as members of human species possess equal dignity and deserve the same respect and consideration.<sup>3</sup> This perception has derived from the writing of Kant whose reference to universal humanity bolstered the notion of equality and gave a new edge to the struggles of marginalized population. Feminist theorists, similarly drawing from these enlightenment ideals invoked the notion of equality to protest against subordination of women. Mary wollstonecraft, to whom origins of feminist thought are usually attributed; in her 'vindication of rights of man' asks the question that if certain rights are inalienable and human, then how are they not applicable to women? To her woman will not become rational until they were treated with same dignity and allowed to share same privileges as men. She

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<sup>2</sup> Gurpreet Mahajan, 'Introduction, in Gurpreet Mahajan (ed.), *Democracy, difference and social justice* (Delhi, Oxford University Press, 1998), p. 2.

<sup>3</sup> Ibid; p. 3.

treats reason/knowledge/mind to be sexless; thus distinction between sexes being entirely bodily. Therefore all human activities should be governed by principal of reason, which are same in all.<sup>4</sup>

Thus the notion of equality provided a norm on the basis of which certain kinds of differences were identified as sources of discrimination and social injustice enabling the claims of excluded and discriminated people to be anchored. Therefore democratic theory was most sensitive to the demands by various groups for political participation and equal rights of citizenship and in pursuing this goal, the notion of equality was frequently invoked to set aside these identified social differences through a neutralized public sphere.

The liberal view has in recent time been most eloquently represented in works of John Rawls who in 'Theory of justice' points out that civil and political rights and primary social goods such as education and employment should not be distributed on the basis of ascriptive

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<sup>4</sup> See, for e.g. Mary Lyndon Shanley and Carole Patman (ed.), *feminist Interpretations and political theory*, (U.K., Polity Press, 1991) Later feminists would critique Wollstonecraft in extending liberal principle of equality. She misses the point that these principles were developed with male subject in mind. Carole Pateman later makes the point that apart from political/ economic reform, need would also be to turn to civic sphere. Luce Irigaray stresses that to treat all human beings as same is to deny some being the most basic ethical principle, that is acknowledgement of its specific being. Thus on liberal feminist paradigm fair and equal treatment for women apply to those activities which stimulate neutral subject, but what of those aspects which apply to her specificity - rape, domestic violence etc. Thus while such a strand settles political question, it leaves ethical one unanswered.

character that are arbitrary from the moral point of view.<sup>5</sup> Rights and benefits, privileges and power, should be distributed in a manner that is blind to social differences. At minimum, justice requires a regime of fair equality of opportunity, ungirded by a system of equal rights and liberty for all citizens.

Rawls theory of 'Justice as fairness' defined from within an original position, models an ideal of impartiality which is meant to be purely procedural in nature. The veil of ignorance (which is thick and not thin) represents the commitment to treat individuals as equals without regard to morally arbitrary characteristics, such as race, class, religion and so on.<sup>6</sup> To Rawls, since the difference among parties are unknown to them and everyone is equally rational and similarly situated, therefore we can view the choice in the original position from the standard point of one person selected at random. Thus difference is automatically eliminated at the very outset from his thought.<sup>7</sup>

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<sup>5</sup> See John Rawls, *A Theory of Justice*, (Cambridge, Harvard University Press, 1971). From feminist perspective Susan Moller Okin Challenges delimitation of impartiality point of view. She argues in "Gender justice and family" that impartiality principle has been inappropriately applied only to public realm, leaving the operation of private realm and the family unaddressed. So according to her neglect of family in theories of justice ought to be rectified by extending the requirement of impartiality to private sphere.

<sup>6</sup> Ibid; similarly Dworkins desert Island with its insurance scheme, Ackerman's spaceship journey to a new planet, all serve the purpose of ensuring that ascriptive group differences play no role in definition of justice.

<sup>7</sup> Ibid; However in Rawls later work, *Political liberalism*, the political seems at last to come to the fore because problem of diversity appears to be directly confronted. He poses the question, how over time a stable and just society of

Brian Barry, one of the most bullish contemporary defenders of justice provides distinction between first and second order impartiality. First order impartiality is one that is not to be motivated by any private consideration. Second order impartiality in contrast pertains not to individual motivation but to social principles. Far from being synonymous with first order, second is a procedural mechanism for reaching general agreement as to when and where first order impartiality might or might not be appropriate.

Jurgen Habermas theory of moral reason shares with liberal theory a commitment to impartiality. As with all advocates of moral objectivism, he endorses the features of cognitivism, universalism and formalism which makes it possible to identify the structures of moral thought in abstraction from any particular aim or conception of good life. However while Habermas adopts Kohlberg's basic conception of moral reasoning, his account is distinctive in its emphasis on the role of communication and discourse in establishment of moral norms. He therefore makes an appeal to both the abstraction of the impartiality perspective and the embeddedness of an account of intersubjective constitution of identity.<sup>8</sup>

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free and equal citizen profoundly divided by, reasonable though incompatible religious, philosophical and moral diversity can exist? To him answer is provided by idea of an 'overlapping consensus' that embraces all reasonable doctrine and is embodied in an ideal of political justice.

<sup>8</sup> Feminist revision of Habermas, is produced by Seyla Benhabib, who concentrated on a Synthesis of general other considered as equal moral agents and concrete other, that is individuals with irreducible differences.

Thus while upholding the rule of law may require intervention in the affairs of individuals and groups; but liberal politics is not concerned with these affairs in themselves. Indeed it is indifference to particular human affairs or to particular pursuits of individuals and groups; Liberalism might well be described as the 'politics of indifference'.<sup>9</sup>

The constitutional embodiment of these liberal principals in United States, Canada and else where has played an important role in many of liberalisms greatest achievements against unjust legislations.<sup>10</sup> For example in Brown vs. Board of education case the fourteenth amendment of American constitution guaranteeing equal protection of law to all its citizens was used to strike down legislation's that segregated blacks in America. The separate but equal doctrine, which had governed racial segregation in united states for sixty years, denied blacks right to equal protection of the law. While that case dealt solely with segregated school facilities, but it was a major impetus behind the removal of other segregationist legislation's in 1950's – the passage of the civil rights and voting rights act in sixties and the development of mandatory busing and affirmative action programmes in seventies, which in turn were the catalyst for similar programmes to benefit other groups such as Hispanics,

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<sup>9</sup> Chandran Kukathas, "Liberalism and multiculturalism", *Political Theory*, Vol. 26 (1), No. 5, Oct. 1998, See p. 86-699.

<sup>10</sup> Will Kymlicka, *liberalism, community and culture*, (Oxford, Oxford University Press, 1989), p. 141.

Women, the handicapped etc. Thus anti discrimination legislations or regulations have been committed to offering equality of opportunity—one of liberalism's major promises.

Therefore the history of these developments is one of the high points of western liberalism in the twentieth century, for there is a powerful ideal of the equality at work here in political morality of the community- the idea that every citizen has a right to full and equal participation in political, economic, and cultural life of the country without regard to race, sex, religion, etc. emphasizing irreducible distinctiveness of individual.

The logical conclusion of these principles seem to be a colour (Gender) blind constitution, the removal of all legislations differentiating people in terms of their race or ethnicity (except for temporary measures such as affirmative action), extending the meaning of equality through supreme court cases, which are believed necessary to reach such a colour blind society.

Liberal equality requires the universal mode of incorporating citizens into the state. And as seen above, this indeed has often been the conclusion drawn by courts in Canada and United States.

However, feminist, racial and cultural rights theorists, raise certain important questions within the liberal theory, that is, Is formal equality which prohibits discrimination adequate to accommodate differences in person, situation and their need or a more substantive interpretation is required? Would equality of opportunity mean equal treatment or giving or

receiving equal concern? The next sections delves into the difference argument provided by feminist, racial and cultural rights thinkers, who stress for broader interpretation of notion of equality within the liberal frame work—taking differences of race, gender, culture, class etc into account.

## II. DIFFERENCE AS OTHERNESS

However once civil and political rights were granted to all persons and class, colour and gender were no longer the basis of excluding people from the political domain, thinking about differences underwent considerable change.<sup>11</sup> Thus far the principle of equality had offered a criterion of inclusion and disenfranchised population had used it to demand an equal voice in the political process.<sup>12</sup> But once this particular goal had been fulfilled, social differences began to resurface again and assert themselves without the accompanying fear of legitimizing discrimination.<sup>13</sup>

Increasingly in this changed environment attention was given on arguments by feminist, cultural and racial difference theorists who stressed on the notion of difference as otherness, which provided a

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<sup>11</sup> Gurpreet Mahajan, *op. cit.* p. 7.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*



critique not only to the liberal notion of difference as discrimination but also brought forth the aspect of their distinct irreducible identities.

Infact the ideologues of the new ideal were critical of the principle of formal equality on the ground that it obliterated differences.<sup>14</sup> By categorizing the members of polity as citizens, it ignored the difference between them.<sup>15</sup> More importantly, the assertion of formal equality camouflaged the cultural, religious and gender biases of nation state.

Feminist and cultural / racial difference right theorists questioned the liberal conception of universal citizenship which led to distinction between public and private spheres – where public sphere was considered to be politically neutral sphere of disembodied individuals and private sphere was where multiple difference or plurality found place. Such a distinction saw minority and women point of views being relegated to private sphere (while public sphere was where the dominant male WASP norms operated as neutral in nature).

Besides liberal notion of formal equality and citizenship is considered primarily assimilationist in nature. Infact aim of equality or anti discrimination legislation is the production of sameness, ignoring difference in minority and women perspective.

Cultural and racial rights theorist point, formal equality favored assimilation into the existing national, cultural and political life and

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<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

expected the erstwhile marginalized communities to continue to adopt and incorporate, in idea and custom, the national way of life. The fact that the nation state frequently reflects the cultural and gender orientation of dominant groups and that the 'other's' (marginalized communities) rarely have the option of shaping and redefining it is a matter that receives scant attention in the context of abstract egalitarianism.

Similarly feminist point that an assimilationist vision ignores the reality of difference between men and women. Women are to be assimilated to a model predicated on maleness and therefore for example qualities intrinsically related to femaleness, biological role in procreation, may continue to be a barrier to equal treatment. What ever is different in women from male norm must be suppressed. Difference here would encompass biological difference, life cycle difference, sex role difference-- that is cultural difference in addition to biology. An assimilationist vision assumes that law should not enter the private sphere of personal relations and biology – these can otherwise be regulated. So what is different in women is to be suppressed to private sphere. Where women emerge into public to claim equality with men they must be able to compete themselves with men.

Further the liberal ideal of impartiality generates a dichotomy between universality and particularity, that masks the particular perspective of dominant group, marginalizing people associated with body

and feeling. It denies difference in that aspiration towards universalism, reduces differences to unity.<sup>16</sup>

Therefore, when notion of difference is invoked by these groups, what is being asked to recognize is the unique identity of this individual or group, their distinctness from others. The idea is that it is precisely this distinctness that has been ignored, glossed over, assimilated to a dominant or majority identity. And this assimilation is the cardinal sin against the ideal of authenticity.<sup>17</sup>

It was in keeping with this thought the emphasis shifted from pursuit of illusionary goal of equality towards affirmation of irreducible differences of erstwhile marginalized groups. Such a notion has been powerfully presented within certain feminist, racial and cultural difference literature.

As far as feminism is concerned certain stands in second wave feminism sought to reclaim the feminine and women liberation lay in affirmation of their irreducible differences rather than in pursuit of illusionary goal of equality.<sup>18</sup>

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<sup>16</sup> For critique of impartiality principle see- Iris Marion Young, *Justice and Politics of difference*, (New Jersey, Princeton University Press, 1990), In fact both Seyla Benhabib and Young say, ideal of impartially excludes not only an ethic of care but also recognition of difference or alterity.

<sup>17</sup> Charles Taylor, 'The politics of recognition, in *multiculturalism. : A critical reader*. ed. David Theoldberg, (Oxford, UK, Basil Blackwell, 1994), p. 82.

<sup>18</sup> Michele Barrett, 'The concept of difference', *Feminist review* 26, 1957, pp. 29-41. She points to use of concept of difference in various though not compatible way within feminist theory.

Few of the most sophisticated works on the notion of difference have been result of writings of French feminists. Simon de Beauvoir can be considered a figure to whom all feminist owe some debt for introducing the question of a differently sexed body.<sup>19</sup> Both social construction of femininity and its symbolic significance as otherness and negativity have become starting points of French feminist inquiry.

Because of the importance of Lacanian thought<sup>20</sup> in the intellectual context in which they operate, feminist theorists in France have felt very keenly the need to engage directly with arguments of sexual difference.

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- (a) Most commonly to denote differences in biological, psychological or social causes.
  - (b) Differences between women as shaped by hierarchies of class, race, sexual preference.
  - (c) Difference in its Derridian inflection has been used by feminist theorists to address the relational and unstable nature of linguistic meaning and the positioning of the feminine as a key site of such instability.
  - (d) Finally, concept of sexual difference is deployed by lacanian feminist to highlight the great divide of masculine and feminine as an inescapable if unstable psycholinguistic relation, structuring the symbolic order.

<sup>19</sup> She took up the phenomenological scheme of self/ other relationship but to such extensive use in existentialist strategy of analysis as a model of male/ female relationship declaring in her work *The Second sex* that "women is the other" and another historic statement being "one is not born but rather becomes a women"; See also, Elizabeth Spelman, "Simone de beavoire: women Just who does she think we is", in *Feminist interpretation and political theory*, ed. Mary Shanley and Carole pateman, (U.K., polity press, 1991).

<sup>20</sup> According to Lacanian model, the human subject is not only a speaking subject but also a masculine or feminine subject in relation to oedipus complex. Sexual difference is seen as structured by subject relation to the phallus, the signifiers which stands in for the play of absence and presence, that constitutes language because the oedipal moment inaugurates sexual relation to phallus as signifier. Men and women entre language differently and lacan's argument is that female entry into language is organized by lack or negativity.

French psychoanalysts have been highly skeptical of the attribution of a negative value to women's relation to language. (that is they talk of how women get incorporated into symbolic order, where binaries are constructed--one term example man/mind/reason is given a positive value through being positioned as primary in relation to an opposite term which is negatively coded--woman/body/passion) and of sexism implicit in the elevation of the phallus to the place of transcendental signifier. Such a system is referred to as phallogocentric and French feminist strategies of writing seek to disrupt this symbolic order. In line with this critique, Hélène Cixous in her article "castration on decapitation"<sup>21</sup> aims a blow at phallogocentric culture where it hurts the most and attacks it for marking women as the other, as different, as negativity. She says "no to the fathers" reminding them of the very thing they have most to fear--the threat of castration posed by female body.<sup>22</sup> She questions the repression of feminine in culture and provocatively questions masculine language. Women text is a return of the repressed feminine that with its energetic joyful and transgressive, "flying in language and making it fly",<sup>23</sup> dislocates

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<sup>21</sup> See Hélène Cixous, "castration or decapitation", *signs Journal of women in culture & society*, 7 (1), 1981, 41-55.

<sup>22</sup> Hélène Cixous, "The laugh of Midusa", *signs*, no. 4, Autumn 1976, 875-93, She says "Let the priests tremble we are going to show them our sexts !! Too bad for them if they fall apart on discovering that women aren't men or that mother doesn't have one, p. 885.

<sup>23</sup> *Ibid*; p. 887.

repressive structure of phallogocentrism.<sup>24</sup> Luce Irigaray shares with Cixous, as the promise of femininity in the materiality of writing, its performative capabilities. In contrast to the Lacanian symbol of phallus, she uses symbol from morphology of women.<sup>25</sup> Irigaray takes as her point of departure an indictment of psychoanalysis for its almost total disregard of the female subject and therefore she speaks of relationship of women to women, by opening a space in which women "speak female" and speak to each other without the interference of men.<sup>26</sup>

Most commonly notion of difference is used to denote the real differences between women and man, whether these differences are attributed to biological, psychological or social causes.

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<sup>24</sup> See, Cixous, "castration or decapitation", In text she points out, "I said it turns on the word, we must take culture at its word as it takes us into its words, into its tongue", p. 45.

<sup>25</sup> See, Luce Irigaray, "That sex which is not one" (extracts trans. by R. Albury), (ed., P. Foss and M. Morris), in *Language, Sexuality and Subversion*, (Dalington, NSW, Feral Public, 1978), Irigaray writes - "Women ... is in touch with herself by herself, and in herself ... without the necessity of a mediation and prior to any possible distinction between activity and passivity. Women "touches herself" all the time, moreover without any one being able to forbid her to do so for her sex is made up of two lips which embrace each other continuously; p. 162.

<sup>26</sup> As quoted in Hélène V. Wenzel, "Introduction to Luce Irigaray's" "And the one doesn't stir without the other", *Signs: Journal of women in culture and Soc.*, Vol. 7, No. 1, 1981, pp. 56-59; Also see Luce Irigaray, "When own lips speak together", (Trans. Carolyn Burke), *Signs*, Vol. 6, No. 1, Aut. 1980, pp. 69-79, and "And one doesn't stir without other (trans. by Hélène V. Wenzel), *Signs*, vol. 7, no. 1, 1981; 61-67. In the latter the desideratum for women to women relationship is more specifically described, as women become subjects, mothers and daughters may become women subjects and protagonists of their own reality rather than object and antagonists in the father's drama.

Many theorists theorized about putatively unitary, primary, culturally universal type of activity associated with women, generally an activity conceived as domestic and located in family. One of the most prominent among them Nancy Chodorow sets herself to explain the internal, psychological dynamics which have led women willingly to reproduce social divisions associated with female inferiority. She sets out to describe the difference between men and women as a result of female mothering which produces women whose deep sense of self is relational and men whose deep sense of self is not. It stipulates that this basically unitary activity gives rise to two distinct sort of deep selves. One relativity common across cultures to women and other to men. It claims that the difference thus generated between feminine and masculine gender identity causes a variety of supposedly cross-cultural social phenomenon, including continuation of female mothering, male contempt for women and problem in heterosexual relationship.

Catherine Mackinnon sets out to explain that oppression of women occurs through sexual subordination.<sup>27</sup> Thus, like Shulamith Firestone, she appeals to the idea of women as class whose sexuality, like the proletariats labour is exploited. Infact, antipornography campaign identifies subordination of women by sex as a linch pin of women

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<sup>27</sup> While Mackinnon puts sexuality at the centre, Robin west another legal feminist puts mothering and maternity at centre, which according to them is result of women subordination. However both share concern with male domination that frames women difference.

oppression which perpetuates the dichotomy of gender.<sup>28</sup> Therefore Catherine Mackinnon believed in consciousness raising as a method to create knowledge so as to discover collective experience of oppression and use it when they publicly share their experiences as victims of marital rape, pornography, sexual harassment etc. Ann Ferguson, Nancy Folbre, Nancy Hartsock and Allison Jagger have built similar theories around the notion of sex affective production, reproduction and sexuality respectively.

Due to these differences between men and women—be it embedded in social, psychological or biological factors, many feminists have argued that women commonly adopt a different moral voice to that privileged in the ethic of justice approach. It is argued that an ethic of justice (Kohlberg's notion of justice) is a manifestation of male psyche. A more accurate manifestation of the female psyche is to be found in a contextual morality or an ethic of care. Affirming differences then becomes an alternative ethics. The care perspective is held to be distinctly female, whether determinist terms of biological motherhood or more commonly in constructionist term of socially specific forms of child rearing practices.

The care perspective draws most explicitly on the work of Carol Gilligan, who claims that women's experience of interconnection shapes their moral domain and gives rise to a different moral voice. 'Incriticizing Kohlberg's research into moral development on the grounds that it

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<sup>28</sup> See, Deborah L. Rhode, 'Feminism and the State', *Harvard law review*, Vol. 107, No. 6., April 1994: 1181-1208.



privileged an ethic of justice over an ethic of caring, Gilligan offers feminists a framework within which they might critique individualism and universalism of liberal political institutions. Thus the feminist defenders of an ethic of care claim there to be a distinctive women's morality characterized by caring and nurturance. This distinctive form of ethic is variously argued to derived from being female, being a mother or a potential mother, from women's cultural role and exclusion from market place. Therefore what is being argued is a differentiated citizenship. The claim is echoed in the writings of the maternalists who argue for a feminized version of citizenship and articulate a female political consciousness that is grounded in the virtues of women's private sphere-- primarily mothering.<sup>29</sup> Infact Carole Pateman's proposal for a differentiated citizenship, that recognizes the specificity of womanhood rest on the identification of women as women with motherhood. She argues against the liberal conception of citizenship in which the individual has been constructed in a manner that postulates a universalist, homogeneous public that relegates all particular and difference to the private and that this has very negative consequences for women, Therefore she instead advocate need for a sexually differentiated citizenship.

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<sup>29</sup> The maternalist version of citizenship, which proposes the feminine value of private sphere as new model of citizenship, is usually attributed to Sara Ruddick and J.B. Elshtain.

However fact remained that there work came to be criticized for its essentialist, eurocentric and idealist tendencies and therefore what is being witnessed now is the emergence of second generation sexual difference theorists, exemplified in writings of Rosi Braidotti, Druncilla Cornell and Elizabeth Groz.<sup>30</sup> As a result they seek to legitimize sexual difference as a foundational category of feminists thought while simultaneously emptying it of any normative or essentialist content. Rosi Braidotti for example asks the primary question that, is it possible to think of other not as other than but as positively other entity? The goal of feminism is thus not to deny difference but to recover feminine within sexual difference to generate an autonomous female imaginary beyond existing stereotypes of women. The recent work of Cornell offers a detailed elucidation of sexual difference theory which has been described as a formal theory of sexual difference. It affirms the importance of feminine while refusing to give it any substantive content. Feminine is that, which resist definition, which embodies multiplicity and otherness. It is not to be equated with the false femininity of existing false gender stereotypes but embodies a utopian gesturing towards an alternative imaginary beyond the constraints of patriarchal thought. Such a defination affirms feminine without the need for essentialist description of women. Thus by refusing to give any determinate content to feminine, the feminist philosopher hopes to avoid the change of ethnocentrism, arguing that

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Rita Felski, 'The Doxa of difference', *Signs, journal of women in culture and society*, 1997, vol. 23, no. 1, 1-21.

such a framework can include all, rather than only some women, accommodating complex variables of race, class and culture. Feminine differences exists outside the binary structure of patriarchal thought including the very distinction between masculine and feminine. Feminine serves as privileged marker of all forms of diversity that are repressed in contemporary society.<sup>31</sup> Thus her conception was framed in an absolutist term – either radical otherness or one remains imprisoned within the iron cage of phallogentrism.<sup>32</sup>

The difference approach was itself seen as assimilatory by those women who did not conform to the norm of female identity, proposed by those claiming to speak for the women movement. To equate difference and feminism as difference feminists did, was patently questionable, as it subsumes manifold forms of diversity. As Elizabeth Spelman has pointed out, that it is only certain women who have luxury of perceiving male/female division, as the foundational division simply because their own

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<sup>31</sup> Also as Irigaray points, that sexual difference to be considered as one of major philosophical issues and difference between male/ female, prototype of all differences.

<sup>32</sup> Dichotomy follows from lacanian premises on which she relies, which results in homogenizing important difference within that history including the diverse position and social practices of women. As Rita Felski poses the question - 'were all multitude of women engaged in history really nothing more than passive vehicles of phallogentrism? If culture has been a male creation, why should contemporary feminist be able to free ourselves from ubiquitous group of phallogentric thought, when all previous women in history failed? What epistemological thought renders our position more authentic than theirs? See for further argument - Felski, ar. cit., 7.

class on race position remain unmarked and hence invisible.<sup>33</sup> Archana Parashar would say that for example for an African or an Indian women, sexual objectification is almost irrelevant. Much more important is whether she can protect herself against physical abuse, save herself from being burnt alive, for bringing inadequate dowry or to avoid starvation for herself and her children.<sup>34</sup> Further Martha Fineman point out that it is problematic to hierarchize oppression because treating a few differences as determinate produces analysis that are impoverished reflections of complexity of gendered experience.<sup>35</sup> Therefore the need would be to understand women in terms of what Deborah king terms– "multiple consciousness", that is not only sex but class, ethnicity, religion, minority status etc. which would enable us to capture relative significance of these features in an interactive manner. Justification for multiplicity of perspective is that, it does not valorizes any one form of domination nor any one principle possess universal validity.<sup>36</sup>

Apart from this, one of the toughest critics of sexual difference are the post colonial feminists.<sup>37</sup> They undercut any vision of alterity as

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<sup>33</sup> See, Elizabeth V. Spelman, *Inessential women : problem of exclusion in feminist thought*, (Boston, Beacon Press, 1988).

<sup>34</sup> Archana Parashar, "Essentialism or pluralism The future of legal feminism", in Branda Crossman & Ratna Kapur, in *Feminist terrain in legal domain - interdisciplinary essays on women and law in India* (Delhi, Kali for women, 1996), p. 46.

<sup>35</sup> *Ibid*, p. 47.

<sup>36</sup> *Ibid*, p. 49.

<sup>37</sup> See Rita Felski, *ar. cit.* p. 8.

positive or subversive by reaffirming the inextricable connection between difference and hierarchy. Retaining an equation of power with the phallus and of subversion with the feminine such a model upholds the convenient fiction that power is an exclusively male phenomena and fails to consider the agency and complicity of women as women in exercise of class and race hierarchy. Therefore postcolonial feminism involves an intensification and further fragmentation of the concept of difference, criticizing the homogeneous view of third world propagated by western feminism.

Similarly, the sense of otherness that western discourse imposes on non western people and culture is seen as the source of modern ideas of race. The figure of "other", according to Stuart Hall was constructed as the absolute opposite, the negation of everything the west stood for. Through the representation of an absolute differences between west and its others, the idea of difference took a racial form. The other, then is that which lies outside a particular culture or society's epistemological boundaries. According to Levi-Strauss human mind operates by classifying the world in term of pair of opposites. Both pre-literate and modern society he argues, think of world in terms of binary opposites – clean/dirty, body/soul, white/black, male/female etc. One side of the opposite, for instance clean/white is privileged or given positive affirmation while the other, dirty/ black has negative connotation. The meaning of positive element is generally established through exclusion of negative

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half. This provides the epistemological template for thinking about the world exclusively in terms of us and them or self and other.

For Edward Said, the epistemological constant has become the basis for the distinction between west and its others. Edward Said in 'orientalism' discussed how western understanding of the orient (middle east) imposed upon it reality created by west. The discourse of orientalism establishes a dualism between the west and the orient, which strengthens western cultures and imprisons those of orient. Orientalism constitutes a body of thought which both limits how those in the west are able to think about the orient and allows the west to establish physical power over it. Further, Said provides not only critique of orientalism as a false imaginary but also acknowledges this imaginary as (whether false or true) constituting certain practices and institutions.<sup>38</sup> Images function as signals and markers in constituting boundaries between self and other, us and them, normal and abnormal, etc. Thus orientalism creates not only knowledge but the reality they appear to describe. Text of orientalism impose on orient its reality. Representation itself keeps the subordinate sub-ordinate, the inferior, inferior.<sup>39</sup>

Therefore freeing the imagination has been a recurrent theme in movement of reorientation, renaissance, reform or revolution through

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<sup>38</sup> J.N. Pietersen & Bhikhu Parekh ed., *The Decolonization of imagination - culture, knowledge and power*, (Oxford, Oxford University Press., 1997), p. 5.

<sup>39</sup> Ibid, p. 5. 'In wretched of earth' Frantz Fanon maintained Europeans only became human by denying humanity to their colonial other. At the sametime, sub human colonial other could become human by imitating European man.

history and across cultures.<sup>40</sup> If however we view images, as in words of Maffesoli, as 'vectors of communion', it follows that liberation means substitution of one vector of communion – imported and imposed by colonial power, by other presumably self generated vectors.<sup>41</sup> The distinction between image and reality, falsity and truth, merges then with the boundary between dominator and subaltern, and in turn with other and self. In the process, the other of colonialism becomes the self of decolonization. The roles are reversed but the logic of image and power which is also the power of communion has not necessarily changed.<sup>42</sup>

In studies on cultural dimension of colonialism, eurocentricism has been focal point of criticism. Critique of colonial imaginaries have targeted orientalism, Victorian anthropology, anthropological connection to imperialism. It has led to debates on reception of western culture in the south, orientalism, in reverse, post orientalism, occidentalism and westoxification.<sup>43</sup>

In the case of Africa and Arab Americans certain isolationists consider their culture, region or tradition as alien – and often superior to American culture. They deliberately avoid acculturation, reject assimilation and at time promote a cultural war against the dominance of European heritage. In United State, Black power separatists of the late 1960's

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<sup>40</sup> Ibid, p. 6.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

advocated national liberation and rejected the civil rights movement vision of a colour blind integrated America (which came to be called racism in reverse). Similarly Arab American isolationists like many black radicals, regarded the U.S. as imperialist and racist country seeking to dominate the Arab world. Infact today the isolationists among Arab American are mainly orthodox Muslims who reject in principle the idea of Muslims living a minority life in a non Islamic country. While some of them may advocate transformation of American society by attracting Americans to Islam through religious outreach, the militants on other hand consider U.S. to be Islam's greatest enemy.

However as an oppositional discourse, nationalism and nativism tend to reproduce the underlying logic of colonial (racist) projects and imaginary. The logic is that of indigenization and this process of mimesis may involve the essentialization of difference according to the logic not unlike that of colonial racism except that the other has become the self and values are reversed.<sup>44</sup> Discourse of difference such as Africanity etc. play on same things as right wing discourse of west-white supramacism, white power etc. Advocates of afrocentricism acknowledge importance of self affirmation but argue that it reproduces the structure of colonialist thought and epistemology, in replicating its racist categories.<sup>45</sup> The

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<sup>43</sup> Ibid, p. 10.

<sup>44</sup> Ibid, p. 9.

<sup>45</sup> Ibid.



consequence of this view has been referred to as universal other hood, that is the world as an archipelago of particularisms which can inter communicate only on basis of difference.<sup>46</sup>

In wide array of cultural decolonizing gesture one of the earliest with respect to Africa was negritude or philosophy of an authentic African otherness and humanity advanced by Leópolo Senghor, Aimé, Césaire and others in Paris in 1930's. Thus while negritude was response to colonial racism, similar discourses of authenticity, Africanite and Afrocentricism all follow the logic of nativism. Nationalism was embedded in a wider civilizational project, just as politically it was often embedded in movements of regional solidarity or hegemony such as pan Africanism, pan arabism etc. This too reflected imperial imaginaries, the classification of races matching civilizational areas turned into political projects.<sup>47</sup>

Further critique of nationalism also comes from popular, gender and ethnic point of view. Thus negritude as a movement was criticized for its romanticization of African past as 'pastoral idyllism'.<sup>48</sup> Besides when a nigger kills a nigger where is negritude?<sup>49</sup> Now that rallying against communism is no longer pass, Unita in Angola, Inkatha in South Africa,

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<sup>46</sup> Ibid.

<sup>47</sup> Ibid, p. 7. discourse of civilizational area has not vanished but is being put to new use e.g. Indian civilization in India and neo Confucianism in East Asia.

<sup>48</sup> Ibid, p. 8.

<sup>49</sup> Ibid.

opt for cultural authenticity, that is, ethnicity. The very discourse of cultural cohesion has become a discourse of ethnic fragmentation.

### III. DIFFERENCE AS DIVERSITY

Movement for multiculturalism in the seventies was primarily a result of such an imminent critique posed by marginalized groups to the exclusionist tendencies of liberal state. It spread first in Canada and Australia to be subsequently followed in US, UK, Germany and elsewhere.

Theoretically, Multiculturalism tends to build upon the Nietzschean rejection of rationalism.<sup>50</sup> Thus multiculturalism fights for the rights of women and minorities in a new way by subverting the truth claims of all who would exclude them.<sup>51</sup>

Further multiculturalism accepts the Nietzschean premise that fundamental concern is not economics but esteem, not income but identity. Therefore there is shift from the sixties emphasis of political

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<sup>50</sup> See A.M. Melzer, J. Weinberger and M.R. Zinman ed., *Multiculturalism and American Democracy*, (Kansas, University Press of Kansas; 1998); p. 3. Further I. Young finds source of multiculturalism lies in a powerful critique of rationalist enlightenment thought by Adorno and Derrida. This critiques holds that logic of reason reflects an urge to think things together reducing them to unity. This way of thinking misses multiplicity and constructs a political field in which there is imperialism and marginalization. Taylor has traced it to the ideology of third worldism that was articulated by Franz fanon. Third worldism is a racist restatement of Lenin's theory of imperialism which therefore makes multiculturalism a sort of Marxism with cultural face.

<sup>51</sup> Ibid, p. 3.

economy to identity politics. The focus of this identity politics is on the welfare of people or cultural groupings, which are seen as the source of the socially constructed identities of individuals. It emphasizes group over individual rights. It seeks not indeed the unity and exaltation of the nation state under the banner of majority culture but rather the loosening of the nation state, to protect the identity and self-confidence of multiple subcultures.

Also amongst multiculturalists, there is atleast a strong tendency to view oppression as a relatively permanent feature of human life, stemming directly from a psychological drive for esteem and cultural hegemony or something like Nietzschean "will to power" From this perspective all claims to impartiality come to light as deceitful, all claims to objective truth as assertion of power.

Therefore as against the liberal stress on 'politics of indifference', multiculturalists advocate a 'politics of difference', endorsing diversity<sup>52</sup> not

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<sup>52</sup> Liberals trace the origins of social diversity to individual difference of talent and interest viewing social groups as aggregative in nature. However this doesn't mean that liberal theory has been blind to the issue of protecting social diversity or even that it has refused to grant political recognition to group but more with diversity which might follow from existence of large number of secondary association in civil society in industrialized nation. Tocquville and Patil and other group theorists applauded the network of association and groups which mediate between individuals and state in industrial democratic society. Therefore there has been a classic debate in political theory between liberals and communitarians, which originated in work of Taylor, Sandel, against Rawls; while liberals have given primary importance to the individual and her rights, communitarians give right to group as well. Accusing liberal of working with a model of autonomous unencumbered individuals, communitarian have argued that individuals are embedded in a network of relationship and cannot be understood in abstraction.

only as a fact but also as a value, albeit as most would stress cultural diversity.<sup>53</sup> Difference is not merely to be understood as discrimination or as otherness in an absolute sense with no dialogue possible, but more so as representing diverse opinions and voices of marginalized groups- which were now not only race, religion, gender but also cultural difference between communities, their ways of life, system or moral values, modes of dress and address which were to be weighed positively.

As for as the theorists of cultural difference are concerned they make two related arguments.<sup>54</sup> One, in pointing the inadequacy of formal equality, it points that equals should be treated equally and unequals unequally. By ignoring cultural difference however the idea of formal equality treats unequals equally.

However alongside the notion of cultural difference also problematizes the principle of liberty. As kymlicka would suggest that protecting cultures and making them viable must be a primary liberal concern. Cultures to him represent the context within which individuals

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<sup>53</sup> The questions of cultural diversity and how to define culture's has been looked at differently by different theorists Kymlicka addresses issue by identifying two different sources of diversity. First being where more than one distinct cultural groups has been incorporated into the same state through conquest. The second major category of diversity arises from migration across border. Other theorists take a broader approach to question of cultural diversity and extend the concept to difference which does not relate to religion or ethnicity. Young for e.g. defines a social group as a collective of persons differentiated from atleast one other group by cultural forms, practices or very of life groups not included in Kymlicka's (see) - further.

<sup>54</sup> Classification of cultural difference such as women, gays, lesbians etc, constitute Mahajan, op. cit., 7, 8. Social group under young's classification

As against Kymlicka's distinction between national minority and immigrants, caren's talks of need for contextually sensitive judgement for rights - James ceaser talks of multiculturalism in terms of social or sexual

choose, hence preserving the heterogeneity of context is essential for allowing people to make meaningful choices and to explore alternatives.

The significance of notion of cultural diversity is that it offers an alternative understanding of history within which the life styles and worldview of marginalized people can be valued positively. It questions the idea of universal history by recognizing that the history of human kind is marked by diverse and heterogeneous cultures, each with its own structures of values and forms of rationality, it gives equal status and respect to all.<sup>55</sup>

Cultural difference theorists advocate 'politics of difference' as against a 'politics of equal dignity'.<sup>56</sup> The 'politics of difference' as Taylor

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<sup>55</sup> Ibid, p. 9.

<sup>56</sup> Stanley Fish, "Boutique Multiculturalism", in A.M. Melzer (ed.) op. cit., p. 72. Politics of equal dignity according to Taylor ascribes an identical basket of rights and immunities; identical because it is limited to that aspect of everyone that is assumed to be universally same. The idea is that so long as that potential is protected by law particular forms of its realization- cultural tradition, religious dogmas, ethnic allegiances - can be left to make their way or fail to make their way in the to-and-fro of market place debate, any consequences, are of less moment and concern than integrity of process that generates them. For eg. John Rawls in "The law of peoples" talks of liberal toleration of non liberal people, where society of people's would constitute all those people who follow the ideals and principle of law of peoples, pp. 11-23. These people may have their own internal governments which may be constitutional liberal democracies or non liberal, but who are decent government. Decent used here to describe non liberal societies whose basic society met certain specified condition of political rights and justice (including rights of citizen to play substantial role, say through association and groups) and lead their citizens to honor a reasonably just Law for society of peoples. Apart from reasonably liberal people and decent people, Rawls also talks of outlaw states where regimes fail to comply to law of people; pp. 59-78. Other societies are burdened by unfavourable conditions and benevolent absolutism. To Rawls aim of law of people would be fully achieved when all societies have been able to establish either a liberal or decent regime, 89-113.

→ practices - He points that one of the most important cultural division in modern American society might well be between secularist & fundamentalists. yet latter are excluded from multi culturalist discussion.

explains it, does not merely allow traditions a run for their money, it is committed to their flourishing. If politics of equal dignity subordinates local cultural values to the universal value of free rational choice, the politics of difference names as its preferred value the active fostering of the unique distinctiveness of particular cultures. Whereas politics of equal dignity focuses on what is same in all, the politics of difference asks us "to recognize and even foster particularly" as first principle. Where the politics of universal dignity fought for forms of non discrimination that were quite 'blind' to the ways in which citizens differ, the politics of difference often redefines non discrimination as requiring that we make those distinctions, the basis of differential treatment.<sup>57</sup> Thus a strong multiculturalist (advocates of politics of difference), as Stanley Fish points out, will want to accord a deep respect to all cultures at their core, for s/he believe that each has the right to form its own identity and nourish its own sense of what is rational and human.<sup>58</sup> Bhikhu Parekh would argue further that different culture represent different systems of meaning and visions of good life and other things being equal, one's way of life is likely to be richer if one also enjoys access to others and that a culturally self contained life is virtually impossible for most human beings in modern and

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<sup>57</sup> Ibid.

<sup>58</sup> Ibid, p. 73, He poses it against boutique multiculturalist who will accord a superficial respect to cultures other than their own, a respect which would be with drawn once the practice of a culture are found to be irrational or inhuman.

mobile and interdependent world.<sup>59</sup> What results is, as Taylor would say is a 'fusion of horizon', as we learn to move in a broader horizon, within which what we have formerly taken for granted as the background to the valuation can be situated as one possibility alongside the different background of the formerly unfamiliar culture. The fusion of horizons operates through our developing new vocabularies of comparison by means of which we can articulate these contrasts<sup>60</sup>. However this does not mean that all the cultures are equally rich and deserve equal respect or that they cannot be compared and critically assessed. All it means is, that no culture is wholly worthless, that it deserves atleast some respect because of what it means to its members and the creative energy it display, that no culture is perfect and has a right to impose itself on others and the culture are best charged from within.<sup>61</sup>

Philosophers who argue the worth of cultures from the liberal perspective tend to stress the importance of group identity and cultural

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<sup>59</sup> Bhikhu Parekh, 'What is multiculturalism', *Seminar*, 484, Dec. 1999 : 14-17, p. 14.

<sup>60</sup> Charles Taylor, "Politics of recognition", in *Multiculturalism : A critical reader*, ed. David T. Goldberg (Cambridge Mass : Blackwell, 1994).

<sup>61</sup> Parekh, art. cit, p. 15. Some thing similarly is pointed by Taylor when he says that "What is required of us is nor preemptory and unauthentic judgement of equal value but a willingness to be open to comparative culture study of kind, that most displace our horizons in the resulting fusion." Also all human culture that have animated whole societies over some considerable status of time have something to say to all human beings.

expression to the individual.<sup>62</sup> Raz and Margalit for example talk about the value of encompassing group, which are particularly important to the well being of the individual member. Such groups are characterized as having a common culture that covers many important aspects of life and marks individual growing up in them by their character. The prosperity of such group is important for individual well being of members.<sup>63</sup>

Thus today, theories of multiculturalism reflect upon the special but diverse needs of minorities, immigrants and indigenous people. Not only opportunity for them to survive but also stress is on to provide minorities a sense of involvement. For this democracies would need to go beyond the minimal agenda of keeping cultures alive in private domain. They would have to provide public and institutional recognition to minorities through system of group rights.<sup>64</sup> Infact groups rights of this nature will create a more integrated society. According to Joseph Carens, as minorities receive institutional representation and their cultures survive and flourish, they will develop a sense of belonging and commitment to the state. This would reduce ethnic conflicts and make secession an unattractive

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<sup>62</sup> Fred Bennett, "Face of the State", *Political Theory*, Jan 1999, XLVII, 677-690; p. 680.

<sup>63</sup> Ibid, Yael Tamir in '*liberal nationalism*' argues that while cultural choices belong in the category of constitutive choices which due to their importance to individual, should be granted special rights, they remain personal choices and our interest in them remain an individual interest.

<sup>64</sup> Mahajan, "Rethinking multiculturalism", *Seminar*, 484, Dec. 1999, p. 59.



option.<sup>65</sup> John. C. Calhoun puts forward the notion of concurrent majority as against numerical or absolute majority, which according to him tends to unite the most opposing and conflicting interests and to blend the whole in one common attachment to the country. By giving to each interest or portion, the power of self protection all strife and struggle between them for ascendancy is prevented (whereas numerical majority will divide community into two great parties engaged in control of government).<sup>66</sup>

Therefore to develop this sense of belonging amongst its citizens, theorists of multiculturalism make a distinction between inclusion and assimilation. The idea of uniform citizenship seeks to assimilate diverse population by prescribing uniform or identical roles to practices. Group differentiated minority rights on other hand include people both as citizens and as members of specific community. It is a non-homogenous and non-assimilationist mode of inclusion.<sup>67</sup> Infact Chantal Mouffe through her notion of radical democratic citizenship challenges the liberal public/private distinction (which to her are no more discreet separate sphere) to bring out that there can be as many forms of citizenship as there are interpretation of these principles.<sup>68</sup>

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<sup>65</sup> Ibid.

<sup>66</sup> J. Calhoun, "On minority representation", in Mahajan, ed. op. cit. 124-127.

<sup>67</sup> Mahajan, art. cit, 59.

<sup>68</sup> Chantal Mouffe, "The political community : Unvierstas or Societas", in Mahajan ed., op. cit., 154-157.

As far as feminism is concerned the rise of identity politics in eighties placed both difference and equality perspectives under intense critical scrutiny and severe strain. Post colonial feminism affirms the irreducible particularity and complex diversity characterizing the lives of non western women. Chandra Talapade Mohanty shows how category of third world women is appropriated by Western feminists as ultimate proof of patriarchy and female bondage.<sup>69</sup> She is depicted both as part of putative global sisterhood and yet mysteriously other. Against such an ethnocentric perspective, Mohanty argues for context specific differentiated analysis of the ways in which women are produced as a socio-political group within particular historical and cultural locations. Such analysis of the complicated intersection of gender with ethnicity, religion class, religion and numerous other determinants inevitably undermines an established western feminist narrative of male power and female powerlessness. In a sense, they articulate a notion of difference by complicating and further fragmenting the notion of alterity. To Gayatri Chakravarty Spivak, it is as ludicrous in deconstructive terms to talk of an essential feminine essence as it is to talk of any other essences.<sup>70</sup> It is not however ludicrous to talk of specificity of the female body. It follows that for a women that heterogeneity most importantly include the experience of

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<sup>69</sup> See - Chanda Talapade Mohanty, "Under western eyes : feminist scholarship and colonial discourse". *boundary* 213, (1): 1984, 333-57.

<sup>70</sup> Gayatri Chakravarty Spivak, "French feminism in an international frame", in *In other worlds* (N.Y., Methuen 1987), 134-150.

her body, an experience which has been subject to the most rigorous male censorship down the ages and finds a particularly shocking but exemplary form in the practice of clitorodectomy.<sup>71</sup> Therefore she, emphasizes discontinuity and, heterogeneity. To her, though her work might not necessarily escape the inbuilt colonialism of first world feminism towards the third, it might, one hopes, promote a sense of our common yet history specific lot. Ien Ang notes that "politics of assimilation has given way to that of multiculturalism". Yet this seemingly, benevolent attentiveness to multiple voices reinforce fundamental hierarchies between women, as feminist discourse reproduces the logic of western imperialism in its unthinking appropriation of difference of the other.<sup>72</sup> Ang thus complicates an idealized vision of multiple differences by drawing attention to real, often profound gulf that separates women, which is captured by term 'incommensurability'. According to her cultural interchange does not occur on an equal footing, that instances of borrowing and citation are framed by asymmetrical grids of power.

However relationship here is surely one of complicated entanglement, overlapping and disagreement, not a clash of incommensurable discursive universes. Further more, it is precisely this entanglement that makes criticism possible, that allows bellhooks to point

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<sup>71</sup> See, "Introduction" in *Ibid.*

<sup>72</sup> Felski, *ar. cited*, p. 11.

out, the contradiction between feminism's claim to represent all women and its actual race blindness.

Further Sylvia Walby would point the fact that there are different sites of oppression and potentially different sites of struggle. Thus she notes sites of oppression for women of colour may be different from those of white women.

Infact, feminists like Sandra Harding maintain that it is not experience itself, but thinking from a contradictory position that produces feminist knowledge. As such, feminism is not something that need only be generated by women or oppressed women, it can also be generated by men and other groups.<sup>73</sup>

Further feminisms intersection with postmodernism (and in particular poststructuralism) has provided feminism with a range of critical frameworks including 'discourse', 'deconstruction' and difference, which have been used to challenge and refine traditional assumption of identity and subjectivity. Weedon drawing from work of foucault contends that feminism must investigate the discursive 'sites' of male power as they are articulated and legitimized in institutional structure of power and forms of knowledge.<sup>74</sup> Thus poststructural feminists rejects the concept of an essential, unified female nature and offers instead a contextualisation of experience and an analysis of its constitution and ideological power,

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<sup>73</sup> Ann Brooks, *Post feminism : feminisms, cultural theory and cultural forms*, (London, Routledge, 1997), p. 19.

<sup>74</sup> *Ibid*, p. 21.

therefore raising a radical challenge to essentialism. The subject is no longer a fixed entity, a manifestation of 'essence' but a 'subject in process', never unitary, never complete. The anti essentialist position culminates, as Fraser contends, in a post-feminist stance where conception of a collective feminist identity may be perceived as totalitarian and dangerous. Feminist post structuralism is thus a significant advance over second wave feminism because it addresses historical and cultural specificity in the experiences of women; thus opening up new possibilities for the construction of self and assertion of agency. However Barrett defines the essentialism vs nominalism debate in terms of a continuum, with neither extreme being particularly satisfactory.<sup>75</sup> Alcoff maintains that the way out of the contradictions for feminism lies in a theory of subject that avoids both essentialism and nominalism. Thus she suggests that we need 'to construe a gendered subjectivity in relation to concrete habits, practices, while at same time recognizing diversity of these. Therefore as Marshall would put forward, that the concept of 'gendered identities' is useful in implying a recognition of plurality and difference which does not abandon the notion of gender as playing a part in constituting the subject.<sup>76</sup> The intersection of feminism with post structuralism and post modernism has in multiplication of the grounds of difference, permitted difference as such to emerge.

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<sup>75</sup> Ibid, p. 23.

<sup>76</sup> Ibid, p. 24.

Therefore as Anne Phillippe would point out that questions of democracy and difference are the one's that lie at the heart of contemporary dilemma in democracy.<sup>77</sup> Feminists have their own experiences of this, which surfaces in exasperation that we must continue to articulate the women's point of view when this is only one of many burning concerns, that is given the more profound sense that politics is about a whole range of issues and visions which do not reduce to group interest or need. So in one sense one of major problems in developing a feminists vision of democracy is how to resist the pressures towards subsuming women under the supposedly gender neutral man without thereby capitulating to narrowness of merely group interest or need. As feminist theorists pursue the complex and difficult implication of politics of difference considerable resistance comes from those who see democracy in individualistic term. Systemic inequalities raises questions not only of opposition between men and women but also oppressed and dominated social groups raising important question of empowering people as individuals but also a members of specific group.

So emphasis has been on material, institutional and structural relations of power and domination, that is distribution of resources, access to institutional power as against purely linguistic structures of power.<sup>78</sup>

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<sup>77</sup> See, Anne Phillips, *Democracy & difference* (Cambridge, Polity Press, 1993), p. 117.

<sup>78</sup> For further reference, Rey Chow; *Writing diaspora: Tactics of Intervention in contemporary cultural studies*, (Bloomington, Indian University Press 1999) Trinh. Minh. Ha, "women native and other writings- post coloniality and

However endorsing diversity raises certain important questions within a liberal democracy. One being, are there any limits of this diversity or all sorts of diverse opinions beliefs, actions are to be endorsed? Are all differences equal? can they all be given equal respects simultaneously? For example can the kuklux Klan desire to express their political difference from the value of manistream American culture, be reconciled with the wishes of specific racial groups to have their own cultural differences respected ? The fact is as Rita Felski would put it, that "The appeal to difference does not transcend but embroils the individuals more deeply within the problematic but inevitable condition of normative judgement. Two distinct issues come to fore here: a claim for significance of a particular form of difference and a claim for its value.<sup>79</sup>

At any given moment, there is an infinite array of differences in the world but as Taylor would point out, "Defining myself means finding what is significant in my difference from others". Further defence of difference does not produce but rather presumes a shared horizon of meaning against which this defense is articulated.<sup>80</sup> Fact is that differences are

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*feminism*" (Bloomington, Indian University Press, 1989). For e.g. Mohanty emphasis on particular is modified by a recognition of value of systematic analysis of global disparities. Spivak warns of the limitations of micro analysis that remain oblivious to the broader narratives of imperialism Rey Chow questions, the current fetish for cultural/ local/ ethnic differences as preordained fact given that differences cannot be separated from, but is fundamentally related to the broader structure of communication and domination within which it occur.

<sup>79</sup> Felski, art. cit., p. 16.

<sup>80</sup> Ibid.

never private or autonomous but always already formed in relation to broader discursive and social structure.

The second question relates to the value of particular form of differences. Thus certain axes of differentiation may be significant without being worthy of preservation, one example might be the difference generated by experience of severe poverty or starvation. Alternatively, some one who is sympathetic in principle to ideological diversity may nevertheless balk at celebrating the difference of the racist or misogynist.<sup>81</sup>

Contemporary affirmation of differences often assume in an oddly naive way that all differences are benevolent and hence deserve recognition. Yet this is clearly not the case. Difference cannot form a value in itself not only because some differences may be simply inconsequential and uninteresting as Taylor notes, but also because they may actually be harmful to the survival of other life forms or cultural practices. To argue for openness to diversity thus does not do away with rather exacerbates the problem of formulating values and norms that can mediate between the claims of competing forms of difference. As Parekh would contend, that no society can tolerate every practice, thus raising question of range of permissible diversity. To him, while enunciating fundamental or core value is problematic, however a society has a body of values which are enshrined in its constitutional and political institutions

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<sup>81</sup> Ibid.



and structure the conduct of its collective affairs. While not all members might believe in it, this does not detract from the fact that these values inform their collective life and that in that sense they are all publicly and as a community committed to it. This is what Parekh terms as "operative public values".<sup>82</sup>

Further, recognizing diverse and different cultural groups also raises the question of how to discern standards of social justice in light of the apparently conflicting standard of different cultural groups. There are different positions taken on this question.<sup>83</sup> (a) position is a cultural relativist view, that social justice is what any particular culture deems to be just and therefore social justice is the distribution of goods according to their cultural meanings. A (b) position is political relativist view that determines social justice by outcome of legitimate procedure and provides institutional mechanisms for expressing and adjudicating its internal disagreements over social meanings, instituting alternative distribution in so far as they are outcome of these mechanisms. (c) is a comprehensive universalist view that social justice consist of a comprehensive set of substantive moral prescriptions that apply to all human beings regardless of their particular cultures. However as far as (a) is concerned, critics

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<sup>82</sup> Bhikhu Parekh, "Cultural diversity and liberal democracy", in Mahajan (ed.) op. cit.; 221-222.

<sup>83</sup> See- Amy Gutmann, "The challenge of multiculturalism in political ethics, *Philosophy and public affairs*, vol. 22 (3), 1993; 171-204. Also see, Amy Gutmann and David Thompson; *Democracy & Disagreement*, (Cambridge, Harvard University Press, 1996).

would point that social understanding that serves as the basis of distributive principles often have a content that calls into question the claims that the dominant social understanding should govern by virtue of its dominance. (b) is concerned with procedures that are aimed at obtaining a just verdict but cannot guarantee one. The paradigm of an imperfect procedure is a criminal trial. (c) on other hand relies upon a comprehensive set of principles to apply to all modern cultures. However problem with (c) arises as it overlooks those cases of moral conflict where no substantive standard can legitimately claim a monopoly on reasonableness or justice. In some cases people have conflicting reasonable beliefs that our best effort at understanding cannot resolve. In contrast, (d), a deliberative universalist approach, defends a non comprehensive set of substantive principle, those that are unreasonable to reject and those that provide the necessary condition for deliberations about fundamental moral conflicts which include (but are not exhausted by) the multicultural conflicts. It leaves room for creative new combinations of social justice that respect individual right but also require publicly accountable deliberation in face of fundamental disagreements

While (d) is not free from criticism<sup>84</sup> but fact is that democracy is quietessentially a manner of collective decision making in which everyone

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<sup>84</sup> 'What would be nature of deliberation in an unequal society. As Rawls would point "But as things are, those who follow the great game of politics know that none of these sensible proposals will be accepted". See on these points, John Rawls, *The laws of peoples*, (Cambridge, Harvard University Press) 1999, p. 140.

participates on equal footing. Deliberation therefore cannot dispense with the other without compromising its democratic credentials. Thus apart from what deliberation democrats would say a external collective aspect, deliberation also needs an internal reflective aspect. Both together would result in mechanism for informing and extending our social imaginings in whatever new proposed social arrangements.<sup>85</sup>

#### IV DEALING WITH THE DILEMMA OF DIFFERENCE

Assertion of positive sense of group difference infact can be confusing and controversial in some sense. The fear is that any admission by oppressed groups that they are different from the dominant group risks justifying anew the subordination, special marking and exclusion of these groups. Since calls for return of women to kitchen, blacks to servant roles and separate schools, and disabled people to moving homes are not absent from contemporary politics, the danger seems real.<sup>86</sup>

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<sup>85</sup> Robert, E. Goodin, "Democratic deliberation within", *Philosophy & public affairs*, vol. 29, no. 1, 2000; Also see *Deliberative politics - Essays on democracy and disagreement*, Stephan Macado ed. (Oxford, Oxford University Press, 1999). As Jane Mansbridge in "Everyday talk in the deliberative system would say" - "The venues of deliberation hall along a spectrum from representative assembly, to public assembly, producing a binding decision (Joshua Cohen and Gutmann), to public and civic sphere (Habermas and S. Benhabib), to communicative ethics (young), to most informal values of talk. The criteria for judging deliberation thus fall along a continuum that many break at binding/ non binding distinction.

<sup>86</sup> See Iris Marion young, *Justice and politics of difference*, (Princeton, Princeton University Press) 1991, p. 168.

Infact oppressive meaning of group difference defines it as absolute otherness, mutual exclusion, categorical opposition. Thus the appropriation of a universal subject position by socially privileged group, forces those they define as different, outside the definition of full humanity and citizenship – generating a logic of differences as hierarchical dichotomy – male/female, civilized / savage and so on.<sup>87</sup>

The second term is defined negatively as a lack of truly human qualities; at same time defined as a complementary to the valued term, the object correlating with its subject, that which brings it to completion, wholeness and identity. So in objectifying ideology of racism, sexism, anti-semitism and homophobia, only the oppressed and excluded group are defined as different. Whereas the privileged groups are neutral and exhibit free and malleable subjectivity, the excluded groups are marked with an essence, imprisoned in a given set of possibilities. The making of difference always implies a good/bad opposition, it is always a devaluation; the naming of an inferiority in relation to a superior standard of humanity, that is, rational men and then there are women; there are civilized men and then there are wild and savage people.

Martha Minow would describe dilemma of difference as having three versions.<sup>88</sup> The first version is the dilemma, that we may recreate difference either by noticing it or by ignoring it, meaning decisions about

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<sup>87</sup> Ibid, p. 169.

<sup>88</sup> Martha Minow, "justice engendered", *Harvard law review*, 101, (1987), 10-95, p. 52.

employment, benefits and treatment should not turn on an individual race, gender, religion about which some have hostile attitude. Yet refusing to acknowledge these differences may make them continue to matter in a world constructed with some groups but not others in mind. For example if women's biological difference from men justify special benefits for women in workplace, are women thereby helped or hurt? Focussing on differences poses the risk of recreating them. Yet denying those differences undermine the value they may have to those who cherish them as part of their identity.

The second version of dilemma, is the riddle of neutrality. If public schools must remain neutral towards religion, do they do so by balancing teaching of evolution with teaching of science, arguing about divine creation – or does this accommodation of religious view depart from requisite neutrality. Government neutrality may freeze in place the past consequences of difference. Yet any departure from neutrality in government standards uses government power to make those differences matter and thus symbolically reinforce them.

The third version of dilemma is the choice between broad discretion which permits individualized decision and formal rules that specify categorical decision for the dispensing of public or private power. If the criminal justice system must not take the race of defendant or victims into accounts, is this goal achieved by granting discretion to prosecutors and jurors, who can then make individual decision but may

also introduce racial concerns or should judges impose formal rules specifying condition under which racial concern must be made explicit to guard against them? By granting discretion to officials or to private decision makers, legislators and judges disengage themselves from directly endorsing the use of difference in decisions. Yet this grant of discretion also allows those decision makers to give significance to differences.

The courts come down one way or another in each case but the splits between majority and minority view persists and recreate the dilemma. Yet the dilemma is not as intractable as it seems. What makes it seem so difficult, is due to the nature of unstated norms underlying nature of difference. Thus while it may be ultimately impossible to take the perspective of another completely, but the effort to do so may help us recognize that our perspective is partial and that *status quo* is not inevitable or ideal. After shaking free of unstated assumptions and developing a sense of alternative perspective, then one must make more knowing choices. The process of looking through others perspective does not itself yield an answer, but it may lead to an answer different from one that judges would otherwise have reached.

Thus the politics of difference confronts fear of essentializing difference and aims for an understanding of group difference as indeed ambiguous, relational, shifting without clear borders, that keep people

straight – as entailing neither amorphous unity nor pure individuality.<sup>89</sup> By asserting a positive meaning for their own identity, oppressed groups seek to seize the power of naming difference itself and explode the implicit definition of difference as deviance in relation to a norm which freezes some groups into a self enclosed nature. Difference now comes to mean not otherness, exclusive opposition but specificity, variation, heterogeneity. Difference names relation of similar and dissimilar that can be reduced to neither coextensive identity nor non-overlapping consensus. Therefore one can pursue the possibility of difference behind seeming commonality and seek out commonalities across difference, thereby confronting the ready association of sameness with equality and difference with inferiority. Thus the need is to search out differences and celebrate them by constructing new bases for connection.

Group differences, thus should be conceived as relational rather than defined by substantive categories and attribute that is whites are just as specific as blacks, women just as specific as men.<sup>90</sup> In relation, understanding the meaning of differences also becomes contextualized. Group difference will be more or less salient depending on groups compared, the purposes of comparison and point of view of compares. It rejects exclusion to point, that their are differences among group does not imply that there are no overlapping experiences. Thus in contrast to fixed

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<sup>89</sup> Young, *op. cit.*, 169.

<sup>90</sup> *Ibid.*, 170.

attributes, what makes a group, a group is a social process of interaction and differentiation in which some people come to have a particular affinity, for other – which names the manner of sharing assumptions, affective bonding and recognizably differentiates groups from one another but not according to some common nature.

Therefore instead of an impartial truth, one would strive for the stand point of someone who is committed to moral relevance of contingent particulars. One needs to stop seeking certainties, acknowledge the complexity of our shared and colliding realities as well as tragic impossibility of all prevailing at once.

Also in face of complexities which can be both overwhelming and incapacitating, the fear is that politics of difference can all too easily degenerate into politics of mutual indifference. Therefore need would be to challenge passivity, challenging rigid patterns of thought. Thus call to be open, to canvas personal experience is especially important in context of cases that present the dilemma of difference. As far as divergence is concerned, need would be to welcome complexity, challenge complacency and overcome fear of inability to make judgements.<sup>91</sup>

Immersion in particular does not require the relinquishment of general commitment. The struggle is not over validity of principle in general – it is over which one should prevail in a given context. The

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<sup>91</sup> See Minow, *op. cited*, 10-95, p. 64.



choices from among principles, in turn implicates choices about which difference and which similarity should matter.

As Martha Minow would put it that we can and do make judgements all the time in a way committed to making meaning rather than recreating or ignoring differences.<sup>92</sup>

## V. CONCLUSION : DIFFERENCE AS NOT ANTITHETICAL TO EQUALITY

There has been an increased realization that appeal to incommensurability and otherness, in fact leaves the realm of same untouched. Therefore within feminist thought the common opposition between equality and difference is a false antithesis. The opposition of equality is not difference but rather inequality, a principle to which presumably no feminist would subscribe. Similarly antonym of difference is not equality but identity. Thus a difference based feminism refuses a logic of identity that would subsume women within male defined norms. It does not however reject equality but rather argues for an expanded understanding of equality that can simultaneously respect differences.<sup>93</sup> Cornell refers us to Amartya Sen's notion of equivalence as a way of conceptualizing this vision of equal differences. Equivalence means, of equal value but not of value because of likeness. Diversity theorists are

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<sup>92</sup> Ibid.

<sup>93</sup> Felski, art. cit., p. 15.

thus not located on either side of equality/difference division, but rather gains its definition from its commitment to deconstructing the division itself. To them until the logic of binary dualism is itself challenged, the political project of feminism will always be bound by Wollstonecraft dilemma. Therefore Scott in contrast to difference and equality introduces a third category of diversity, which takes deconstruction of category to be central task.<sup>94</sup> Thus the critique provided by post structural feminists has been to deconstruct binaries because it results in opposition which entails not simply an opposition between two things held in tension, which are equally valued but an opposition between two things held in tension only one of which can be right – resulting in perceived centrality of maleness as privileged term and femaleness as subordinate negative counterpart. Therefore diversity perspective finds problem with both equality and difference perspective. As Scott would point out that, "It is not sameness or identity between women and man that we want to claim but a more complicated historically variable diversity than is permitted by opposition male/female, a diversity that is also differently expressed for different purposes in different context".<sup>95</sup> Young says that the definition of difference as exclusion and opposition actually denies differences".<sup>96</sup>

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<sup>94</sup> Joan Scott, Deconstructing equality vs. difference- on use of post structuralist theory for feminism, *feminist studies*, 14 (1), 33-50, p. 49.

<sup>95</sup> Ibid.

<sup>96</sup> Young; op. cit.; p. 171.

In other words, to claim one's identity as women serves not only to perpetuate the idea that women are totally different from men but also to repress the significant differences between the two. This insight is pursued by Bonnie Honig who characterizes differences as that which resists or exceeds the closure of identity. Young proposes group differentiation in which group differences will be more or less salient depending on groups compared, the purposes of comparison and point of view of compares. Post colonial feminism is thus characterized by a refusal to isolate gender from multiple other determinants including those of race and class and by a typical (not universal) emphasis on material and institutional rather than purely linguistic structures of power.

As far as the defender of cultural difference are concerned they too question and redefine various aspects of democratic theory. Instead of seeking formal equality and the removal of legal barriers in path of equal participation in public domain, they demand equality of treatment and an equal space in all walks of national – cultural life. At another level they maintain, this equality would enhance diversity in social life. Thus the category of cultural difference appropriates the values associated with the concepts of both liberty and equality. Moreover by making the assertion of difference compatible with the search for equality, this perspective bridges the distance between the two concepts.<sup>97</sup>

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<sup>97</sup> Mahajan. ed., op. cit.; p. 12.

However as against nativist visions of autonomous racial or cultural difference, post colonial theorists are likely to note that such distinctions are no longer feasible in an era of pervasive migration, media globalization and transnational information flow. The colonized fashioning of an insurgent counter identity is inevitably shaped by the experience of colonization.<sup>98</sup> The colonizers culture is irrevocably altered by contact with the native. As a result, a conception of distinct, singular, internal, homogenous grouping gives way to a model of 'hybridity', of borrowing and lending across porous cultural boundaries. The concept of hybridity as Robert Young would note, makes "differences into sameness and sameness into difference, but in a way that makes the same no longer same, different no longer simply different thereby engendering difference and sameness in an apparently impossible simultaneity".<sup>99</sup> Metaphors of hybridity and the like not only recognize differences within the subject, fracturing and complicating holistic notion of identity, but also address connection between subject by recognizing the affiliation, cross pollination, echoes and repetitions, thereby unseating differences from a position of absolute privilege. Therefore instead of endorsing a drift towards an evergreater atomization of identity, such metaphors allow us to conceive of multiple, interconnecting axes of affiliations and differentiation. In other words, the motif of hybridity disrupts the frequent

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<sup>98</sup> Felski, art. cit., p. 12, Also see, Homi K. Bhabha, *The location of culture* (New York, Routledge, 1994).

<sup>99</sup> Ibid, 15.

association of political struggle with an assumed need for cultural authenticity, free of any taint of the oppressors culture.<sup>100</sup> Thus recent postcolonial theory has often stressed the politics of translation, as exemplified in the cultural and temporal specificity of enunciative activities. Rather than demarcate certain concepts (modernity, equality, humanism) as intrinsically western and thus forever tied to enforcement of an imperialist agenda, recent post colonial theory is attentive to diverse appropriation and rearticulations of such vocabulary across various global sites. The complex intermingling of indigenous tradition and external influence are such that discourses once linked to colonizers may acquire very different meanings when adopted by colonized to challenge their own tradition. Thus recent readings of modernity have pointed to its internal complexities and uneven temporalities, arguing that white women and people of colour have not been outside of modernity but have been shaped by and in turn variously have shaped its political, cultural and philosophical meanings.<sup>101</sup>

Therefore need is to look at various categories, that is women, race, culture, in terms of difference within sameness and sameness within difference, a form of interference with the purity of such categories that is variously and continually actualized<sup>102</sup>; therefore being more open to

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<sup>100</sup> Ibid, 18.

<sup>101</sup> Ibid, see J.N. Pietersen, op. cit., p. 15.

<sup>102</sup> J.N. Pietersen, op. cit., 15, Also see David T. Goldberg, *Multiculturalism : A critical reader* (U.K., Basil Blackwell, 1994).

multiple and mutable concerns than does the appeal to incommensurability and otherness, which necessarily leaves the realm of same untouched.

Thus it only when categories are found to be contingent that we constitute ourselves as members of conflicting communities with enough reciprocal regard to talk across differences.

However point needs to be stressed that the new universalism that accommodates cultural, gender and plurality of other sorts, in contrast to a rainbow epistemology, stresses towards communication of knowledge and a politics of global cohabitation rather than towards global rainbow democracy.<sup>103</sup>

Since talk of the motion of difference is central to much of contemporary feminist and multiculturalist thought as seen in the above chapter, next chapter seeks to explore areas where their concerns converge.

Therefore chapter would seek to probe issues of key concern to multiculturalists and feminists, (deriving as they do from difference arguments) such as representation, differentiated citizenship, culture, against stereotypes etc. where they not only question the prevalent discrimination against them but also engage for need of differential treatment.

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<sup>103</sup> Ibid, p. 15.

## CHAPTER II

# MULTICULTURALISM AND FEMINISM – ISSUES OF CONVERGENCE

### I. INTRODUCTION

The liberal ideal of universal humanity that denies natural differences has been a crucial historical development in the struggle against exclusion and status differential.<sup>1</sup> New Social movements of group specificity (while not denying significant improvement in status of excluded group such an ideal has brought about), points that achievement of formal equality in fact does not eliminate social differences and stress on sameness of persons makes it impossible even to name how those differences presently structure privilege and oppression.<sup>2</sup>

While in many respect law is blind to group differences, both feminist and multiculturalists point that liberal ideal of universal humanity (which they term as assimilationist strategy), continue to mark some groups as deviants, as 'others' in contrast to privileged group according to whom role and standards of institutions and policies have been set.<sup>3</sup> According to

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<sup>1</sup> Iris Marion Young, *Justice & Politics of difference*, (Princeton, Princeton University Press, 1990), p. 159.

<sup>2</sup> *Ibid*, p. 164.

<sup>3</sup> *Ibid*.

Taylor, hegemon or dominant cultures possess power to bestow or fail to bestow recognition.<sup>4</sup> Not only multiculturalism but also contemporary feminist and race relations discussions are ungirded by the premise that withholding of recognition can be a form of oppression.<sup>5</sup> The term indicates that people need the approval and respect of others in order to develop self-esteem, self-confidence and self-respect. Axel Honneth would remark that human integrity owe its existence at deeper level to patterns of recognition.<sup>6</sup> The failure to recognize or misrecognition can inflict a grievous wound on another culture, saddling its victims with a crippling self-hatred. An internalized picture of their own inferiority develop amongst these groups so that even when some of the objective obstacles to their advancement fall away, they may be incapable of taking advantage of new opportunities. For example Taylor points, that the depreciatory image which woman in patriarchal societies or blacks in white societies have been induced to adopt, become the most potent instrument of their own oppression.<sup>7</sup> The victim misrecongized and marginalized is the other, the voice that is submerged. In this perspective, the politics of recognition aims

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<sup>4</sup> James Ceasar, "Multiculturalism and American liberal democracy", in ed. *Multiculturalism & American Democracy*, in ed. Anthur M. Melzer, Jerry Weinberger and M. Richard Zinman (Kansas, Kansas University Press, 1998), pp. 139-156, p. 142.

<sup>5</sup> Charles Taylor, "Politics of recognition", in *Multiculturalism: A Critical reader*, ed. David Goldberg, (UK, Blackwell, 1994), p. 81.

<sup>6</sup> See, Axel Honneth, "Integrity & Disrespect - Principles of a concept of morality based on theory", *Political Theory*, 20; 1992.

<sup>7</sup> Taylor, op. cit., p. 75.



to repair internal self-dislocation by, contesting the dominant cultures demeaning picture of the group. It proposes that members of misrecognized groups reject such images in favour of new self representation of their own making, jettisoning internalized negative identities and joining collectively to produce a self affirming culture of their own, which when publicly asserted will gain the respect and esteem of society at large. The result when successful is recognition . Nancy Fraser, one of another proponents of recognition further points that misrecognition as not only a problem of cultural depreciation. While the roots of injustice are located in demeaning representation, but these are also to be seen as socially grounded.<sup>8</sup> 'Politics of recognition', to her is not only reduced to a question of identity rather means politics aimed at overcoming subordination by establishing misrecognized party as a full member of society, capable of participating on par with the rest. Therefore she speaks for reciprocal recognition and status equality.<sup>9</sup> Misrecognition, according to her is perpetrated through institutionalized pattern. In other words, through the working of social institutions that regulate interaction according to parity impeding cultural norms, with its environment with distributive injustice. For example the link between androcentric norms that devalue activities coded as feminine on one hand and low wages of female on other. Likewise

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<sup>8</sup> Nancy Fraser, "Rethinking recognition", *Newleft Review*, May-June 2000, pp. 107-120, Fraser is against identity politics because it leads to (a) Displacing redistribution (b) reification, pp. 110-112.

<sup>9</sup> Ibid.

heterosexist norms which delegitimize homosexuality on one hand and denial of resources and benefits to gays and lesbians on other.<sup>10</sup> The aim therefore is to deinstitutionalize pattern of cultural value that impedes parity of participation and to replace them with patterns that foster it.

In a similar vein, Iris Young too emphasizes the role of cultural and symbolic processes in the maintenance of unjust social relation.<sup>11</sup> Young identifies what she calls five faces of injustice-exploitation, marginalization, powerlessness, cultural imperialism and violence, and maintains that all five are maintained through symbolic as well as material means.<sup>12</sup> For instance beliefs about what constitutes respectable versus menial work, or about what forms of work are appropriate to people of certain race, gender ethnicity, supports economic hierarchy. Notions of stigma and deviance render some people vulnerable to institutionalized forms of violence.

Young however feels that politics of recognition should be viewed not as a separate form of democratic activism but as a means towards the

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<sup>10</sup> Ibid, Fraser e.g. The root of injustice is the institution in law of a heterosexist pattern of cultural value that constitutes heterosexuals as normals and homosexuals as perverse. Status model is thus not committed a priori to any one type of remedy rather it allow for range of possibilities, depending on what precisely the subordinate parties need in order to be able to participate as peers in social life, p. 111.

<sup>11</sup> See Elizabeth Kiss, 'Democracy & politics of recognition', in *Democracy's edges*, ed. Ian Shapiro and Casiano Hacker, London, (Cambridge, Cambridge University Press, 1999).

<sup>12</sup> Young identifies that out of five forms of oppression, women as a social group are subject to four (exploitation, powerlessness, cultural, imperialism and violence), op. cit., 39-65.

material goals of equal protection and equal opportunity.<sup>13</sup>

Apart from misrecognition both feminist and multiculturalist stress that stereotyping women, minorities and other marked groups in "popular images. Interaction and assumption continue to justify exclusion avoidance, paternalism and authoritarian behaviour".<sup>14</sup> Feminists point cultural practices such as media, market, cinema, sports, literature and art construct form of subjectivity, which are mostly gendered. Women are considered in patriarchal imaginaries to be largely intuitive, emotional, irrational, passive and weak in contrast to men who are assigned positive values of rationality, aggressiveness, independence and strength.<sup>15</sup> Women are generally destined for caring, nurturing role, men on other are the ones, who are to be visible in public and political sphere. Feminists, on issue of stereotyping have different perspectives. Advocates of equality perspective believe firmly that widespread presumption (stereotype of women), that women were not fully rational was repeatedly used as

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<sup>13</sup> Young and Fraser disagree however over the value of positing a sharp analytical distinction between culture and material sources of inequality. Fraser acknowledges that in practice misrecognition, tends to be closely intertwined with political and economic inequality and that efforts to remedy misrecognition will usually have a strong redistributive dimension. She feels it would be helpful to draw distinction between two because –

- (a) Because harm of misrecognition are atleast partially autonomous from material exploitation and deprivation.
- (b) Drawing distinction enables us to better understand some of tension inherent in democratic project.

<sup>14</sup> Young, op. cit., p. 164.

<sup>15</sup> See, Glenn Jordan and Chris Weedon, *Cultural politics - class, gender, race and post modern world*, (U.K., Blackwell, 1995).

justification for continuation of exclusion of women from full citizenship. Gender differences (such as differing educational aptitude, vocational ambition) are simply the result of generations of sexual inequality. Thus since gender differences are perpetuated in interest of men, their project is to advocate transcendence of gender difference.<sup>16</sup> Equality theorists stress that either gender difference is a straight forward myth or contingent result of social conditioning. In contrast, sixties saw difference theorists celebrating gender difference which were not to be read as inferiority.<sup>17</sup> They wanted to place at the centre, which was currently marginalized (against negative stereotyping); to value that is currently devalued in patriarchal culture. The nurturing, peace loving, intuitive and emotional qualities of women are celebrated rather than something to be overcome. The individualistic, competitive, rational qualities of patriarchal society are viewed with suspicion and hostility. The aim is to lessen power and not to join the ranks of male order. The goal of feminism is to make clear the fundamental difference between men and women and to enable women to gain a positive sense of their common identity as women—ethic of care as against ethic of justice.

As against above two, is the diversity perspective, which focuses not only on differences between sexes but also on differences between gender

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<sup>16</sup> Wollestonecraft similarly seeks to show that reason has no sex, knowledge has no sex and mind itself is sexless. Therefore stress on right to vote, equal opportunity and equals pay etc.

<sup>17</sup> This was exemplified in works of feminist theorists like Nancy Chodorow and Carol Gilligan.

groups.<sup>18</sup> They stress against cultural feminist ethnocentric view of 'woman' as uniform category, as it not only occludes difference between woman as category but also result in stereotyping third world women as already, always victimized, out there to be saved — with stereotypical views on issues of veiling, polygamy, sati, arranged marriages, and therefore denying any agency to third world women.

Multiculturalist like Homi Bhabha point in context of colonialism, that its major discursive strategy was stereotyping, which is a form of knowledge and identification that vacillates between what is always 'in place' already known and something that must be anxiously repeated ... as if the essential duplicity of the Asiatic or bestial sexual license of the African that needs no proof, can never in discourse be proved.<sup>19</sup> To Bhabha, it is this process of ambivalence that gives colonial stereotypes its currency.<sup>20</sup> Thus colonized as a social reality is at once an other and yet entirely knowable and visible. It employs a system of representation, a regime of truth that is structurally similar to realism. Stereotype is a non repressive form of knowledge that allows for the possibility of simultaneously embracing two contradictory beliefs —one official and other secret, one

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<sup>18</sup> This is represented in works of theorists like Iris Marion Young, Bonnie Honig, Gayatri Spivak, Chandra Talapade Mohanty etc.

<sup>19</sup> Homi Bhabha, *Location of Culture*, (N. York, Routledge, 1994). He argues for reading of stereotype in terms of fetishism. The myth of historical origination, racial purity, produced in relation to colonial state function to normalize the multiple belief and split subject that constitute colonial discourse as a result of its process of disavowals, p. 65.

<sup>20</sup> *Ibid*, Bhabha explains fixity as a paradoxical mode of representation it connotes rigidity and an unchanging order as well as disorder, degeneracy.

archaic and other progressive, one that allows the myth of origins, the other that articulates differences and divisions. Stereotyping is not setting up of a false image, which becomes the scape goat of discriminatory practices. It is a much more ambivalent text of projections and interjections, metaphoric and metonymic ..... guilt and aggressivity.<sup>21</sup> On the one hand cultural discourse proposes a teleology under certain condition of colonial domination and control that, the native is progressively reformable, and on other hand, however it effectively displays the separation makes it more visible. It is the visibility of this separation, which in denying the colonized the capacity of self government, independence, western modes of civility, lends authority to official version and missions of colonial power for example, black is both savage yet obedient and dignified servant, he is embodiment of rampant sexuality and yet innocent as a child, he is mystical, primitive and simple minded yet most worldly and accomplished liar and manipulator of social forces.<sup>22</sup> Blacks likewise were depicted as sexually aggressive, libidous and deceitful. Further in contrast to whites, cultural political of racism believed, blacks lack intellect, culture, language and capacity to reason, so biologically they were considered to be people just a rung above ape in ladder of evolution. Similarly oriental rulers have been shown as fanatical, cruel, despotic as well as their women being

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<sup>21</sup> He calls stereotypes as play between metaphoric narcissism and metonymic and aggressive moments in colonial discourse.

<sup>22</sup> Ibid, p. 81.

seductresses in harem, at service of their masters.<sup>23</sup> Infact as Tista Bagchi would point that it is of special problematic significance in multicultural society, the need to understand an area of vagueness in natural language, that is prey to manipulative creation and perpetuation of perceptual stereotypes about people.<sup>24</sup> The area of vagueness lies in what have been called generic sentences either asserted as statements or presuppositions as given.<sup>25</sup> When such crude generic sentences as exemplified in a, b, c come to be taken for granted in a communicative situation, they can serve as presuppositions on which more subtle rhetoric can be built. Further power of generic sentences also lie in their apparent embodiment of purportedly universal law since in process they end up segmenting the world of people into different and more often that not differential fragments.<sup>26</sup>

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<sup>23</sup> Gulf war saw west media depicting Saddam Hussein as correlating with some of these images, viewing Bush as at peace with himself, resolute, Statesman like, assure, while Hussein as demented, defiant, as evil tyrant and as crack pot monster. For further reference see, Glenn Jordan and Chrisweedon, op. cit., 290-298.

<sup>24</sup> Tista Bagchi, "Generic sentences, social kinds and stereotypes", in *Multiculturalism, liberalism and democracy*, ed. Rajiv Bhargava, Amiya Bagchi and R. Sudershan, (Delhi, Oxford University Press, 1999), p. 308.

<sup>25</sup> Ibid, p. 309. She takes 3 examples  
(a) Mexican/ Chicanes are cheats.  
(b) When a woman says no she mean yes.  
(c) The poor are poor, because they are lazy.

<sup>26</sup> Ibid, "Women are biologically constrained", p. 315. However Bagchi points what is needed is a constant questioning and recamining of our assumptions and especially of our generic assumption about perceptually identifying social kinds insofar as their perceived identities are linked to society. Such questioning and reexamining is crucial to initiation of any kind of meaningful effort towards opening up of mutual channels of communication in situation of inter group conflicts.

Further continued racist, sexist, homophobic institutions and behaviours create particular circumstances for these groups, usually disadvantaging them in their opportunity to develop their capacities.<sup>27</sup> Finally, in part because they have been segregated from one another and in part because they have particular histories and tradition, there are cultural difference among social groups, differences in language, style of living body, body component and gestures, values and perspectives on society.<sup>28</sup> In effect assimilationist strategy results not only in negative stereotyping but also judging of other groups by dominant male WASP standards.

Therefore under these circumstances insisting equality and liberation, entailing ignorance of differences, has oppressive consequences in three respects.

- a) The strategy of assimilation aims to bring formerly excluded groups into the mainstream, so assimilation always implies coming into the game after it has already begun, after the roles and standards have already been set (that is according to Male WASP norms) and having to prove oneself according to them.<sup>29</sup> However real differences between oppressed group and dominant norms tend to put them at a disadvantage in measuring up to these standards and for that reason assimilationist policies perpetuate their disadvantage.

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<sup>27</sup> Young, op. cit., p. 164.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.



b) Assimilation or blindness to difference perpetuates cultural imperialism by allowing norms expressing the point of view and experience of privileged group to appear neutral and universal.<sup>30</sup> The ideal of universal humanity without social group differences allow privileged group to ignore their own group specificity whiteness becomes an invisible norms according to which other ethnicities are judged.<sup>31</sup> Against such a supposedly neutral humanist ideal only the oppressed group come to be marked with particularity as they and not privileged groups are marked, objectified as 'other'.<sup>32</sup> Therefore as Taylor would point, only minority or suppressed cultures are being forced to take an alien form. Consequently, the supposedly fair and difference blind society is not only inhuman because it suppresses identities but also in a subtle and unconscious way, it self highly discriminatory.

Therefore under these circumstances feminist and multiculturalist together assert the necessity for a politics that asserts the positivity of group differences. Thus in the act of affirming their identity as one to be

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<sup>30</sup> Ibid.

<sup>31</sup> Peter McLaren, "White terror and oppositional agency", in Goldberg, op. cit : p. 49.

<sup>32</sup> According to Parekh assimilationist liberals equality with uniformity fails to appreciate that otherwise different individuals are treated unequally e.g. if Jews are asked to open on Sunday or if pregnancy not recognized as unique to women.

celebrated the oppressed group remove their double consciousness.<sup>33</sup> As Iris Young would put it "I am just what they say I am –a Jew boy, a coloured girl, a fag, dyke, or a hag, – and proud of it".<sup>34</sup> Both stress that women and minorities have distinct culture, experience and perspective on social life with humanly positive meaning which may even be superior to the culture and perceptive of mainstream culture. The rejection of ones culture and perspective should not be a condition for full participation in social life. It not only provides possibility of understanding the relation between groups as merely difference but assertion of positive sense of group difference provides a stand point from which to criticize prevailing institutions and norms. As Taylor would put it "The need would be to maintain and cherish distinctiveness not just now but forever".<sup>35</sup> We need to recognize the equal value of different culture, that we not only let them survive but also acknowledge their worth".<sup>36</sup>

Therefore non discrimination according to feminists and multiculturalist would require, not blindness to ways in which citizens differ but on the contrary to make these distinction the basis of differential treatment.

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<sup>33</sup> Young, op. cit., p. 166.

<sup>34</sup> Ibid, p. 166.

<sup>35</sup> Taylor; op. cit., in ed. Goldberg; p. 82.

<sup>36</sup> Ibid.

## II. DIFFERENTIATED CITIZENSHIP

Therefore both multiculturalists and feminists question the liberal notion of universal citizenship, advocating in contrast a notion of differentiated citizenship.<sup>37</sup>

Modern liberal theory generally assumed that universality of status transcends particularity and difference. With equality conceived as sameness the ideal of universal citizenship means<sup>38</sup> –

- a) Universal defined as general in opposition to particular so that a public sphere which was homogeneous in nature and a private sphere where differences were allowed to foster was created.
- b) Universal in sense of laws and rules that say the same for all and apply to all in same way, laws which are blind to individual and group differences.

However feminists and multiculturalist together consider such an impartial general perspective to be a myth. They point that different social groups have different needs, culture, histories, experience of social relations which influence their interpretation of means and consequences of policy proposals. In a society, where some groups are privileged while

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<sup>37</sup> Infact it is from Young's notion of differciated citizenship, as advocated in *justice and politics and difference* that most multiculturalists have drawn inspiration.

<sup>38</sup> Iris Marion Young, "Polity and Group differences : A critique of the ideal of Universal citizenship", *Ethics* 99 (1990): 250-74, p. 255.

others are oppressed stressing on a notion of citizenship that points the need to leave behind their particular affiliation and experience to adopt a general point of view, serves only to reinforce that privilege.<sup>39</sup>

The ideal of public realm of citizenship as expressing a general will, a point of view and interest that citizens have in common which transcends their differences, has operated in fact as demand for homogeneity among citizens. Thus it results not only in exclusion of women but also other groups.

Young points, that public is represented by masculine ideals of militaristic norms of honor, respectful competition and bargaining among individual agents, discourse framed in unemotional tones of dispassionate reason which on other hand entailed creating the private sphere of the family as the place to which emotion sentimental and bodily needs must be confined. The generality of public thus depends on excluding women who are responsible for tending to private realm and who lack the dispassionate rationality and independence required for good citizen. Thus private is

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<sup>39</sup> Ibid, equal citizenship is about status and rights belonging are about acceptance, feeling welcome a sense of identification. The two do not coincide, one might enjoy ask the rights of citizenship but feel that one does not quite belong to community and is relative outsider. e.g. African American in US, Muslims and Sikh in India. Feminist and multiculturalist point that feeling of being fully a citizen and yet an outsider is difficult to analyze and explain, but it can cause deep and serious damage to ones citizenship and as well as one's sense of commitment to political community. It is caused by among other things the manner in which wider society defines itself, demeaning way in which other members talk of there groups, of dismissive ways in which they treat them. p. 260.

defined as the particular realm of affectivity, affiliation, need and body.<sup>40</sup> In complementary fashion, Seyla Benhabib argues that a range of distinctions in the western political tradition—between justice and the good life, norms and values, interest and needs—have operated to confine women and typically female sphere of activity, like house work, reproduction, nurturance and care for the young, the sick and the elderly to the private domain. These issues have remained until recently prereflexive and inaccessible to discursive analysis.<sup>41</sup> The ideal of equal citizenship attains unity because it excludes bodily and affective particularly as well as the concrete histories of individuals that make groups unable to understand one another.<sup>42</sup> Inclusion thus would impose homogeneity, suppressing group differences in public and in practice forces formerly excluded group to be measured and defined by privileged group standards.<sup>43</sup>

Similarly multiculturalist like Bhikhu Parekh point that—

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<sup>40</sup> Ibid, Further Diana Coole points that negative liberty tends to be attached to acts performed in the home, that is the site of patriarchal family while women experience this as a place of unfreedom, men demand it to be a place of both personal privacy and unconstrained patriarchal power. Feminist analyses suggests that it is typically the patriarchal family or its male head that masquerades under the title of autonomous individual. A variety of senses with differentially gendered implications thus compete within the notion of private.

<sup>41</sup> Joan B. Landes, 'The Public and Private sphere - A feminist reconsideration', In *Feminist read Habermas - Gendering the subject of discourse*, ed. Johanna Madran (N. York, Routledge, 1995): p. 99.

<sup>42</sup> See, Iris M. Young, "Impartiality and civic public some implications for feminist critique of moral and political theory", in *Feminism as critique on politics of gender*, ed. S. Benhabib and Druncilla Cornell : 250-74, p. 71.

<sup>43</sup> See, Young, art. cit., 250-253.

- (a) Liberal assimilationist divide neatly public and private realm and therefore are unable to give account of those institutions that straddle both.<sup>44</sup>
- (b) Liberal assimilationist insist that while cultural communities are free to lead their self chosen lives within the private realm; they should accept the political culture of wider society.<sup>45</sup> This to Parekh, ignores the fact that latter is a product of history and reflects the political consensus prevailing at a given time. Therefore need is of revisability not only of social values but also of political symbols, images, ceremonies and views of national identity, when shown to misrepresent or ignore the presence, experience and contribution of marginalized groups.
- (c) Liberal assimilationist attempt to combine a monocultural public realm with a multicultural private realm has a tendency to work against the latter.<sup>46</sup> The public realm in every society

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<sup>44</sup> Bhikhu Parekh, *Rethinking multiculturalism*, (Hound Mills, Macmillan Press, 2000), 202-203. (a) As far as schooling is concerned children are not just citizen but also members of relevant community, as a result of which their parents and cultural community have vital interest in their education, which makes school a cultural institution belonging to private sphere, if one stresses former, we would have to treat school as public institution subject to state and ignore parental culture. But if stressed on both civic assimilationist have no answer. (b) As far as religion is concerned, liberal confirming religion to private sphere leads to discrimination against religious people and if admit people religion it would blur public/ private distinction.

<sup>45</sup> Ibid, p. 203.

<sup>46</sup> Ibid.

generally enjoys far greater dignity and prestige than private realm. The culture it institutionalizes enjoys state patronage, power, access to valuable resources, political respectability and sets the tone of the rest of society. Although other culture are free to flourish in private realm, they exist in its overpowering shadow and are largely seen as marginal and worth practicing only in relative privacy of communal association.<sup>47</sup> Subject to relentless assimilationist pressure of dominant culture, their members especially youth internalize their inferior status and opt for uncritical assimilation leading confused lives or retreat into their communal ghettos.

Therefore multiculturalist and feminist together advocate the need for differentiated citizenship in which differences are publicly recognized and acknowledged as irreducibles; meaning people from one perspective or history can never completely understand the point of those with other group based perspectives and history.<sup>48</sup> A differentiated Citizenship includes people both as citizens as well as members of specific community.<sup>49</sup> It is therefore a non assimilationist and non homogeneous

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<sup>47</sup> Ibid.

<sup>48</sup> This however should no indicate incommensurability of culture. Infact in a different context Sandra Harding comments that experience and knowledge can be generated from other perspective. It only means to emphasize that the aggrieved group is in a better position and best representative of its need's..

<sup>49</sup> Gurpreet Mahajan, 'Rethinking Multiculturalism', *Seminar*, 484, December 1999, p. 59.

mode of inclusion.<sup>50</sup> One might reach closer to equality by adopting practice of differentiated citizenship. Differentiated citizenship stresses need for contextually sensitive judgement as against general, abstract principles of universal citizenship.<sup>51</sup> Instead of abstracting from particularity, need is to embrace it.<sup>52</sup>

Therefore feminist conception of such a citizenship (deriving from earlier feminist movement) stresses on—

- a) Not only the need to overcome liberal suppression of women's gendered subjectivity in public realm which would require access being made easier for women to enter the public/ political realm, example though affirmative action.<sup>53</sup>
- b) However alongside need range of activities in private realm as form of citizenship which are relevant to different women's lives. So that the spirit of liberal laws of justice should be applied whole heartedly to issues of so called private domain—pornography, violence against women, rape,

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<sup>50</sup> Ibid.

<sup>51</sup> Theorists like Carol Gilligan, Seyla Benhabib & Iris Young, in difference contexts have spoken on these lines.

<sup>52</sup> Joseph Carens, "Justice as even handedness", *Seminar*, 484, December 1999, 46-50, p. 46.

<sup>53</sup> However there are differences on this - One proposal (by Iris Young, Anne Phillips) would be to revitalize public like as an arena of deliberation and discourse which takes care of real differences. Another proposal (by Seyla Benhabib and Chantal Mouffee) is to forge explicitly political alliances through organizing for common objective as an alternative to experience led identities that arise from shared racial or sexual oppression.



material rape, co-parenting etc. Therefore need would be for a notion of differentiated citizenship which is at once political and intimate.<sup>54</sup> Thus both public and private realms are crucially interconnected by the fully human selves that characterize both sphere, which however take cognizance of lived experiences of different women.

Not only feminists, but also multiculturalists stress against liberal public and private division and that need would be to see both realms deeply as influencing each other.

Multiculturalist advocate, in order to facilitate emergence of a multiculturally constituted common culture, both private and public realms need to encourage intercultural interaction. The two realms are part of a common way of life and deeply influence each other.<sup>55</sup> If public realm were to be monoculturally constituted, it would discourage diversity in the private realms and unless the spirit of multiculturalism flourished in the latter the multiculturally constituted public realm would lack vitality and support.

So far as the private realm is concerned, the development of a multiculturally constituted common culture requires a flourishing civil society providing ample opportunity for different cultural community to treat and pursue common cultural, economic and other interests on a regular and relaxed basis. Well conceived public policies, playing a largely

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<sup>54</sup> Kathleen Jones, "Citizenship in a women friendly Polity", *Signs*, 1990, vol. 15, no. 4; 781-812.

<sup>55</sup> Bhikhu, Parekh; op. cit., 222.

facilitating role, then have an important role to play.<sup>56</sup> Official and unofficial spokesmen of wider society should publicly welcome the presence and contribution of different culture, patronize their social and other events and so forth and help build up their self confidence. Museums and art galleries which define and celebrate the national heritage should include and suitably integrate minority contribution which are also an integral part of a multicultural arts, exhibition, literary, musical and other events and film festivals, build up a shared source of pleasure and foster a multicultural ethics in society at large.<sup>57</sup>

As far a public realm is concerned the development of multicultural constituted common culture requires a different pattern of intercultural interaction.<sup>58</sup> As against requirement of public realm which were to require citizens to speak the established political language in standard account and appeal only to the prevailing political values, as Rawls, Ackerman and Joshua Cohen would advocate, need would be for a public realm which welcome new conceptual language, modes of deliberation, forms of speech of political sensibilities and create condition over time for plural public realm and broad based political culture. Since public realm sets the tone of rest of society and wields considerable power and prestige, it should ensure adequate representation to cultural community.<sup>59</sup> Because of prejudice of

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid, 223.

<sup>59</sup> Ibid.

wider society, there is a strong case for affirmative action programme for excluded community for example - as in case of India untouchables have been to a considerable degree been brought into the mainstream. When both public and private create such conditions—for equal intercultural interaction with such judicious government, a multicultural constituted common culture is possible.

A differentiated citizenship not only require that each social group affirm the presence of other, but also that it affirms the specificity of its experience of perspective on social issues. Therefore to Young, differentiated citizenship entails special representation for oppressed groups, which are characterized by identities than interests. It forestalls emergence of public discussion. A differentiated citizenship requires mechanism of group representation. Any commitment to political equality must grapple with the fact that equality of citizenship makes some people more powerful citizens.<sup>60</sup> It envisages:

- a) Institutional mechanism and public resources being structured so as to support self organization of group members.
- b) Voicing of how policy prospects effect them.
- c) Granting of veto.

Similarly multiculturalists like Parekh point that in a multicultural society one might need not only grant different but additional rights.<sup>61</sup> If

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<sup>60</sup> Young, art. cit., 253.

<sup>61</sup> Parekh, op. cit., 262.

some groups have long been marginalized or suppressed, lack confidence and opportunity to participate as equals in mainstream society or are subjected to vigorous assimilation, we might need to give them rights not available to other such as special or disproportionate representation in parliament or other government bodies, and right to consultation and even perhaps a veto over laws relating to them.<sup>62</sup> It gives substance to principle of equal citizenship.

As far as national minorities are concerned like aboriginals, Kymlicka would point need for collective right for rectification of an inequality which effect them collectively.<sup>63</sup> According to him temporary affirmative action are not sufficient since inequality would remain even when number of boriginal community no longer suffered from any deprivation of material resources.

However within this frame work issue of states role in terms of women and minority issue become central to both feminism and multiculturalism. While both feminist and multiculturalist would be skeptical on building grand theory around abstract concept like state, both stress on more contextual analysis. Their objective is not to abandon all theoretical critique but rather to situate analysis of specific governmental interventions against the background of social circumstances and specific gender,

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<sup>62</sup> Ibid.

<sup>63</sup> Will Kymlicka, *Liberalism community and culture*, (Oxford, Clarendon Press, 1989).

minorities and other relationships.<sup>64</sup> Institutional arrangements define whose reality is to be the norm and make what is known as different seem neutral. The task would therefore be to identify vantage points, to learn how to adopt contrasting vantage points and to decide which of them to embrace in given circumstance.<sup>65</sup> Need would be to approach questions of difference by seeking out unstated assumptions about difference and typically unheard points of views.<sup>66</sup> There will not be a rule, a concept, a norms or a test to apply to these problems. The very yearning for simple and clear solutions is part of difference problem. Instead of a new solution, need would be for struggles over descriptions of reality. Justice in this view is not abstract or universal but on the contrary it is the quality of human engagement with multiple perspectives framed by but not limited to relationships of power in which they are formed.<sup>67</sup> Continuing skepticism about reality endorsed by the courts or any source of governmental power

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<sup>64</sup> Feminism and state - Deborah L. Rhode, 'Feminism and state', vol. 107, No. 6, Harvard law review, 1994, She points many of feminist sharpest disagreement course atleast in part from state's failure to implement policies on which feminist legally agreed. These identifies as - physical security, equal employ and education opportunity, family structure and welfare policies reproductive freedom, political representative.

<sup>65</sup> Martha Minnow, "Justice engendered", Harvard law review, 101, 1987.

<sup>66</sup> Ibid, 5 unstated assumptions are –

- (a) Difference is intrinsic and not relational.
- (b) Unstated norm eg, male remained unstated norms in context of women.
- (c) Observer can see without a perspective.
- (d) Irrelevance of other perspective.
- (e) Status quo is natural, oncoersed and good. Thus by their very simplification, the assumption exclude contrasting viewpoints.

<sup>67</sup> Ibid.

is the only guard against tyranny. In a society of diversity with legacies of discrimination within a polity committed to self governance, the judiciary becomes a critical arena for demands of inclusion. Justice would require deliberate attention to partial, unstated view points. By taking difference into account we can overcome our pretended indifference to difference and speak across conflicting affiliations.

Multiculturalists point what is required that in a particular case, one must often immerse oneself in the details of the case and make contextually sensitive judgements, rather than abstract general principle.<sup>68</sup>

Apart from the fact that abstract, neutrality is discriminatory to women and minorities, it is in principle (that is complete neutrality) impossible to achieve. Therefore what on the contrary is required is the ideal of what Joseph Carens calls 'even handedness'. The guiding ideal of even handedness is that what fairness entails is a sensitive balancing of competing claims for recognition and support in matters of culture and

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J. Carens J. "Justice as even handedness", *seminar* 484, Dec. 1999. - Neutrality not possibility because every state will have to choose what languages to use for official business, how to draw internal boundaries and what power to assign to subunits. Such choices have implications for specific identities and culture within the state. The choice of one language over other is never regarded cultural neutral even if intended e.g. Sunday off reflects Christian norms and disadvantage Jews, but a neutral Wednesday is not going to make any one better off. So could permit off to those who worship on other days on toe open on Sundays. Thus when Muslim complain of British funding Jew and Christian schools, what they are asking for is not neutrality in form of equal indifference but even handedness in form of comparable support; p. 48.

identity.<sup>69</sup> Thus instead of abstracting from particularity, we need to embrace it, but in a way that is fair to all different particularities.

However, does a differentiated citizenship entail group hostility and irreconcilable difference with no dialogue across groups? Iris young, believes that while concept of heterogeneous public acknowledges difference as irreducible, but commitment to need and desire to decide together the societies, policies foster communication across those difference. Therefore she advocates communicative ethics, which recognizes need for significant interdependence, a commitment to equal respect and agreement on procedural rules of fair discussion and decision making.<sup>70</sup> To Parekh, a dialogically constituted multicultural society is fundamentally committed to culture and morality of dialogue.<sup>71</sup> It further believes that common good and collective will, that are vital to any political society are generated not by transcending culture and other particularities, but through their interplay in the culture and thrust of a dialogue.<sup>72</sup> It has a strong notion of common good consisting in respect for basic rights, maintenance of justice, institutional and moral precondition of deliberative democracy and it cherishes not static and ghettoized but interactive and dynamic multiculturalism.

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<sup>69</sup> Ibid, p. 47.

<sup>70</sup> Young, op. cit., pp. 116-121.

<sup>71</sup> Parekh, op. cit., p. 340.

<sup>72</sup> Ibid, p. 341.

As far as contentious issues are concerned, Amy Gutmann advocates deliberative universalism, which recognizes that some conflicts over social justice cannot be resolved here and now. These conflicts are best addressed and provisionally resolved by actual deliberation, the give and take of arguments that is respectful of reasonable differences.<sup>73</sup> For example, on issue of abortion, deliberation, provisionally resolves fundamental moral conflicts here and now but not necessarily once and for all.

We can potentially learn more about political morality from listening and responding to reasonable arguments with which we disagree rather than thinking on our own.<sup>74</sup> Deliberation thus calls upon people both to affirm the moral status of their own position and also to acknowledge the moral status of those reasonable positions with which they may disagree.<sup>75</sup> Multiculturalism thus can aid deliberation. Our moral understanding of many sided issues like legalizing abortion is furthered by discussion with people with whom we respectfully disagree especially when these people have cultural identities different from our own.

Therefore dialogue, be it on different experiences, perspectives, cultures, is a necessity for developing a common sense of belonging among citizens.<sup>76</sup>

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<sup>73</sup> Amy Gutmann, "The challenge of multiculturalism in political ethics", *Philosophical and public affairs*, 22; 3 (summer 1993) 88, 171-204, p. 199.

<sup>74</sup> Ibid.

<sup>75</sup> Ibid, p. 203.

<sup>76</sup> Parekh, op. cit., p. 340.



### III. REPRESENTATION

Multiculturalists and feminists are both concerned with the way minorities and women are represented by dominant culture discourse.

One of the major concerns of both multiculturalists and feminists has been with the ways in which democracies set up procedures to ensure additional representation for all oppressed groups, that is group representation. Group representation principle calls for special representation only for oppressed group because privileged groups already are represented.<sup>77</sup> Further, since group difference in modern complex society is both inevitable and desirable and wherever there is group difference, disadvantage always looms large as an possibility. Thus group representation is best means according to Young to promote just outcomes, to democratic decision making.<sup>78</sup> It produces the opportunity for some to express their needs or interests which would not likely be heard without that representation. It best institutionalizes fairness under circumstances of social oppression and domination. Group differences involve not only different needs, interest and goals but more importantly different social locations and experiences from which social facts and policies are understood. Until and unless group oppression or disadvantage

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<sup>77</sup> Young; art. cit., 255-260.

<sup>78</sup> Policy proposal by Young have been given in Section II..

are eliminated, political publics including democratized work places and government decision making bodies should include specific representation of those oppressed group through which those groups express their specific understanding of issues before public and register a group based vote.<sup>79</sup> But it may not be necessary to ensure specific representation of all these groups in all public context and in all policy discussions. Representation should be designed whenever group histories and social situations provide a particular perspective on the issue, when the interest of its members are specifically affected and when its perception and interest are not likely to receive expression without that representation.

Anne Phillips, too advocates synthesis of politics of ideas and presence, as the basis for arguing for active intervention to include members of groups currently under represented in politics.<sup>80</sup> She distinguishes her argument from reductive interest and identity based

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<sup>79</sup> Ibid, According to her special rights are needs and emerge not from a need to compensate for an inferiority as some would interpret it, but from a positive assertion of specificity in different forms of life. Thus equal treatment is unjust because it denies these cultural differences or makes them a liability. She takes up the example of special rights in work place - pregnancy and birthing, physical disability and being old, which challenge according to her the normal healthy worker and typical work situation.

<sup>80</sup> See, Anne Phillips, *The political of presence*, (Oxford, Clarendon Press, 1995), Anne Phillips gives four arguments for women's equal participation in formal politics - the argument about role model, the arguments concerning justice, the argument concerning women's interest and arguments concerning revitalization of democracy. It is latter which appeals to her for it means increasing the number of female representatives will actually participate in the political process differently - be less beholden to party agendas and more engaged in a radical reworking of political system itself. On this basis, the argument for fair representative of women is simultaneously an argument for a more participatory form of democracy. - See Anne Phillips, *Feminism and Politics*, (ed.) Oxford, Oxford University Press, 1998.

arguments for group representation; for although she claims that changing the composition of legislature in terms of presence will make a difference, she also wants to avoid a simple endorsement of politics of presence which proposes group representation on the basis of representation of either women's interest or their identities. Politics of presence is not just about locking people into pre-given, essentialized identities, but project is to enable those currently excluded from politics to engage in political debate and decision making. Thus form of group representation presented by Young and Phillips rests on politics of ideas, modified by recognition of importance of a politics of presence. The politics of presence is used as a basis not for absolute gender parity but for constitutionally guaranteed special rights.

Kymlicka, while discussing the relevance of liberalism to culturally plural societies, justifies group rights for a boriginal community. What he means by this is a stable and geographically distant historical community with separate language and culture, rendered a minority by conquest or immigration or the redrawing of political boundaries.<sup>81</sup> The special measures demanded by aboriginal people serve to correct an advantage that non aboriginal people have before anyone makes their choices.<sup>82</sup> For aboriginal people (unlike white population), security of cultural community is in question and therefore it is necessary to outbid non aboriginal people just to ensure that their cultural structure survives, leaving them few

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<sup>81</sup> Will Kymlicka, *op. cit.*, 182-205.

<sup>82</sup> *Ibid*, 191.

resources to pursue the particular goal they have chosen from within that structure.<sup>83</sup> Thus temporary affirmative action programmes are not sufficient even if material deprivation is no longer the issue.

Parekh advocates that a collectivity has a prima facie claim to rights if it meets one of the following overlapping conditions.<sup>84</sup>

- First, "it means a great deal to its members, enjoys a moral status in their eyes and they wish to preserve it", example Amish.
- Second, its existence is vital to fundamental interest of its community enjoying the right to collective action example indigenous people in India, Canada etc.
- Third, a community is deeply insecure and would not and cannot integrate into mainstream society without certain guaranteed right example Muslim in India.
- Fourth, a community has been long subjected to oppression, lacks the confidence to compete with rest of society and needs to be equalized with the latter by appropriate remedial or supportive group specific measures. Example untouchables in India.
- Fifth, a community has the potential to make a valuable and unique contribution to the wider society and can only do so if

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<sup>83</sup> Ibid, p. 218.

<sup>84</sup> Parekh, op. cit., p. 217-218.

it is given the rights required to preserve its identity and attain its characteristic form of excellence.

- Sixth, some communities are based on shared doctrines of which they seem themselves as custodians and can only function and contribute to their members and wider societies well being when endowed with appropriate rights.

Thus collective rights are needed and as Parekh would put it—in each case the nature and content of rights may vary, depending on what is required to achieve their intended purpose. Some collectivities might merit only the right to non interference, some might merit exemption from certain general requirements, yet others might rightly claim positive support of the state and other public institutions.<sup>85</sup> In some cases we might think it better not to grant rights with all their legal and other complications and settle the matter by accommodation or by imposing duties on others.<sup>86</sup> This is a decision about how best to meet the legitimate claims of the collectivities involved and does not affect the validity of claims themselves. While a collectivity merits rights under certain conditions, the rights have no meaning unless it is able to act as a collective agent and possess the requisite institutional structure to take and enforce its decisions.<sup>87</sup> Infact Kymlicka points, one possible implication is given in recent proposals by aboriginal leaders in the Canadian north for a three to ten years residency

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<sup>85</sup> Ibid, p. 218.

<sup>86</sup> Ibid.

<sup>87</sup> Kymlicka, op. cit., pp. 195-200.

qualification before citizens acquire rights to vote or hold public office; for a guaranteed 30% aboriginal representation in regional government and for veto power legislation affecting crucial aboriginal interest.<sup>88</sup>

Therefore both feminist and multiculturalist would point different societies would reach different decisions on which social group should enjoy which rights.

#### IV. NATIONAL IDENTITY

Like any other community, a political community needs to and as a rule tends to, develop some idea of the kind of community it is, what it stands for, how it differs from other, how it has come to be what it is and so forth; in short a view of national identity.<sup>89</sup> Its shared conception of its identity serves several purposes. Although every political community needs a view of its national identity, the latter also has a dark underside and can easily become a source of conflict and division. Since every definition of national identity is necessarily selective, both multiculturalist and feminist point that it stresses one of these stands and visions and delegitimizes or marginalizes others. The history of a community too is necessarily complex and can be read in several different ways and a definition of national identity runs the risk of oversimplifying it and glorifying the role of some

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<sup>88</sup> Ibid.

<sup>89</sup> Parekh, *op. cit.*, p. 230.

groups and denigrating that of others. A definition of national identity can also become a vehicle of silencing dissident voices and moulding the entire society in a particular image with all its authoritarian and repressive implications. For example, at the turn of the century British imperial past was much emphasized. The migration of British people overseas, the colonial conquests and provision of civilized government over inferior races were presented as achievers in which everyone could take pride. The story of British imperial past is one which hides the brutality and exploitation of colonialism and it stills underpins many British attitude to other societies and cultures as well as racism at home.

In fact in case of women, feminist point that women themselves becomes integral to defining national identity. In surveying the relationship between women and nationalism, it is difficult to escape the conclusion that it turns on male crafted conception of nation and national identity.<sup>90</sup> In a complex play, the state is often gendered male and nation gendered female. Women are commonly constructed as the symbolic form of nation whereas men are invariably represented as its chief agents and with statehood achieved, emerged as its major beneficiaries.<sup>91</sup>

Nira Yuval Davis and Anthias point, that women can and do participate in ethnic and national processes in numbers of ways.<sup>92</sup>

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<sup>90</sup> Robert L. Miller & Rick Wilford, *Women ethnicity and nationalism - the politics of translation*, (London, Routledge, 1998).

<sup>91</sup> Ibid, p. 1.

<sup>92</sup> Ibid, p. 15.

- a) as biological reproducers of the boundaries of ethnic community.
- b) as reproducers of the boundaries of ethnic or national groups.
- c) as key actors in the transmission of the community values.
- d) as market of ethnic distinctiveness.
- e) as active participants in national struggle.

But even when women have been active as warriors in such struggles, they are invariably left holding the wrong end of citizenship stick which is itself gendered and racialized. Women are infact not imagined to be national citizens. Thus while men appear in histories of battles, governments and monarchs, whereas women appear as icons of national, domesticity and morals.

As Farzaneh Milani observes, women dominate the cultural imaginary by becoming emblems of national identity. "Forcefully unveiled they personify the modernization of nation, compulsorily veiled, they embody the reinstatement of the Islamic order".<sup>93</sup>

Infact consolidation of identity and culture was won at the expense of otherness which took the form of feminine, the lower classes or other ethnicities. For example role of motherhood was chosen as a charged symbolic site for Khomeini's Islamic republic. Haleh Afshar compares Khomeinis veneration of mothers as "pillars of nation", "forts of virtue and

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<sup>93</sup> Zohran T. Sullivan, "Eluding the feminist, overthrowing the modern? Transformation in Twentieth century Iran", in ed. Lila Abu Laghud, *Remaking women* (Princeton, Princeton University Press, 1998), pp. 215-242, p. 228.



chastity" with Hitler's similar claims that women were entrusted in life of nation with great task, the care of man, soul, body and mind.<sup>94</sup>

In context of post colonial Egypt, feminist point, that women's question animates political and ideological contests couched in language of cultural authenticity versus foreign influence. Thus Islamists selectively defined national identity while stigmatizing sexual independence and public freedom as western but much more gingerly challenged women right to work, barely questioned women education and unthinkably embrace bourgeois ideals of marriage.<sup>95</sup>

It is through racialization, genderization, and sexualization that the nation is able to transcend modernities and to become timeless and homogenized entity. Pedagogy plays an important part in desire of nation state to produce subject it can subject.

Therefore, one is confronted with a paradox. A shared sense of national identity is necessary, but also potentially dangerous a condition for community's cohesion and reproduction which can also alienate large section of its citizens and become a cause of fragmentation. Therefore it needs to meet certain conditions.<sup>96</sup>

- Firstly, the identity of a political community should be located in its political structure and not widely shared personal

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<sup>94</sup> Ibid, p. 231.

<sup>95</sup> Lila Abu Lughod, "The marriage of feminism and Islamism in Egypt - selective repudiation as a dynamic of post colonial cultural politics", in Ibid, pp. 243-269, p. 243.

<sup>96</sup> Parekh, op. cit., 231-233.

characteristics of its individual members, in what they share publicly and collectively as a community not in what is common to them as individuals. It should therefore be defined in politico—institutional rather than ethno-cultural terms.

- Secondly, members of a multicultural society belong to different ethnic, religious and cultural groups and these identities deeply matter to them. The prevailing view of national identity should allow for such multiple identities without subjecting those involved of divided loyalties. There is no reason why one cannot be both Scottish and British, Quebecois and Canadian. Problem can arise if for example, being American would mean being protestant and anglosaxon, then clearly others cannot feel fully American. Thus even feminist organization like NACSW are increasingly compelled to consider women attachment to ethnic communities and any effort towards inclusion in a feminist polity expresses a pluralist model of multiple nations with in a state submerging and subsuming contending nationalism. So feminist local community networks look at cross border division and overlaps and in practicing citizenship create social space for contestation and resistance.
- Thirdly, the national identity of a community should be so defined that it includes all its citizens and makes it possible

for them to identify with it.<sup>97</sup> Minorities cannot feel part of community if it by very self definition exclude them and treat them as outsiders.

Fourthly, the definition of national identity should not only include all citizens but also accept them as equally valued and legitimate members of community. This sometime may not be reflected in the way dominant culture defines national identity. Therefore need would be to define national identity in broad and collectively acceptable manner. By including minorities in the community's self definition and giving them official recognition such a definition legitimizes and values their presence and makes it possible to accept it with enthusiasm.

Finally, as Bhabha points, the performing subject is key to a political imaginary that displaces the pedagogy of the nation; that is, its effort to produce citizen subject who mirrors its political desire.<sup>98</sup> Thus one needs to question the continuous repetition of gender and sexuality and their symbolic power both in historicity and temporality of nation, as well as in the repetition of raced ethnicities as powerful signifiers, whose

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<sup>97</sup> Ibid, p. 232.

<sup>98</sup> Alarcon, Kaplan & Muglem, *Between women and nation*, (Durham, Duke University Press, 1999).

counter narratives and counter performance disrupts the nations tendency to totalize its pedagogy for people.<sup>99</sup>

Apart from debates over the issue of national identity, multiculturalism has become a central discourse in which battles have been waged in the universities around curriculum charges and exchanges in media. Thus today's crucial cultural wars are increasingly being fought on two fronts.<sup>100</sup>

- a) Multiculturalism has become a tug of war over who gets to create public culture.
- b) The contested terrain of multiculturalism is heating up between educational institution, that do not meet the needs of a massively shifting student population and their families, for whom schools increasingly are being perceived as merely one more instrument of repression.

Therefore both feminist and multiculturalist stress on the importance of media and education in representing women and minorities.

Media as a medium not only set agendas and frames debates but also inflict desire, memory, phantasy.<sup>101</sup> By controlling popular memory they can contain or stimulate popular dynamism. Media is absolutely central to any discussion of multiculturalism. The contemporary media

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<sup>99</sup> Ibid.

<sup>100</sup> Henry A. Gixous, "Insurgent multiculturalism and the promise of pedagogy", in ed. David T. Goldberg, Basil Blackwell, 1993); p. 325.

<sup>101</sup> Robert Stam and Ella Shohat, "contested histories", in Ibid, p. 301.

shapes identity, indeed many argue that they now exist close to the very core of identity production.<sup>102</sup> In a transnational world typified by global circulation, images and sounds, goods and peoples, media spectatorship complexly impacts on national identity and communal belonging.<sup>103</sup>

Multiculturalists have pointed that dominant media have formed part of the culture of empire. In fact beginning of cinema coincided with the giddy heights of the imperial project with a time when Europe held sway over vast tracts of alien territory and hosts of subjugated people.<sup>104</sup>

Feminists draw attention to fact that cultural practices such as media, marketing, literature, art and popular culture construct forms of subjectivity which are mostly gendered. Women are depicted mostly as dependent, irrational, passive and weak, while their male counterparts as rational, aggressive, independent and strong. Strong women and weak men are not quite normal. Women are at once the sexually passive virgins of romance and much sexology or the sexually voracious vamps of pornography and prostitution. In fact since the 1960's, the question of representation has been a key issue in feminist politics. The images of femininity which we find all around us are often experienced by women as constricting and repressive. Thus in media women are to a large extent

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<sup>102</sup> Ibid.

<sup>103</sup> Ibid, see for images formed on Tarzan and during gulf war. Also see in Partha Chatterjee and P. Jeganathan, *Subaltern Studies XI*, (Delhi, Permanent Black, 2000), article by Tejaswini Narayanan, "Nationalism Refigured : contemporary South Indian Cinema and the subject of feminism", which look at the role of media in depicting image of Muslims as demonic.

<sup>104</sup> Ibid, 320.

ignored or shown in a negative way. The language of film and T.V. derives from a male point of view.

Thus together multiculturalist and feminist would point on need of a media based pedagogy which could empower minorities and build on privileged students minimal experience of otherization to help them imagine alternative subject positions and divergent social desires.<sup>105</sup> Just as people all over the world have turned to cultural identity as a means of mobilizing the defense of their social, political and economic interest, multicultural media activism and pedagogy might serve to protect threatened identities or even create new identities, a participant not only in public sphere assertion of particular culture but also in fostering the collective human capacity for self production.<sup>106</sup>

Speaking more generally, recommend a relational pedagogical strategy that would shuttle constantly between dominant and resistant and between euro-american and alternative cinemas, so as to enable contrapointal reading of shared, conflictual history. Representation in media for above needs to be done through myriad alternative texts and resources for combating the imperial imaginary.<sup>107</sup> In the face of eurocentric historicizing, third world and minoritarian film makers have rewritten their own histories, taken control over their own images, spoken in their own voices. Oppositional cinemas have thus also explored a wide spectrum of

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<sup>105</sup> Ibid.

<sup>106</sup> Ibid, 307.

<sup>107</sup> Ibid, 308.

alternative aesthetics.<sup>108</sup> Many third world and (minoritarian) feminist film and video project suggest strategies for coping with the psychic violence inflicted by eurocentric aesthetics, calling attention to the racialized body as the site of brutal oppression and creative resistance.<sup>109</sup> Thus for example – given the construction of dark bodies as ugly and bestial, resistance takes the form of affirming black beauty. Thus the example of indigenous media suggests that a radical, polycentric multiculturalism cannot simply be “nice” like a suburban barbecue to which a few token people of color are invited.<sup>110</sup> Any substantive multiculturalism has to recognize the existential realities of pain, anger and resentment. Since the multiple cultures invoked by the term multiculturalism have not historically coexisted in relations of equality of mutual respect, it is therefore not merely a question of communicating across borders but of discerning the force which generate the border in first place.<sup>111</sup> Thus multiculturalism decolonizes representation not only in terms of cultural artifacts but also in terms of power relations between communities.

Further as far as curriculum is concerned, both feminists and multiculturalists view it as extremely hierarchical and representational system that selectively produces knowledge, identities, desires and values. The notion that curriculum represents knowledge that is objective, value

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<sup>108</sup> Ibid.

<sup>109</sup> Ibid, 320.

<sup>110</sup> Ibid.

<sup>111</sup> Henry Giroux, in op. cit., p. 327.

free and beneficial to all students is challenged forcefully as it becomes clear that those who benefit from public schooling and higher education are generally white, middle class students whose histories, experiences, language and knowledge largely conform to dominant and cultural codes and practices.<sup>112</sup>

Representatives of various minorities, women, homosexuals and handicapped charge that their own groups are inadequately represented or not depicted in sufficient positive light. History must thus, include contribution and perspectives of both women and men, diverse cultural/racial groups and disabled. History becomes the major sight of contestation. Feminist point that historical facts are not given but selected and produced. John Tosh raises questions like, who produces historical knowledge? And who validates it for general consumption?<sup>113</sup> Therefore history is intimately connected with power relations and interests. Women until very recently had little or no visible history. Thus the starting point for most feminist cultural politics was invisibility of women. Women lives and experiences were absent from most historical writings, sociological studies, literary and artistic canon. While male critics, justified absence by declaring women's work as inferior, feminist in response have questioned the universal status of the concept of value used by male critics. They have argued that western literary and artistic tradition privilege white cultural

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<sup>112</sup> Lorraine Pangle, "Multiculturalism and civic education", in op. cit., ed. A.M. Melzer.

<sup>113</sup> See Glenn Jordan and Chrisweedon, op. cit., 301.



production. They have challenged public/ private divide and reinstated the importance of those areas seen as private, such as family. It helps to bring out that there is no single (her) history, but several her (histories).

Since history and tradition are crucial to developing a positive sense of one's culture and identity, it is essential that painstaking efforts be made to remove biases against various groups in history texts.<sup>114</sup> The goal is to solve specific social problem associated with ethnic groups as well as gender and disabilities, to end inequality by promoting toleration in majority and enhanced self esteem for marginalized groups.

However multiculturalism needs to become more than a critical referent for interrogating the racist and sexist representative and practices of the dominant culture, it also provides space in which the criticism of cultural practices is inextricably linked to production of cultural spaces marked by formation of new identities and pedagogical practices that offer a powerful challenge to the racist, patriarchal and sexist principles.<sup>115</sup>

Firstly, therefore multicultural curriculum must be informed by a new language in which cultural differences are taken up not as something to be tolerated but as essential to expanding the discourse and practice of democratic life.<sup>116</sup>

Secondly, educators must account for the disproportionate under representation of women and minorities. However need would be not only a

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<sup>114</sup> Lorraine Pangle, in op. cit., p. 46.

<sup>115</sup> Henry Gixous, in op. cit., p. 332.

<sup>116</sup> Ibid, 337.

pedagogy that concentrates on how meanings produce particular stereotypes and uses to which they are put.<sup>117</sup> Rather than recovering differences that sustain their self representation, educators need to demonstrate, how differences collide, crossover, mutate and transgress in their negotiation and struggles. Differences thus must not be understood through fixity of place or romanticization of an essentialized notion of history and experience, but through tropes of inderterminancy, flows and translations. Thus it is also essential that a multicultural curriculum also focus on dominant white institutions and histories, to interrogate them in terms of their injustices and their contribution for “humanity” – in a sense making whiteness visible as a racial category.

Thirdly — Multicultural curriculum must address how to articulate a relationship between unity and difference that moves beyond simplistic binaries<sup>118</sup>, thus develop a unity–in indifference position, in which new hybrid form of democratic representation and citizenship provide a forum for creating unity without denying the particular, multiple and the specific.

Fourthly, it also means analyzing specific class, race, gender and other issues as social problems rooted in real material and institutional factors that produce specific forms of inequalities and oppression.<sup>119</sup>

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<sup>117</sup> Ibid, 338.

<sup>118</sup> Ibid, 339.

<sup>119</sup> Ibid, 340.

## V. CENTRALITY OF LOCATION OF CULTURE

Location of culture and cultural embeddedness is central to not only multiculturalist but also to most of contemporary feminist thought.

Multiculturalist consider human beings to be culturally embedded in the sense that they grow up and live within a culturally structured world.<sup>120</sup> They organize their lives and social relations in terms of a culturally derived system of meaning and significance. Further, human beings are deeply shaped by their cultures, necessarily view the world from within a culture—be it one they have inherited and uncritically accepted or reflectively revised or adopted.<sup>121</sup> Different cultures, define and constitute human beings and come to terms with the basic problem and human life in their own different ways. As members of a cultural community, human beings acquire certain tendencies and dispositions, in some case as deep and powerful as those they are deemed to possess by nature.<sup>122</sup>

Our cultural community provides us with the evaluation resources which enable us to both make sense of world and to appraise phenomena as valuable and valueless, worthwhile and worthless, moral, immoral and amoral.<sup>123</sup> Culture then becomes a resource in enhancing or deepening our personal faculties of reflection and judgement, as we appropriate the world

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<sup>120</sup> Parekh, *What is multiculturalism*, *Seminar*, 484, Dec. 99, 14-17 at 14.

<sup>121</sup> *Ibid.*

<sup>122</sup> *Ibid.*

<sup>123</sup> Parekh, *op. cit.*, 122.

in the sense of making it comprehensible. Therefore communities are important because they provide their members with structures of meaning or evaluative resources to render the world intelligible.<sup>124</sup> We identify deeply with our culture, howsoever imperceptible that identification may be. What is important is that without access to our culture we are rendered defenseless.<sup>125</sup> Marginalization of minority culture will leave its members bewildered and lost because their identity is bound up with that of their culture.<sup>126</sup> Correspondingly denigration of culture through perverse stereotyping will harm self esteem of individual incalculably.<sup>127</sup> In fact Taylor would point that to deny public recognition to a person's self identity or to impose a demeaning identity on them would be to harm them. Therefore need would be to not only to let cultures survive but also to acknowledge their worth.<sup>128</sup>

To Kymlicka, people are bound in an important way to their cultural community. Some one's upbringing is not something that can just be erased.<sup>129</sup> It is and will remain a constitutive part of who that person is. Cultural membership not only is source of emotional security and personal

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<sup>124</sup> Neera Chandhoke, "The logic of recognition", *Seminar*, 484, Dec. 99, pp. 35-39, pp. 37, 38.

<sup>125</sup> Ibid.

<sup>126</sup> Ibid.

<sup>127</sup> Ibid.

<sup>128</sup> Taylor, op. cit., p. 83.

<sup>129</sup> Kymlicka, op. cit., p. 175.

strength it may affect our very sense of agency.<sup>130</sup> Why else would telling an individual that, her people had no history have the effect of giving the individual an image of herself as powerless. To Kymlicka, cultural membership is not a means in pursuit of one's ends.<sup>131</sup> It is rather the context within which we choose our ends and come to see their value and this is a precondition of self respect, of the sense that one's ends are worth pursuing.<sup>132</sup>

However, cultures are not shackles that bind understanding, they allow understanding and sometime that understanding can both transgress as well as modify culture.<sup>133</sup> Since human being are culturally embedded and its non recognition could cause considerable harm to their self esteem, multiculturalists feels a multicultural society therefore needs to be sensitive to cultural diversity.

Equality implies both sameness and difference and requires that each of the two should be so defined as to include the other. People should to treated in the same way, but the sameness must take account of their differences.<sup>134</sup> Conversely their differences should be respected, but in such a way that they do not violate the demands of sameness. At one level

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<sup>130</sup> Ibid.

<sup>131</sup> Ibid, 192.

<sup>132</sup> Ibid.

<sup>133</sup> Neera Chandhoke, art. cit., p. 39.

<sup>134</sup> Parekh, Equality, fairness and limits of diversity, Innovations, vol. 7, no. 3, 1994, 289-308, p. 306.

equality requires equal treatment to all involved but human beings are culturally embedded and differ in their circumstances and needs. Since the same rule has an unequal impact on them, to ignore their differences is to treat them unequally. A school banning headscarf's<sup>135</sup> or certain rules or police force requiring sikhs<sup>136</sup> to give up on their turbans are treating the people unequally for whom headscarf and turbans is a cultural requirement and is almost like part of their anatomy. Thus equality requires a rejection of arbitrary differences and a full recognition of relevant differences. A society committed to it must know how to be discriminating without being discriminatory. For example as in controversy over uniforms, that is refusal of sikh women to wear required uniform but long shirt and baggy trouser or when muslim girl refused employment<sup>137</sup> because her religion prevented her from wearing dress, which exposed legs, British State while keeping the decorum of uniform insisted on required adjustment. Thus organization concerned were neither deculturalized or eclectically made multi cultural and made comical.

Second, no society can ensure full equality to all its citizens. As a historical entity, distinct, identity informs its structure and carries a bias

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<sup>135</sup> Ibid, 293-94; Also see A.E. Galleoti, "citizenship and equality. The place of Toleration", *political theory*, vol. 21, pp. 585-605; N.C. Moruzzi, "A Problem with headscarfs contemporary complexities political and social identity", *political theory*, vol. 22, 1994. pp. 653-667.

<sup>136</sup> Ibid, 294.

<sup>137</sup> Ibid, 255.

against culturally different groups.<sup>138</sup> Its capacity to treat all its citizens equally is therefore limited. Muslims and Jews are disadvantaged by the fact that Fridays and in some cases Saturdays are working days in all western societies and that latter cannot totally eliminate their disadvantage. Christians in Israel and other Muslim countries face similar disadvantage. Thus allowing Jews to trade on Sundays, or giving similar time off to Muslims on Friday's afternoons, is a similar equalizing measure. It does not privilege them for it neither confers more rights on them, nor gives them additional rights to exercise their equal rights. It only enables them to exercise the same right as bulk of community. Thus while no society can ensure full equality to its members, a society committed to equality has a duty to minimize inequality and to be as fair as it can be. Thus fairness in a multicultural society is best defined in terms of a culturally construal of the test of objective necessity.

Similarly objections to practice to scatter ashes of the dead in river or cremate their dead on funeral pyre or slaughter of animals as per Jewish and Muslim method are ill founded because not only are they not violating operative public values but also are central to Hindus, Muslim and Jewish way of life.<sup>139</sup> As far as Gypsy culture is concerned, their reluctance to send children to school on cultural reason is a cause of considerable unease to the liberals. However multiculturalist argue, in such cases state should

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<sup>138</sup> Ibid, 306.

<sup>139</sup> Parekh, op. cit. 273-274.

neither undermine nor preserve their culture but only make such demands as it considers essential to the interest of society at large.<sup>140</sup>

Thirdly, as seen in case on France, many women pointed out rather than being oppressive, polygamy put women in situation of solidarity. By contrast in such a case institution of monogamy would have isolated women and privatized them. The struggle of monogamous wives against then husband's power are small, individual rebellions. Therefore viewing any practice in the relevant context is most important.

Therefore, multiculturalist point, concepts such as equal respect for persons, equal opportunity and equality before law need to be interpreted in a culturally sensitive manner.<sup>141</sup> Unless we appreciate that human beings need to be located against their cultural backgrounds, and their actions interpreted in terms of systems of meaning characteristic of their culture, we misunderstand them and do them injustice.

Similarly black feminists, post colonial and post structural feminists, marking a significant advancement over second wave feminism stressed on the need to take cogniscense of historical and cultural specificity in experience of women.<sup>142</sup> For a theoretical perspective to be politically useful to feminism it should be able to recognize the importance of

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<sup>140</sup> Parekh; Equality, fairness and limits of diversity, 296-297.

<sup>141</sup> B. Parekh, 'Equality in a multicultural Society', in Jane Franklin (ed.), *Equality* (London institute for public policy research, 1997), 123-155, p. 150.

<sup>142</sup> Cultural feminists had stressed on some universal notion of women's culture, which was found essentialist by black and post colonial feminists.



subjective in constituting the meaning of women lived experience. Feminist theory should not deny subjective experience since the ways in which people make sense of their lives is a necessary starting point for understanding how power relations structure society. Theory must be able to address women's experience by showing where it comes from and how it relates to material, social practice and power relation which structure them. Avtar Brah would point, that our gender is constituted and represented differently according to our differential location with the global relations of power.<sup>143</sup> The noun woman, in different womanhood is meaningful with reference to a fusion of adjectives, which symbolize particular historical trajectories, material circumstances and cultural experience.<sup>144</sup> Chandra. T. Mohanty expresses the need to see concrete, historical and political practices. Social life is not in any direct sense a product of things a women does, but need to view at concrete social interaction. For example mothering needs to be analyzed contextually.<sup>145</sup> Anna Yeatman argues as against second wave feminists claim of universal categorization and biological essentialism need for genealogical construction of the categories of sexuality, reproduction and mothering.<sup>146</sup>

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<sup>143</sup> Avtar Brah, 'Difference, diversity and differentiation' in James Donald and Ali Rattans (ed.) *Race, culture and difference*, (U.K., Sage, 1992).

<sup>144</sup> Ibid.

<sup>145</sup> Chandren Talapade Mohanty, under western eyes - feminist scholarship and colonial discourse, *boundary*, 213 (1), 134-150.

<sup>146</sup> Anne Brooks, *Post feminism: feminisms, cultural theory and cultural forms*, (London, Routledge, 1997), p. 15.

Apart from this, bellhooks argues that second waved feminists neglected the lived experience of racism which women of colour have had to face. She points that race and class identity create differences in quality of life, social status and life style that takes precedence over the common experiences women share.<sup>147</sup>

Women of colour maintain that application of concept of patriarchy is limited and ethnocentric in application.<sup>148</sup> Black men have not held the same patriarchal position of power as white male have established Both H. Carby and Barrett agree that a more contextualized culturally specific concept of patriarchy must be developed in order to more accurately reflect a range of experience of oppression.

Second wave feminism failed to address the fact that there are different sites of oppression and different sights of struggle. Sylvin wallby notes that sites of oppression for women of colour may be different from those of white women and this may change basis of gender inequality. Hooks points, that since family is a site of resistance and solidarity against racism for women of colour, it does not hold the central place in accounting for women's subordination that it does for white women.

Therefore it is clear that patriarchy is experienced in different ways by different women and results in different sites of oppression and sites of

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<sup>147</sup> Ibid, p. 16.

<sup>148</sup> Ibid, p. 17.

resistance. Infact as Butler would point gender is preformative, it is an act of performance and is constituted in performance.<sup>149</sup>

Angela Harris shows how ignorance of specificities of a culture mars even thoroughly well intentioned analysis of women experience with in that culture. She argues for example that in some respects black women in U.S. have quantitatively different experience of rape than that of white women, for example history of master/slave rape. They live with knowledge and experience of black men being victimized by false accusations, harsher sentences, and at worst lynching.<sup>150</sup>

However the whole practice of rape needs to be understood in a purely localized sense, in the context of local discourses and practices that are both constitutive and constituted by it. Infact what needs to be seen is that in different cultures, values around masculinity and femininity is differently constructed. What needs to be questioned is much talks of rape in terms that suggest either implicitly or explicating a universal practice. For instance Christine Hellwell, probes the question why does a women of Gerai (Indonesia) see a penis as lacking the power to harm her, while women see it as having the capacity to defile, to humiliate, to subjugates.

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<sup>149</sup> Ibid, However liberal feminist like Susan Okin and Martha Nussabaum believe cross cultural generalisations and concern for shared experience of womanhood is essential to bring out gender itself as an important category of analysis. Theories developed in western contexts can clearly apply atleast in large part to women in very different cultural contexts. She takes e.g. of women's access to paid work and show women situation in third world is "similar to but worse than" than counterpart in west.

<sup>150</sup> Ibid, 22. Angela Harris, "Race, essentialism in feminist legal theory, Stanford law renew, 1990, 42: 581-616.

her. The western beliefs in sexed character of bodies are not natural in basis but rather are component of specifically western gendering and sexual regimes.<sup>151</sup>

While in Gerai, there is view of men as higher than women due to certain kinds of potency, vis-à-vis world at large, this does not translate into a conception of that potency as attached to and manifest through the penis—of man's genitals as able to brutalize women's genitals. Shelly Errington point out that feature of many of societies in insular South East Asia is to stress on sameness, even identity between men and women in contrast to western stress a difference as passive feminine and active masculine subject.<sup>152</sup> Further as against western discourse stress on difference of body they stress on similarity of two bodies that allows its procreation. Conception is viewed as involving a mingling of similar bodily fluid forces and so on, rather penetration of one body by another, stresses on tropes of identity, mingling, balance, and reciprocity. Because both played same role in conception, it should not matter who received contraceptive medicine. Gender difference in Gerai then in not predicated on character of one's body but in differential capacity to perform certain

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<sup>151</sup> Christine Helliwell, "Its only a penis : Rape, feminism and difference", *Signs*, 2000, vol. 25, no. 3, 790-816 at 797.

<sup>152</sup> *Ibid*, No sense of dichotomized masculinity and feminists - though men said to be braver and knowledgeable about local law and women more persistent and more enduring - which are equally valued. Crucially in terms of central quality of nurturance, which is very straggly marked as feminine among westerners, Gerai people see no different between meant women. while men's notion of bravery linked to physical strength, but this is not equated with aggressiveness.

kinds of work.<sup>153</sup> Thus need would be to explore ways rape itself produces such experiences of masculinity and femininity and so inscribe sexual difference onto our bodies. Moira Gatens questions "why concede to penis the power to push us around, destroy our integrity, scribble on us, invade our borders". Western feminist writings on rape in fact lead them to reproduce the very discursive framework of western rapist themselves with their talk of tools and holes, the very discursive framework in which rape is possible.<sup>154</sup> Thus in fact critique of essentialism can open up new possibilities for construction of self and agency.

Similarly as in case of circumcision, it is embraced by and deeply embedded in the lives of many African women not only in Africa but in Europe and U.S. as well. Infact those getting inscribed uphold the practice of female circumcision and positively evaluate its consequences psychological, social and physical well being—feeling in fact empowered. Shweder quotes Kengatta, to say conditions sinquanon of whole teaching of tribal religion and morality, that no proper Gikuyu man or women would have sex with or marry someone who was not circumscribed, that the practice is an essential step into responsible adulthood for many African girls and boys.<sup>155</sup> In fact there is a strong community in defence of this custom. Okiek, an ethnic group in Kenya, talks of circumcision not in terms

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<sup>153</sup> Ibid, 820.

<sup>154</sup> Ibid, 802.

<sup>155</sup> Richard A. Shweder, "What about female genital mutilation? And why understanding culture matters in the first place", *Daedalus*, Fall 2000, 209-232 at 227.

of dampening of sexual pleasure and desire but speak of it in terms of cleanliness, beauty of adulthood. They view genital modification, bravery and self control displayed during operation as constitutive experience of Okiek personhood.<sup>156</sup> In fact they consider non-circumcised adult genitalia to be disgusting. They typically argue that it is an important part of their cultural heritage. In fact female circumcision when and where it occurs in Africa, is much more a case of society treating boys and girls equally before common law and inducting them into responsible adulthood in parallel ways.

Further, third world countries' colonial past produces specific experience unique to their histories, therefore a complex intermingling could be seen between feminism and colonialism. Therefore post-colonial feminist need to look at the fact that complex variables intermingle and thus feminist need to equally address the issue of culture within their countries thus not just issues of feminism and women liberation are important to them. K.H. Petersen would point, that in African context not only feminist emancipation but also fight against neo-colonialism particularly in its cultural aspect is important. For African writers and feminists in the sixties the attempt was to show both to outside world and African youth that African past was orderly, dignified and complex and altogether a worthy heritage.<sup>157</sup> K.H. Katrak writes, that post-colonial women writers participate

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<sup>156</sup> Ibid.

<sup>157</sup> K.H. Petersen, "First things first", in (ed.) Bill Ashcroft, G. Griffin and Helen Tiffin, *"The post colonial reader"*, (London, Routledge, 1995), 251-254, 253.

actively in the ongoing process of decolonizing culture.<sup>158</sup> They point out how language has been related to culture and how need to use, one's own submerged language is absolutely essential and empowering to challenge neocolonial tendencies. Pertersen brings out, that it is a complex situation—when say no cultural liberation without women liberation. Thus in African context they are not only to borrow some concepts from culture trying to disassociate and at same time to modify its admiration for some aspect of its culture.

Lila Abu Lughud points, In Islamic context due to impact of colonialism, it is difficult for anyone thinking about "the women's question" to escape the language of accusation and counter accusation about cultural authenticity. Are attempts to transform condition of women indigenous or foreign?<sup>159</sup> It has become something of a common place in post colonial studies to talk about the ways that the low status attributed by missionaries and colonial officials to colonized women—represented as the victims of tradition whether Hindu, Muslim or pagan—were used as a justification for rule. As Spivak has asked in context of India, what are we to think of white men saving brown women from brown men? Or white women saving brown women from brown men.<sup>160</sup>

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<sup>158</sup> K.H. Katrak, "Decolonizing culture", in *Ibid*, 255-258, 256.

<sup>159</sup> Lila Abu Lughud, "Feminist longing and post colonial condition", in Lila Abu Lughod (ed.), *o. cit.*, p. 15.

<sup>160</sup> Gayatri C. Spivak, "Can the subaltern speak", in ed. Cary Nelson and Lawrence Crossberg, *Marxism and interpretation of culture*, (Urbana, University of Illinois Press, 1988), 271-313.

This colonial legacy of feminism has been explored by Leila Ahmed who argues the European obsession with unveiling women has produced the contemporary fixation on the veil as the quintessential sign of Muslim resistance and cultural authenticity.<sup>161</sup> She frames her critique of what she calls 'colonial feminism' in terms of concept of culture. She argues that what colonist sought was to undermine the local culture. She worries that some western feminists devalue local cultures by presuming that there is only one path for emancipating women that is by adopting western models. As many have argued from Arab world, the rhetoric of return to authentic cultures run through the Islamic discourse that attributes political defeats like 1967 war, as well as contemporary social problem to the straying from the Islamic path. This kind of argumentation pitting Islamic culture against western is crucial to calls for women's veiling. Thus the widely shared belief that hijab reinforces female subordination ignores complex cultural dialectic of immigration in France, Britain and elsewhere. As seen in the French controversy over headscarf's some women felt completely liberated by veil and believed that women can go with means other than using her body. In fact the phenomena of new veiling is extremely complex.<sup>162</sup> Religious

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<sup>161</sup> Leila Ahmed, *Women and gender in Islam*, (CN Haven, Yale University Press, 1992).

<sup>162</sup> Lila Abu Lughod, "The marriage of feminism and Islamism in Egypt" selective repudiation as dynamic of post colonial cultural politics, op. cit., p. 244, some actresses have adopted the new modest Islamic dress as per of what they concern as religious awakening. In other cases rural areas, educated girls declare their difference from then uneducated relatives without jeopardizing their respectability by mean of this form of dress. Thus adopting hijab now has



motivation for it should be balanced against an understanding of how veiling contributed to greater freedom of movement in public, easier work relation in mixed sex settings, respectability in eyes of neighbour and thus greater economic and social conformity.

Further in Indian case, the resistance to Uniform Civil Code (UCC) comes on grounds that its imposition would destroy the cultural identities of minorities which is crucial to democracy. This kind of argument was made both during debates in constituent assembly as well as more recently, during the public debates over Shah Bano judgement. Minority women argument is that any all encompassing code whether brought by B.J.P. or based on feminist understanding, will at this juncture harm the interest of women from minority community.<sup>163</sup> Since it sharply communalized politics, they bear the dual border of a minority and being women. Effort to bring about gender justice must therefore focus primarily on strengthening initiatives to bring about reform within personal laws so that rights of women do not become a casualty to the fear of minority community, that they will lose their identity through establishment of UCC. Groups that work on Muslim personal like Nikahanama drafted a model which was accepted in a modified form by Muslim personal law board and WRAG, also feel that women in community are not willing to charges that come from out sides

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extraordinary number of a meaning and complications that need to be distinguished. p. 244.

<sup>163</sup> Nivedita Menon, "Women and citizenship in ed. Partha Chatterjee, *Wages of freedom*, (Delhi, Oxford: Oxford University Press), pp. 264-65.

the community or which seems to threaten community identity.<sup>164</sup> There is potential within this diversity, it is argued for more radical interpretation of texts and customary practices. Although both WRAG and Nikahanama group agree there is no scope within this frame work for gender justice in feminist sense.<sup>165</sup>

Lata Mani, looks into the complex issue of relationship between colonialism and question of culture in the Indian context. She points that question of positionality and location and their relation to the production of knowledge as well as its reception are most important to any feminist scholarship. Thus gender race, class, sexuality and historical experience specify neither to unmarked bodies, deeply compromising the fictions of unified subjects and disinterested knowledge.<sup>166</sup> Feminists have called for a revised politics of location. Revised because unlike its initial articulation, relation between experience and knowledge, is now seen not of correspondence but fraught with history, contingency and struggle.<sup>167</sup>

She looks into the issue of Sati and brings out how legalization of Sati (which entailed colonial version of practice deemed traditional) preceded its abolition. Interaction in practice of Sati provided grounds for intervention in civil society. Ultimately for both official and missionaries, women were not really an issue. Women rather provided ground for

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<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> Lata Mani, Multiple mediations, *Feminist review*, No. 35, Summer 1995.

<sup>167</sup> Ibid.

development of other agendas.<sup>168</sup> Infact one could view the ambivalence within indigenous discourse even among those passionately opposed to Sati and here too concern for woman seem secondary to the concern for traditional or general good of society. Therefore she questions not only the overly positive evaluation of civilizing impulse of colonialism but also modernizing desire of proto nationalism and nationalism; In present time argument about women rights have provided the basis for a further entrenchment of patriarchy in name of tradition and for arrogation of greater power to state in name of modernity. However post Roop Kanwar incidence in India sparked of debate between pro and against Sati lobby. Infact some of the contemporary literature, example by Ashish Nandi *etc.*, parallels Nineteen century norms. Both cast Sati simultaneously as an exceptional practice and one that is emblematic of society as a whole.<sup>169</sup>

Equally treacherous appears to be the issue of women's agency – where debate is cast in terms of voluntary nature or its coercive nature.<sup>170</sup> However this seems to be largely reductive. Limiting discussion in this way makes it difficult to engage simultaneously with women's systematic subordination and ways in which they negotiate, oppressive even determining social condition. Infact third world people are represented in Eurocentric discourses, as lacking agency. But fact remains structure of domination are best understood if we can grasp how we remain agents

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<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

even in moments in which we are being intimately, viciously oppressed. The discourse of women as victim would be valuable to feminists; without a dynamic conception of agency would leave us with reductive representation of women as primarily being passive and acted upon. In other words, in Eurocentric feminist discourse, the third world women are depicted as always already victim. However in context of India one needs to walk a tight rope. In short term, need would be to encounter notion of free agents by emphasizing victimization.

The whole issue of location of culture raises an important issue that is, are culture's best changed from within? or other culture's can intervene in particular community practices? As far as Islamic feminists are concerned they would point out the need to read Quran is an urgent need. Need is to bring to one's reading of those past texts in the framework of our own times and place.

Multiculturalist in similar vein, argue multiplicity and diversity within groups and shift in group practices and beliefs over time. Outsiders should therefore refrain from imposing individual rights as the only method for internal group change. Finding the play in the joints in even the most coherent cultural world should generate greater respect for individual who can't do wend their own ways through complex cultural worlds. Indeed to the extent that minority group practices are themselves oppressive, cultural defending maintain that group members can and do engage in their own group struggles, which allow them to preserve their group while redressing the offensive group practices. Parekh maintain that culture are best

charged from within.<sup>171</sup> Further every cultures is internally plural and reflects a continuing conversation between its different traditions and strands of thought. This does not mean that it is devoid of coherence and identity but that its identity is plural, fluid and open. Even Kymlicka maintain that, liberal cultures need to respect the culture by trying to change it. Thus communities example aboriginal needs to work out consensus within themselves.

## V. CONCLUSION

Thus multiculturalists and feminist together stress against any notion of what David Lloyd calls a "subject without properties", considering it to be extremely problematic. This accords a universalized male white subject a privileged state. Chandra T. Mohanty notes that differences cannot be formulated as negotiation among culturally diverse groups against a backdrop of benign variation on presumed cultural homogeneity.<sup>172</sup> Differences is the recognition that knowledge are forged in histories that are riven with differentially constituted relations. Multiculturalists and feminists therefore call serious attention to the dominant meaning system—most of which are ideologically stitched into fabric of western imperialism—interrogating culture of whiteness itself given as it is in power relations.

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<sup>171</sup> Parekh, "What is multiculturalism, art. cit., 15.

<sup>172</sup> See, Paul Maclaren, "Oppositional agency" in ed. David T. Goldberg, op. cit., 66.

Therefore, centrality given in both feminist and multiculturalism to the need for recognition, representation, differentiated citizenship and more than anything to recognize the centrality of location to culture.

Within this context not only power relations but also the notion of agency is of much importance to both multiculturalists and feminists. Need would be to testify not only to pain, suffering and 'walking nihilism' of oppressed people but also to the intermittent, epiphanic ruptures and moments of *jouissance*, that occur when solidarity is established around struggle for liberation. The notion of agency is essential to an understanding that struggle goes on even at the moments of coercion and oppression,--otherwise minorities and women would seem 'already always victimized'. However this too needs to be done in localized and in context, historical specific mode.

Further, much of multiculturalists and feminist literature stresses on not need of abstracting from particular but embracing it. However does this mean that no generalizations are possible? However what feminists and multiculturalists are pointing towards is notion of not only concrete other but also generalized other.<sup>173</sup> All universal rights in this view most reorganize the specific needs and desires of concrete other without satisfying the stand point of a generalized other, without which it is impossible to speak of radical ethics at all.<sup>174</sup> Seyla benhabib distinguishes between interactive

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<sup>173</sup> Ibid.

<sup>174</sup> Ibid.

universalism and substitutionalist universalism. Former in contrast to the latter acknowledges not only generalized other but also concrete other. Therefore this position is one based on engagement dialogue and confrontation and collective moral argumentation between and across borders.<sup>175</sup> As Laclau would point "the universal is incommensurable with the particular but cannot however exist without the latter".<sup>176</sup> How is this relation possible? It is because the universal has no necessary body if democracy is possible, it is because the universal has no necessary body and no necessary content. Different groups, instead compete between themselves to temporarily give to their particularisms a function of universal representation. Society generates a whole vocabulary of empty signifiers whose temporary signified are the result of a political competition.<sup>177</sup> This universalism which is not one is no ossified rule: a fixed definition which stands outside the public space and serves to order it. So there asked is what is this universal, we might say, whatever it is will not be decided in the manner of epistemologists. And as to the question "—is there any thing in the classic conception of universal that is worth saving? We might say that whatever is saved marks the moments of political decision—the judgement that is definite but never final."<sup>178</sup>

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<sup>175</sup> Ibid.

<sup>176</sup> Linda, M.G. Zerilli, "The Universalism which is not one - review of Laclau (emancipation (s)), 199b, *Diacritics*, 28, 2, Summer 1998, 1-20, p. 19.

<sup>177</sup> Ibid.

<sup>178</sup> Ibid.

Therefore one needs to move beyond simplistic binarism between unity and difference. Need would be to develop a unity in difference position in which new hybrid forms of democratic representation, participation and citizenship provide of forum for creating unity without denying the particular, multiple and specific.<sup>179</sup> In this instance, the interrelationship of different cultures and identities become borderlands, sites of crossing, negotiation, translation and dialogue.<sup>180</sup>

So much for convergence between feminism and multiculturalism; but fact is multiculturalist advocating for granting cultural rights to minorities seems extremely problematic from feminist stand point. According to them, stress on intergroup equality, conceals intragroup inequality, which multiculturalist may perpetuate. Next chapter therefore looks at areas and issues where feminist position diverges from multiculturalist position.

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<sup>179</sup> Henry A. Gixous, in ed. Goldberg; op. cit., 339-340.

<sup>180</sup> Ibid.



## CHAPTER III

# FEMINIST CRITIQUE OF MULTICULTURALISM – ISSUES OF DIVERGENCE

## I. INTRODUCTION

Due to recognition of the importance of cultural diversity, various countries have begun to revisit their public policies, trying to find a dynamic accommodation for their increasing varied communities. Their hope is that since "we are all multiculturalist now", we can explore ways in which state laws can be sufficiently pluralistic, allowing different communities to be governed by their institutions and traditions.<sup>1</sup>

The move towards multicultural accommodation generally is justified in terms of promoting the participation and inclusion of groups with different circumstances or forms of life without shedding their distinct identities.<sup>2</sup> As seen in previous chapters, both feminists and multiculturalists, stress on the need for a 'politics of difference' – which is now seen as representing diverse opinion and voices of marginalized groups. They recognize the need to foster particularity; making distinctions based on sex, culture, region etc. as basis of differential treatment.

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<sup>1</sup> Ayelet Shachar, "On citizenship and multicultural vulnerability," *Political Theory*, Feb. 2000, Vol. 28, No. 1 : 64-89 64.

<sup>2</sup> Ibid; 65

However multiculturalist calls for need of group rights for minority cultures is found extremely problematic from feminist point of view. Group rights to them strengthen dominant subgroups within each culture and privilege conservative interpretations of culture over reformative and innovative ones. It follows then, that women, and those who strive to protect their rights and equal status, are among the first to be harmed by group rights.<sup>3</sup>

Thus feminists feel multiculturalism presents a problem when state accommodation policies intended to mitigate the power differential between groups end up reinforcing hierarchies within them. The phenomenon point to the troubling fact that some categories of at-risk group members are being asked to shoulder a disproportionate share of cost of multiculturalism. Under such conditions well meaning accommodation by state may leave certain group members to maltreatment within the group and may in effect work to reinforce some of the most hierarchical elements of a culture.<sup>4</sup>

Because of their reproductive capacity, women are seen as the transmitters of group values and traditions and as agents of socialization of the young. When group identity becomes intensified, women are elevated to the status of symbol of the community and are compelled to assume the

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<sup>3</sup> Yael Tamir, "Siding with the under dogs", in *Is multiculturalism bad for women*, pp. 47-58; p. 47.

<sup>4</sup> Shachar, art. cit.; 65.

burden of the reproduction of the group.<sup>5</sup> Their roles as wives and especially mothers are exalted, indeed fetishized. Women's "place" in the home and in the family is lauded. It is woman as wife and mother not women, as workers, student, citizens, who is ideologically constructed in the discourse program of the movement.<sup>6</sup> This is why it becomes important to establish an appropriate role for women (ordained by nature or by divine will) and to put women "in their place"; women who resist this role are accused of disloyalty.

Granting of group rights to preserve cultural communities may thus impact "assist in continued subordination of women."<sup>7</sup>

Some theorists like Avishai Margalit & Moshe Halbertal argue that since peoples "personality identity" is tied to their culture, state support for their culture is often called for. Feminists like Susan Moller Okin however ask question, what if a culture demeans women? According to Susan Okin as important to the development of self-respect and self-esteem as one's culture, is one's place within that culture.<sup>8</sup> Thus a patriarchal culture that

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<sup>5</sup> Valentine M. Moghadam, "Introduction : women and identity politics in Theoretical and comparative perspective", in *Identity Politics and women-cultural reassertions and feminisms in international perspective*, ed. Valentine M. Moghadam (San Francisco: West View Press, 1994), p. 18.

<sup>6</sup> Ibid.

<sup>7</sup> Gurpreet Mahajan, "Rethinking Multiculturalism", seminar 484, Dec. 1999 : 56-61 at 60.

<sup>8</sup> See Susan Moller Okin, "Feminism and Multiculturalism :- some Tensions", *Ethics* 108, No. 4, July 1998; pp. 661-85; p. 665.

teaches the importance of women's subordination to men is hardly doing much to develop their self-esteem.

Feminists therefore problematize the whole issue of providing group rights to cultural minorities, questioning the impact thereof on women. Thus they question what needs to be done when a culture subordinates its own women? However the problem is not only with the minority cultures, equally patriarchal orientation is of majority cultures (which feminists like Susan Okin fail to address). Therefore problem with contemporary theories of multiculturalism arise due to –

- (a) The conflation of two quite distinct concerns relating to non discrimination and preservation of culture.<sup>9</sup> Multiculturalist stress against policies which discriminate against minorities and in response advocate special rights to minorities for preserving their cultures. The association of cultural diversity with non discrimination provides a powerful rationale for not interfering with or restricting in any ways the existing community practices.<sup>10</sup>
- (b) Advocate of group rights for minorities tend to treat cultural groups as monoliths to pay more attention to differences within them. Specifically, they accord little or no recognition to the fact that minority cultural groups like the societies in which

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<sup>9</sup> Gurpreet Mahajan, art. cit., p. 60.

<sup>10</sup> Ibid.

they exist, are themselves gendered with substantial differences in power and advantages between men and women.<sup>11</sup>

- (c) Advocates of group rights pay little or no attention to private sphere. Some of the most persuasive liberal defenses of group rights urge that individual need a "culture of their own" & that only within such a culture can people develop a sense of self esteem or self respect.<sup>12</sup> But such arguments typically neglect both the different roles that cultural groups impose on their members and the context in which person's sense of themselves and their capacities are first formed – the realm of domestic or family life.<sup>13</sup>

This results in multiculturalists taking no cognisance of intra group inequality, stressing on equality between groups. Thus multicultural theorists overlook the link between culture and patriarchy. Most cultures, thus feminists point out, have as their principle aim, the control of women by men.

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<sup>11</sup> Susan Moller Okin, "Is multiculturalism bad for women" in op. cit., pp. 9-24; p. 12.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

## II. ISSUES RAISED BY FEMINISTS

Feminists stress that all cultures have shades of patriarchy, which attempt to control women's sexual behaviour, establishing control over their bodies. This can be demonstrated in different countries by looking at issues varying from abortion (U.S.), veiling, polygamy, personal laws, circumcision, rape in minority cultures, to issues of x case, Sati & ERA in majority cultures.

As far as minority culture are concerned, issue of abortion in U.S.A. revolves around, whether abortion is crime, that is, murder of human being/ foetus or is it about reproductive rights and control of women over their bodies. Anti choice communities-Catholics, orthodox Jews, Mormons and fundamentalist, consider it to be a moral sin to kill a foetus. While Roe versus Wade legalized abortion, tensions continue to exist. Webster case saw clipping of reproductive rights. Hyde amendment allowed state to refuse funding for women on grounds such as parental consent, spousal notification etc.; leading to women already having limited excess. Dangers of judicial excesses were seen in Muller & Monson case, which saw judiciary pronouncing principle of foetal endangerment and foetal neglect, saying all women are potentially accountable for outcome of their pregnancy and condition of their offspring at birth. Infact, during the Anita Hill case, jury was considered to be antichoice even at Supreme Court level (Reagan/ Bush era). Jury was neither conducive to her case nor to issue of sexual harassment at large.

Feminists pointed that pro family rhetoric in religious rights has already replaced anti communism as index of Americanism. Current battle raises the most potent danger to women's autonomy, because now womb has been pitted against women.<sup>14</sup> With creation of this preborn and invisible citizenry, a women's quite legitimate expectation of privacy and control in pregnancy is being obliterated. The question is begged - what is a women? Private citizen or pregnant subject?<sup>15</sup> Furthering the sanctity of foetal life, while government and its policies ignore the need of its existing citizens and already born children constitute a national betrayal to feminists. Empowerment is demanded not only at level of Public/ political sphere, but also at intimate sphere, that is, at level of womb.

Further, the practice of circumcision is explicitly defended on grounds of necessity for controlling women's sexual behaviour making her more marriageable. Feminist point that cultural argument in favour of circumcision by traditionalist female uncomfortably parallels the invocation of culture or ethnicity as a defense or excuse for violence, injustice and host of other ills.<sup>16</sup> Most advocates of female circumcision appear to equate culture with history and tradition but they fail to recognize the many ways in which their present actions and life style reinforce a notion of culture that

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<sup>14</sup> Alida Brill, "Womb vs. women – politics of accusation & protection", *Dissent*, Summer, 1991, pp. 395-399; p. 395.

<sup>15</sup> Ibid.

<sup>16</sup> 'What culture got to do with it? Excising the charming tradition of female circumcision', *Harvard Law review*, July 1993, Vol. 106; No. 3 : 1944-1961 at 1959.

comprises not only the traditional but contemporary as well. The concept of culture is a dynamic notion and not a static one. Due to dynamic nature of culture, changes must be channeled, so that they do not result in extinction of traditional culture. On the other hand practices, beliefs and life styles passed down through several generations of an ethnic groups need to be reexamined periodically in light of contemporary values and knowledge in order to ascertain, whether the custom deserve to be perpetuated.<sup>17</sup> Perhaps feminist would point, best reason to maintain a given traditional practice is that the original justifications for its existence continue to validate its persistence today.<sup>18</sup> Conversely, those practices that have neither factual, historical validity nor contemporary legitimacy in terms of societal values and that furthermore inflict harms and injury on their adherents must be abandoned. Within a dynamic notion of culture, women's health is an integral part of society's well being. Moreover women's reproductive freedom is absolutely essential to cultural survival and continuity.<sup>19</sup>

Matter becomes more complicated when it concerns immigrant communities as in case of France.<sup>20</sup> The controversy does not range amongst feminist over mutilation as having serious and even fatal medical,

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<sup>17</sup> Ibid; 1960.

<sup>18</sup> Ibid; 1960.

<sup>19</sup> Ibid; 1961.

<sup>20</sup> Bronwyn Winter, 'Women, the law, and cultural relativism in France', The case of excision', *Signs*, Summer 1994, Vol. 19, No. 4 : pp. 939-974; p. 939.



sexual and psychological consequences. Few if any would dispute the assertion, that the custom of excision (circumcision), is built upon a complex mythology that has been elaborated with the primary purpose of controlling women's sexuality for benefits of men. On the level of fundamentals, there is thus little or no disagreement among feminists. It is however at the level of strategy, cultural sensitivity and dilemma of taking legal action against women in the name paradoxically of women's rights that serious divergences appear. While the pro-trial feminists take the stance that excision is under no circumstances defensible or excusable, for it is a physical, sexual and psychological mutilation of female child.<sup>21</sup> Yet on other hand, anti-trial feminists split over the issue of criminalization. The position they take is that, bringing cases of excision to trial does more harm than good particularly as it is other women who are being judged and sentenced; while the men who hold real power of decision are less and less likely to be brought to trial. Thus they point (and as seen in 1989 excision case), individuals who are in question and further who are found guilty and sentenced, are mainly women.<sup>22</sup> The responsibility of their husbands in contributing to their isolation (from welfare networks) has been stressed by both pro & anti trial feminists and in particular by African feminists who work more closely immigrant communities.<sup>23</sup>

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<sup>21</sup> Ibid; 962.

<sup>22</sup> Ibid; 963.

<sup>23</sup> Ibid.

This brings to fore the case how women can be doubly disadvantaged. Not only within their communities women are having subordinate role but also are being victimized by state law. Further, France has signed bilateral conventions with all three magrabian countries (Algeria, Morocco & Tunisia), allowing marital laws of those countries to prevail in case of immigrant families, even though laws in question run contrary to French Law (based on notion of sexual equality).<sup>24</sup> This could be seen as a legal precedent for the respect of there patriarchy by our in case of excision.<sup>25</sup> This points to fact that even nation state as a category is not always very helpful to women's cause.

Further, there is practice common in much of Latin America, South East Asia & parts of West Africa, of pressuring or even requiring a rape victim to marry the rapists.<sup>26</sup> In many such cultures including in countries in central and South America, rapists are legally exonerated if they marry or simply offer to marry their victims.<sup>27</sup> Clearly rape is not seen in these cultures as a violent assault on the girl or women herself but rather as a serious injury to her family and its honor. By marrying his victims, the rapist can help restore the family's honor and relieve it of a daughter who as

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<sup>24</sup> Ibid; 959.

<sup>25</sup> Ibid.

<sup>26</sup> Okin, op. cit.; 15.

<sup>27</sup> Ibid.

damaged goods has become unmarriageable.<sup>28</sup> While it is difficult to imagine a worse fate for a women than being pressured into marrying the man who has raped her, worse fates do exist in some culture notably in Pakistan and parts of Arab Middle East, where women who bring rape charges quite frequently are charged themselves with Muslim offense of Zina or sex outside of marriage.<sup>29</sup> Law allows for the whipping or imprisonment of such women and culture pressurizes into suicide of a raped woman by relatives, intent on restoring family's honour. Further lack of ocular evidence of four Muslim males would rule out imposition of a Hadd punishment in Pakistan. The Hudood ordinance has allowed for all too many opening in defining rape. Women can now be accused of rape, as can children, laws of mutual consent may easily convert a case of child abuse into prosecution of child for Zina. Furthermore unmarried men and women can be convicted of having committed rape against each other, since a subsection of Zina offense defines rape as one where a man or women have illicit sex knowing that they are not validly married to each other. Thus real victims of Hudood ordinance are women and children, most specifically those who have no access to legal counsel and have low economic status.

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<sup>28</sup> Ibid.

<sup>29</sup> Ibid; 16.

Infact as would be seen in case of Filipino immigrants in U.S., gendered discourse of morality is used as one strategy to decenter whiteness and to locate themselves above the dominant group, demonizing it in the process.<sup>30</sup> In particular, they criticize American family life, American individualism and American women. This leads to patriarchal calls for a cultural "authenticity" that locates family honour and national integrity in group's female members.<sup>31</sup> Because the policing of women's bodies are one of the main means of asserting moral superiority, young women face numerous restrictions on their autonomy, mobility and personal decision making.<sup>32</sup> The elevation of Filipino chastity has the effect of reinforcing masculinity and patriarchal power in name of greater ideal of national/ethnic self respect.<sup>33</sup> In effect ultimately women face restrictions, to prove moral superiority of their cultural group.

In Polygamous Cultures too, men readily acknowledge that practice accords with their self interest and is a means of controlling women. French African immigrant women deny that they like polygamy and say that not only are they given no choice in the matter but their female forbearers in Africa did not like it either.<sup>34</sup> Further feminist point that polygamous

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<sup>30</sup> Yen Le espiritu, "We don't sleep around like white girls do" : Family, Culture and gender in Filipina American Lives", *Signs*, 2001, Vol. 26, No. 2 : pp. 415-440, p. 435.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid; p. 416.

<sup>34</sup> Okin, op. cit., p. 15.

marriages breed insecurity and jealousy. Since each wife knows she is replaceable and dispensable, they lack a sense of bonding. Economically pressures increase on women and family. Neither does it provide ideal condition for growth of children, which requires, a secure and stable environment.

As for child or otherwise coerced marriage, this practice is clearly a way not only for controlling who the girls or young women marry but also of ensuring that they are virgins at the time of marriage and often of enhancing husband's power by creating a significant age difference between husbands and wives.<sup>35</sup>

Veiling, has been seen by feminists as sign of traditional oppression of women. Since women are transmitter of group values and traditions their dress and behaviour become so important within any movement. In controversy over head scarf's in France, certain feminists and secularists pointed out that putting on a headscarf was in itself an act of subordination. The veil is an act of oppression of a sex. Putting a veil on the head is an act of submission. It burden's a women's whole life.<sup>36</sup> Desire of young women from immigrant communities to wear hijab, was to be understood as a sort of feminine false consciousness.<sup>37</sup> Feminists and French left insisted that it

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<sup>35</sup> Ibid.

<sup>36</sup> See Katherine Pratt Ewing, "Legislating religious freedom : Muslim challenges to the relationship between "church" & "State" in Germany and France", *Daedalus*, Fall 2000, 31-54 at 50.

<sup>37</sup> See Ibid, see Martha Minow, "About women, About culture, About them, About US", *Daedalus*, Fall 2001 : 125-145. Also see, Joseph. H. carens and Melissa S. Williams, "Muslim Minorities in liberal democracies : The politics of

was infact a purely religious affront to the emancipatory tradition of French republican politics.

The debate over personal laws turns out to be one of the most contentious amongst issues. An identity groups family law tradition often stand at the very centre of a group's sense of its cultural uniqueness. Family law serves the group as the custodian of core values through its requirement, for example, for legitimate marriage and divorce, which in turn regulate criteria for group membership by birth right.<sup>38</sup> Hence family law is an arena in which the contemporary multicultural state is tempted to grant identity groups an extensive degree of control over their own affairs.<sup>39</sup> Yet the problem remains that traditions and practices that demarcate membership boundaries through family laws often disproportionately burden women. Women's unique position as 'bearers of collective' gives rise to an ironic problem. These crucial cultural roles have been expressed. In the realm of the family, through adherence to a set of gender biased norms and practices that often subordinate women.<sup>40</sup> Hence a multicultural accommodation policy that allows an identity group complete autonomy in its family law practices potentially exposes women to intra group violation, just when they might be most in need of state protection.

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misrecognition", in *Secularism and its critics*. (ed.) Rajiv Bhargava (Delhi, Oxford University Press, 1998) : 137-173.

<sup>38</sup> Shachar, art. cit., 74.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid; 75

Family laws generally demarcate membership boundaries in two related way by defining who is eligible for full membership in the group and by defining condition by which non members can become full and equal members.<sup>41</sup> It is through such means whereby a group perpetuates itself, retaining its existence over time. The emphasis on demarcation of membership boundaries through birth and marriage creates a strong impetus for group to enforce social and legal mechanism for controlling marital status, sexuality and reproductive activity of women; for women have central role in procreating the collective.<sup>42</sup> This could lead to severe intra group policies, which if encoded in the groups established traditions, can lead to systematic sanctioned maltreatment of women in intra group spheres, which subsequently could be tacitly endorsed by a state's multicultural accommodation policy.<sup>43</sup>

The tension between multiculturalism and citizenship is part of the lived experience of millions of women in countries such as Israel, Kenya, India (and also nations such as Britain with immigrant population), which have already adopted culturally accommodationist policies regarding the marriage and divorce practice of their citizens. In Israel, for example no unified law applies to all citizens and thirteen different communities are allowed to maintain religious courts of their own and to apply their

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<sup>41</sup> Ibid.

<sup>42</sup> Ibid; 76.

<sup>43</sup> Ibid; 77.

established traditions over matters of marriage and divorce.<sup>44</sup> Infact, when both spouses belong to the same religious community, they must by state law, pursue matters of marriage and divorce in a religious court of their respective community. Moreover Israeli religious courts which have been awarded different degrees of exclusive jurisdiction over matters of family law, are in principle immune from state intervention, even if they uphold group tradition that expose certain insiders to systematic gender based oppression such as women undergoing divorce proceeding for e.g.- Jewish divorce law still permit a husband to force her to remain legally married to him even if their relationship has ended.<sup>45</sup> Unless both spouses agree to the divorce, the ultimate power to decide whether or not they dissolve the marriage remains in husbands hand. In effect Halakhic Jewish family law grants recognized identity groups a carteblanche license to subordinate certain of their group members, namely women, in the name of cultural preservation.<sup>46</sup> Muslim, Christian and Druze courts in Israel also have exclusive jurisdiction over the personal status affairs of their respective community. Although Judaism has a dominant status in Israel, non Jewish courts, Sharia (Muslim) courts in particular are vested with a wider scope of jurisdiction over the personal status affairs of their respective communities than are rabbinical (Jewish) courts.<sup>47</sup> In preserving religious court powers,

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<sup>44</sup> Ibid.

<sup>45</sup> Ibid; 77.

<sup>46</sup> Ibid; 78.

<sup>47</sup> Ibid.



the state has infact granted these communities license to maintain intra group practices that disproportionately injure women. Women can be maltreated within their own identity group and asked to bear disproportionate costs for accommodation of their nomos, if a gender based subordination is encoded in their group tradition.<sup>48</sup>

As far as the *Indian scenario* is concerned, debate over uniform civil code (UCC) is invariably cast in terms of integrity of the nation, which is seen to be under threat from existence of plural system of legality. Conversely resistance to UCC comes on grounds that its imposition would destroy the cultural identity of minorities, the protection of which is crucial to democracy.<sup>49</sup> Thus feminist point that UCC debate remain poised on polarity of state and community rendering invisible the axis upon which it turns, that of gender.<sup>50</sup> The debate over UCC is produced by tension between two notions of rights in fundamental rights, (Ch. III) of constitution. Feminist point out that, debate over UCC is in a way conflict over article - 14 to 24, which ensures individual rights to equality and freedom, and Article 25 to 30 which protect religious freedom and cultural, educational rights of minorities. It is from the latter that religious communities derive the right to be governed by there own personal law.<sup>51</sup> Thus, infact assertion of

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<sup>48</sup> Ibid; 78.

<sup>49</sup> Nivedita Menon, 'State/ Gender/ Community-citizenship in contemporary India', EPW 34 (5), 31 Jan., 1988 PE 3 – PE 10 at PE 3.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid; PE 7.

collective cultural rights could mean right not to offer reason for being different. Cultural group define themselves as different by defining its women; what is stake in this debate, is not differences in cultural practices perse, but the manner in which these rituals are implicated in notions of self, which has come to be constituted as male. In this minority religious communities are asserting their difference on the one hand from public sphere defined by constitution, where the citizen is devoid of all distinguishing marks including that of sex; and on the other from 'other' communities who mark their specific maleness differently.<sup>52</sup> Infact the very self hood of religious communities as they have come to be constituted is contingent upon marking them difference as male in the inner realm, so that to challenge this is to threaten their very existence as communities. This was effectively seen, in Shah Bano Judgement (1985) and subsequently, the legislation overturning the judgement, which removed divorced Muslim women from purview of maintenance provisions of the criminal procedure act. What in effect feminist have sought –

- (a) Support for and initiation of attempts to bring about reforms within personal laws.
- (b) Bringing about reform in area not covered by either secular or personal laws.
- (c) Need to work on comprehensive gender just frame work of rights, covering not just areas already covered by personal

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<sup>52</sup> Ibid.

law, but also public domain of work (creches, equal wages, maternity benefits etc.), which should be available to all citizens. Where these laws do not conflict with personal laws, they should be automatically applicable and where they do conflict, it should be open to individual citizens to make choice.<sup>53</sup>

Further there is an ongoing debate in Britain, whether to adopt pluralistic legal system to accommodate the practice of South Asian or Islamic customary personal laws. Within the English legal system the rights of minority groups have been defined through anti discrimination legislation. At present the cultural rights of minority groups are recognized and protected in English law as long as they do not violate national and international human rights law.<sup>54</sup> But clearly no single authority can define South Asian personal law and individual in line with liberal principle would have to be able to opt for a court of their choosing. The danger of a rigid pluralism is evident; it would encourage the creation of separatist politics, ghettoizing minority communities outside the mainstream legal system and

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<sup>53</sup> Ibid, PE 3, Also see, Rajeev Bhargava, "Should we abandon majority-minority framework, in minority identities and the nation-state. Sheth and Gurpreet Mahajan ed; He believes that muslim women must be given the right to exit the system of personal laws; (Delhi, Oxford University Press, 1998), p. 193.

<sup>54</sup> Samia Bano, 'Muslim and South Asian women : customary law and citizenship in Britain, in *women, citizenship and difference* (ed.) Nira Yuval Davis and Pnina Werbner (London, Zed books, 1999) : 162-177, p. 175.

thus defining them as the 'other'.<sup>55</sup> Further the recognition of customary personal laws could limit the autonomy of religious and ethnic minority women, as it would seek to enhance and legitimize their role as symbolic reproducers of community and allow for more control of their sexuality.<sup>56</sup> It might mean the shifting of state regulation to the private domain, thereby giving religious leaders greater power to dictate acceptable patterns of behaviour. The citizenship rights and duties of Asian women as British citizens would thus be undermined by a strictly pluralist arrangement.<sup>57</sup> The adoption and recognition of communal personal laws, would indeed prove detrimental not only to women but to all members of the community as the concept of 'equality before law' would no longer be applicable to them. Such a move would involve freezing cultural and religious boundaries according to criteria which are set, defined and accepted by the current British judiciary, a move that would lead to reduction of cultural and religious, diversity, dynamism and pluralism rather than enhanced integration.<sup>58</sup>

Thus the conflict between rights of subordinate groups (such as women) to break the power of traditions which subordinate them to men on the other hand and the radical recognition of the rights of minorities to exist

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

as cultural entities, on the other are not easily resolvable.<sup>59</sup> But minimally, it is necessary that these issues be addressed on their own terms and that they do not become a contest between the passion of the state (national integrity, secularism) and passion of community (its cultural survival in the form given to it by dominant make culture).<sup>60</sup>

What is evident is that family is a site of conflict. So when a community claims a right to practice its own culture, which includes the right to govern its members in the sphere of the family according to its own laws, then where do women or children who may be oppressed by the pathologies of family and community go for redress?<sup>61</sup> Clearly then according to Veena Das, right of a community to preserve cannot preclude the right of individuals to move out of the community and criticize and even reject its norms.<sup>62</sup>

However feminists are aware that not only minorities but also majority cultures have shades of patriarchy, which cannot be overlooked.

E.R.A. has held importance across feminist spectrum, which basically meant prohibiting legal sex discrimination.<sup>63</sup> The issue was

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<sup>59</sup> Veena Das, 'Cultural rights and the definition of community, in *The rights of subordinated people* (ed.) Oliver Mendel sohn and Upendra Baxi, (Delhi, Oxford University Press, 1994) : 117-158 at 135.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Also see, Rebecca E. Klatch, "Women of the new right in the U.S. - Family, feminism and Politics", in Valentine Moghadam (ed.), op. cit., : p. 367-388.

however not only over ERA, as it also covered issues such as equal pay, affirmative action, lower value given to women's work, infact showing the sensitive nature of issue. It's non passage would have been seen by feminist and women's movement as representative of women's secondary status.

However equally powerful reaction against ERA came from communities such as Catholics, orthodox Jew and Mormons. 1977, international women's year was clubbed by moral majoritarian forces as immoral women's year. Mormon community infact excommunicated one feminist of their community from Church for mobilizing Mormons in favour of ERA. Anti feminist groups such as the now defunct moral majority or eagle forum, promulgate an ideology in opposition to child care, welfare, reproductive rights, sexual autonomy, affirmative action and racial integration. Pro family groups were pointing out that the whole talk about equal rights was devaluing women's role and taking away protection for women such as alimony and child support.

Infact ERA, is stark reminder of communities power and pressure over the state, so as to withhold any rights being provided to their women (because it would entail altering the existing hierarchical and oppressive patterns within the communities). However what is worth pointing in case of ERA is that not only minority communities, but also majority community (protestants), allied alike in the cause, which saw the non passage of the amendment.

Similarly, the X case, in which 14 years old Dublin girl was prevented by Irish high Court from travelling to Britain for an abortion, brought to fore inter-relation between the state, the nation and women. The degree of state control over women, through control over women's bodies became suddenly visible through the X case. The prolife Amendment campaign (PLAC), an association of lay catholic group, argued for maintaining illegality of abortion. Abortion and consequently women's reproductive and sexual autonomy became the vehicle for an attempt to maintain and reinforce the hegemony of a conservative patriarchy, in the face of competing liberalizing discourses not least among which was feminism.<sup>64</sup> The central consideration in the PLAC argument was the need to maintain the purity of the nation for the future of its children. Discourse around abortion was tightly linked with national identity and continuity. As one poster from 1981 declared: "The abortion mills of England grind Irish babies into blood that cries out to heaven for vengeance".<sup>65</sup> The theme of national continuity is central in this construction of national identity in terms of 'us' God fearing Irish and 'them' the merchanary, barbarous, English.<sup>66</sup> The pro life lobby argued on the one hand that abortion was not a political but a moral issue, while on the other, it relied heavily on military analogies, and the language of terrorism to argue its case. A key element in 'pro-life'

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<sup>64</sup> Lisa Smyth, "Narratives of Irishness and the problem of abortion : The x case 1992, *Feminist Review*, No. 6, Autumn, 1995, 61-83 at 65.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

discourse was the idea of 'the people' as a unified community with a unitary and knowable will, which was clearly pro-life. PLAC used arguments, which were closely linked to a form of nationalism that defined all outside influence as contamination that would lead inevitably to the fragmentation of national identity and the collapse of nation.<sup>67</sup>

As far as the X case was concerned, the society for protection of unborn child (SPUC) characterized feminism as a referral trade invoking anti capitalist, anti British sentiment locating feminism in British camp. Wider pro-life narratives were appropriated which construct the relationship between fetus and women precisely in terms of enemies; the fetus is portrayed as vulnerable and helpless whose rights need to be protected against women, who is carrying and nurtures it.<sup>68</sup>

However feminist raised central issues concerning civil rights of women as a specific group which were central in x case; Did women have right to travel abroad for any purpose as men did?<sup>69</sup> To what degree could the state regulate women's sexuality, through attempting to prevent women making decision around reproduction and sexual activity?<sup>70</sup> These questions raise broader issues of key concern to feminists, concerning the legal and political construction of what it means to be a woman citizen of a nation state; how this ties in with meaning of justice and democracy; and

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<sup>67</sup> Ibid; p. 66.

<sup>68</sup> Ibid; pp. 69-70.

<sup>69</sup> Ibid; p. 62.

<sup>70</sup> Ibid.



how other social and political differences beyond gender e.g. sexuality, ethnicity, religious and class, fit into a hierarchy of citizenship under written by institution of state.<sup>71</sup>

Thus the state's treatment of rape victims and construction of who was a worthy rape victim, was portrayed as prohibitively intrusive, impeding a women's capacity to cope with rape.<sup>72</sup> Feminist protest became popular through the x case, precisely because the immediate question it raised about the citizenship rights of x, were extended to include the much broader issues of women's citizenship rights in Ireland. Rather than concentrating on the intractable question of how to balance the 'equal right to life' of women and foetus, feminist arguments around the x case have engaged in a deeper questioning of what was constructed as a popular value system in the context of women as citizens and the position of children in society.<sup>73</sup> Given women's role as the physical reproducers of the nation, as well as reproducers of the discourse of national identity, it is clear that what is at stake in this conflict is control over both women's bodies, and the 'imaginary domain' of women's personhood. While the debates over women's sexuality and citizenship have been placed on the political agenda through the X case, the battle for feminist hegemony in the field of reproductive and sexual politics has not yet been won.<sup>74</sup>

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<sup>71</sup> Ibid; p. 62.

<sup>72</sup> Ibid; p. 76.

<sup>73</sup> Ibid; p. 78.

<sup>74</sup> Ibid; pp. 78-79.

As far as India is concerned, the practice of Sati was brought to lime light in 1987, when Roop Kanwar ascended or was forced to ascend the funeral pyre of her husband. The continuance of this custom of Sati – a sign of India's stigmatized identity in the eyes of the British-allied with the fact that it happened when women groups were combating violence against women in family made it a very volatile issue.<sup>75</sup> However the issue could not be simply summarized in terms of tradition versus modernity or men versus women, because of complex position taken on the issue.<sup>76</sup>

However the act of 1987, designed to punish those responsible for death of a widow paradoxically, defined women herself as also punishable under the act.<sup>77</sup>

Further also criminalization of the act of glorifying Sati belongs to an order of events different from the actual commission of Sati. Therefore as far as glorification of Sati was concerned, it is however open to greater range of freedoms: it merges with the right to practice ones religion. In a case to the Supreme Court, while trustees of Rani Sati Mandir claimed that puja within the temple did not constitute a glorification of Sati; All India Women's Association however claimed to the contrary. They requested prohibition of the Chunari Mahotsava in honour of Narayani Devi - the Sati goddess to whom temple is dedicated.<sup>78</sup>

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<sup>75</sup> Veena Das, *op. cit.*, p. 137.

<sup>76</sup> *Ibid*, 138.

<sup>77</sup> *Ibid*.

<sup>78</sup> *Ibid*, 140.

Thus questions raised by the new legislation are on two different planes from feminist perspectives.

The first relates to the prevention of Sati and punishment of offender who aid or abet such acts.<sup>79</sup> yet ambiguity is built into the heart of legislation for it does not quite know whether to treat women, with respect to whom sati is committed as a victim or criminal.<sup>80</sup> Issue is therefore who then to regard women as; free agents or as victims? However given the nature of current legislation which regards practice of Sati to be punishable (implicitly regarding them as agents), safest would be to emphasize victimization of women.

The second question relates to glorification of Sati and prevention of Sati mata issue. It raises a very different issue; that is whether a community has a right to construct the past in the mythic or historic mode in accordance with its own traditions (or whether state has monopoly over its past).<sup>81</sup> The construction of time in such a way that all new events are sought to be understood by mechanical analogy with the limited stock of past events often leads to hegemonic control being established over the individual by the community.<sup>82</sup> This is especially true when the community draws its energy from the symbol of a divine sacrificial victim as in the case of sati.

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<sup>79</sup> Vena Das, *op. cit.*, p. 142.

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*; p. 143.

<sup>82</sup> *Ibid.*

In the debate between women rights and rights of community, an implicit assumption seems to have crept in, to the effect that the culture to which the community lays claim is essentially a male creation. Roop Kanwar case raises the possibility of interrogating male definition of community. Since the organization of memory is crucial issue for the definition of community, it is necessary to define memory both as an archive and a history.<sup>83</sup> Thus women practices, have been historically suppressed in the public culture of all communities but continue both in the private sphere of life and as an archive. If these were to be revived and given recognition in the public self portraits of the community, then questions of the heterogeneity of the community and the multiplicity of identities would become necessary. For instance, in case of Sati, women's narratives among many Rajput communities have emphasized the everyday presence of Satimata's in the lives of women and have dwelt rather less on their violent deaths - would such a cultural construction alter the community's portrait of its own culture?<sup>84</sup> What appears now to be conflict between two different groups, that is, Rajputs on one hand and women's groups on other, could well become a conflict within a community, if women were to lay greater claims to public culture of filiative communities themselves.<sup>85</sup>

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<sup>83</sup> Ibid; p. 144.

<sup>84</sup> Ibid.

<sup>85</sup> Ibid.

Given the oppression of women within communities (be it minority or majority), important question is raised as far as *right to exit* rationale is concerned. To such advocates, right to exit shift balance irrevocably in the individuals direction. Feminist point, right to exist rationale is the rationale that every individual has a right to leave her group if she so wishes. This rationale suggests that the solution to problem of systematic sanctioned intra group maltreatment is not to devise less hazardous accommodationist policies, or to envision more creative legal, institutional solution; it is simply to permit women to leave, if they do not like their group practices.<sup>86</sup> The right to exit argument suggests that an injured insider should be the one to abandon the very centre of her life, family and community.<sup>87</sup> This solution never considers that obstacles such as economic hardships, lack of education, skills and emotional distress might make exit, all but impossible for some. Thus the rationale again imposes the greatest cost of accommodation on minority group members who are already at risk and who are rarely in a position to use the exit option.<sup>88</sup>

Furthermore, it is not at all clear how the accommodating, non-intervening multicultural state envisioned by proponents of the right to exit option is supposed to ensure that group members who wish to exit their traditional cultures can viably do so.<sup>89</sup> By turning a blind eye to differential

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<sup>86</sup> Shachar, art. cit., p. 79.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid; p. 80.

<sup>89</sup> Ibid.

power distributions within the group hierarchy and by ignoring women's heightened symbolic role in relation to other group members, right to exit rational forces an individual members into a choice of penalties; either accept all group practices including those that violate your fundamental citizenship rights or leave. According to this logic, once individuals enter minority community, they are presumed to have relinquished the set of rights and protection granted to them by virtue of their citizenship.<sup>90</sup> Ultimately, then right to exit solution resembles the nineteenth century legal rhetoric that interpreted a women's consent to atrocities such as rape and battering by her spouse. Given this historical background, it is troubling that after abolishing the implied consent doctrine in state law, we find it resurfacing in the context of contemporary accommodation policies.<sup>91</sup> Surely it is troubling, when a solution demand that those who are most vulnerable must pay the highest price, while the abusers remain undisturbed in their home communities.

Feminists thus raise larger issue of citizenship and public/ private dichotomy within feminist theory. To feminists, multicultural political theory is infact plagued with the same problem of public/ private dichotomy as liberal theory; as they now place private sphere within the communities jurisdiction. A non interventionist accommodation policy permits identity groups to surround themselves with barriers so inviolable that whatever

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<sup>90</sup> Ibid.

<sup>91</sup> Ibid.

happens within those groups happens outside the jurisdiction of state law.<sup>92</sup> Hence if a violation of citizenship rights occurs within an identity group, then violation is categorized as a private affair. The state as an outside entity has no right to intervene. This binary opposition leads us astray, however not only because it ignores the web of relations between inside and outside and fragility of this categorization but also because it obscures the fact that what constitutes a private affair is in itself a construct of the state's regime of law.<sup>93</sup> Therefore feminist fear losing on to fragile gains made by feminist movement over the years which may be "attenuated by heightened multicultural sensitivities".<sup>94</sup> After struggling for so long to increase gender equality in hiring, wages and promoting and to decrease violence against women, feminists are concerned that their newly gained ground might be lost by way of what starts out as concessions to "differences".<sup>95</sup>

So important question in context of multicultural society would be – are women granted citizenship rights as citizens or are they considered to be citizens subsumed within communities? What kind of citizenship right would exist for women if cultural rights are granted? To feminists this would be male centered citizenship with both achieving citizenship rights

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<sup>92</sup> Ibid; 81.

<sup>93</sup> Ibid.

<sup>94</sup> Bonnie Honig, "My culture made me do it", in J. Cohen (ed.), *is multiculturalism bad for women?*, 35.

<sup>95</sup> Ibid.

differently as per their roles, as Carole Pateman would bring out, men as soldiers and women as reproducers, which would lead to women being again relegated to private realm.

### III. FEMINIST CRITIQUE OF MULTICULTURALIST POSITION

Liberal feminist like Okin point that while most cultures are patriarchal, many of the cultural minorities claiming group rights are more patriarchal than surrounding cultures.<sup>96</sup> It has increasingly been seen with regards to overwhelming majority of cultural defenses, that are increasingly being invoked in U.S. criminal cases, involving members of cultural minorities are connected with gender – in particular with male control over women and children.<sup>97</sup> Much more common however is the argument that in the defendants cultural group, women are not human beings of equal worth but rather subordinates, whose primary function is to serve men sexually and domestically. In number of such cases, expert testimony about the accused or defendants cultural background has resulted in dropped or reduced charges or significantly reduced sentences.<sup>98</sup>

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<sup>96</sup> Okin, *op. cit.*, p. 17.

<sup>97</sup> *Ibid.*

<sup>98</sup> See *Ibid.*; p. 18. Susan Okin cites four cases in which cultural defenses have been successfully used–

- (a) In cases of Kidnap and rape by Hmong men who claim that their actions are part of their cultural practice of marriage by capture.
- (b) Wife murder by immigrants from Asian and Middle Eastern countries whose wives have either committed adultery or treated their husbands in a servile way.



The cultural message, which comes out is however significantly gender biased. Women and children are ancillary to men and should bear the blame and shame for any departure from monogamy. The idea that girls and women are first and foremost sexual servants of men, that their virginity before marriage and fidelity within it are their preeminent virtues, emerge in many statements made in defense of cultural practices.

Thus the primary concern of feminists is that by failure to protect women and sometime women of minority culture from male violence, cultural defenses violate women's and children's rights to equal protection of the laws.

Despite all this evidence of cultural practices that control and subordinate women, most of the prominent multiculturalists, do not address the troubling connection between feminism and multiculturalism.

To multiculturalists giving cultural rights to group trumps all other considerations.<sup>99</sup> Model provided by theorists like Kymlicka elevate cultural membership to the status of primary good. The stress is on need to reducing minority groups vulnerability to the economic or political power of larger society,<sup>100</sup> (which however overlook internal restrictions, which they

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- (c) Murder of children by Japanese or Chinese mothers who have also tried but failed to kill themselves and who claim that because of their cultural backgrounds, the shame of their husband infidelity drove them to culturally condoned practice of mother-child suicide.
  - (d) The practice of clitoridectomy.

<sup>99</sup> Ibid; p. 20.

<sup>100</sup> For further reference see, Will Kymlicka, *Liberalism, community and culture* (Oxford, The clarendon Press, 1989); also see, Will Kymlicka, *Multicultural*

posit on its group members). Multiculturalist like Parekh, takes recourse to 'operative public values' that are enshrined in the constitution, which can be basis of determining what kind of cultural diversity may or may not be protected.<sup>101</sup>

However feminists are deeply skeptical of multiculturalist claims to inter group equality; while Kymlicka acknowledges the need for internal liberalism, feminists like Susan Okin would point that far fewer minority cultures than he seems to think will be able to claim group rights under justification.<sup>102</sup> While Kymlicka regards culture that discriminates overtly and formally against women by denying them education or right to vote or hold office – as not deserving special rights; but fact is sex discriminating is often far less overt, subordination of women is often informal and private and that virtually no culture in the world today – minority or majority could pass his no 'sex discrimination' test, if it were applied in private sphere.<sup>103</sup> Further multiculturalist emphasis on operative public values and shared

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*citizenship : A liberal theory of minority rights* (Oxford: Oxford University Press, 1995).

<sup>101</sup> See, Bhikhu Parekh, *Rethinking multiculturalism* (Hound Mills, Macmillan Press, 2000).

<sup>102</sup> Okin, op. cit., pp. 20-23.

<sup>103</sup> Ibid; Further in a different context, from feminist perspective, Iris Marion Young in *Justice and politics of difference*, provides a critique to normative model of Kymlicka; she describes it as the impossibility of impartiality. The ideal of original position seeks to reduce all social perspectives to a single point of view in order to generate authoritative principles. Therefore she proposes as against juridical approach of Kymlicka, a political approach, and talks of 'politics of difference', in which groups receive public institutional support for self organization and for generation of group orientated policy proposals.

public norms, may themselves buttress structures of discrimination.<sup>104</sup> Who makes and determines what values are enshrined in constitution and laws? – certainly not women. (Be it from minority on majority cultures). This is very much evident when we see number of women represented in parliament, political parties etc. Parekh for e.g. contends that public values can be challenged in case of sexist regimes. However, how do women simply challenge entrenched patriarchal values, which is reflected not only in constitution and laws but also societal values e.g. marital rape laws. How can a dialogue be open ended and free floating, when prevailing values are patriarchal in nature. Operative values are definitely not working in favour of women – least of minority community women.

#### IV. FEMINIST RESPONSE

From among feminist, there are two distinct responses which emerge. A first position is one which prioritizes individual rights over group rights. Certain feminist critics for example are opposed to group rights.

Feminist like Susan Moller Okin for example regards it not to be clear from feminist point of view that group rights are part of the solution. They infact may exacerbate the problem.<sup>105</sup> To her in case of a more patriarchal minority culture, in the context of a less patriarchal majority

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<sup>104</sup> Mahajan, ar. Cited., pp. 60-61.

<sup>105</sup> Okin, op. cit., p. 22.

culture, no argument can be made on the basis of self respect or freedom that female members of the culture have a clear interest in its preservation.<sup>106</sup> Infact they might be much better off if the culture into which they were born were either to become extinct (so that its members would become integrated into the less sexist surrounding culture), or preferably be encouraged to alter itself so as to reinforce the equality of women – atleast to the degree to which this value is upheld in majority culture.<sup>107</sup> Many instances of private sphere discrimination against women on cultural grounds are never likely to emerge in public where courts can enforce the women's rights and political theorists can label such practices as illiberal and therefore unjustified violations of women's physical or mental integrity.<sup>108</sup> Establishing group rights to enable some minority cultures to preserve themselves may not be in the best interest of the girls and women of those culture, even if it benefits the men. Thus to Okin those who make liberal arguments for rights of groups must take special care to look at inequalities within those groups.<sup>109</sup> it is especially important to consider inequalities between the sexes, since they are likely to be less public and thus less easily discernible. Moreover policies designed to respond to the needs and claims of cultural minority groups must take seriously the urgency of adequately representing less powerful members of such groups.

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<sup>106</sup> Ibid.

<sup>107</sup> Ibid; p. 23.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

What is required then? Unless women and more specifically younger women (Since older women often are coupled into reinforcing gender inequalities) – are fully represented in negotiations about group rights, their interest may be harmed rather than promoted by granting such rights.<sup>110</sup> What we need to strive towards is a multiculturalism that effectively, treats all persons as each others moral equals.<sup>111</sup>

Another set of advocates feels need to empower individuals by granting them *individual rights*.<sup>112</sup> In so doing we may protect the rights of the less powerful and less conservative members of each group to live their lives and preserve their identity the way they see fit. In so doing, we may provide help and support for agents of cultural and societal change in general and in particular for defenders of women's rights.<sup>113</sup>

A second position is one where the need is felt to begin to articulate a new way of practicing multiculturalism – one that enables cultural diversity but at the same time also seeks to empower at-risk individuals living within nomoi groups.<sup>114</sup> In a democracy, Inter group equality must be in tandem with demand for intra group equality. Consequently, multiculturalist need to ensure that measures introduced for purpose of enhancing equality between groups do not become a means of sustaining

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<sup>110</sup> Ibid, 24.

<sup>111</sup> Okin, "Reply", op. cit., in ed. J. Cohen, p. 131.

<sup>112</sup> Yael Tamir, "Siding with the under dogs", in Ibid, p. 52.

<sup>113</sup> Ibid.

<sup>114</sup> Shachar, art. cit., 82.

structures of inequality within the community.<sup>115</sup> Veena Das for e.g. proclaims that the right of a community to preserve and develop its culture cannot preclude the right of individuals to move out of the community or criticize and even reject its norms.<sup>116</sup> Therefore question which arise is, how would one resolve conflict which arise between the desire to preserve culture by a filiative community and a similar but affiliative community such as community of women, which is to reinterpret that culture according to a different set of principles.<sup>117</sup> Further if a commitment to a cultural rights leads us similarly to empower the community against the state, how can one ensure that the individual is not totally engulfed by the community? How does one take into account heterogeneity within a community for the purpose of recognizing non-state laws.<sup>118</sup> It also raises the crucial question of whether existence of conflicting ideologies of marriage and family in itself poses a danger to sovereignty of state.<sup>119</sup>

What is required is, one, that multiculturalists disassociate special rights granted for systemic discrimination of minority within the nation state from the rights that may be necessary for preserving minority cultures.<sup>120</sup> Preservation of cultural practices can be and often is an excuse to continue

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<sup>115</sup> Mahajan, art. cit. 61.

<sup>116</sup> Veena Das, op. cit., p. 136.

<sup>117</sup> Ibid; p. 136-137.

<sup>118</sup> Ibid; p. 137.

<sup>119</sup> Mahajan, art. cit., p. 61.

<sup>120</sup> Ibid.

with customs that perpetuate discrimination of some groups. Within the community, special rights cannot be justified for this end.<sup>121</sup> Thus respect for other cultures is always premised on first respecting individual citizens.<sup>122</sup>

Second, a key element in envisioning such a new way of practicing multiculturalism is the recognition that group members are caught at the intersection of multiple affiliation, they are group members and at the same time citizens of state.<sup>123</sup> Instead of depriving group members of their citizenship rights because they choose to live in their culture, as is the case under non interventionist family law accommodation policies; a more ambitious challenge lies in establishing legal institutional solution that reject the common perception of legal authority by which either or the group has full jurisdiction.<sup>124</sup> This reshaped model would require recognition of group members multiple affiliations and their relationship to different sources of authority. A new approach to redistributing legal power must be sensitive to diversity of power hierarchies within group and take into account not only the interests expressed by a groups acknowledged leaders but also the voice of less powerful group members especially those who might be subject to strict disproportionate regulation by their own identity group

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<sup>121</sup> Ibid.

<sup>122</sup> Mahajan, 'The problem', *Seminar* 484, Dec. 1999; 13.

<sup>123</sup> Shachar, art. cit., 81.

<sup>124</sup> Ibid.

nomos.<sup>125</sup> No democratic principle can justify a multiculturalist accommodation policy that does not hear the voice of those insiders who might ironically be damaged by the very policy that purports to assist them.<sup>126</sup>

Thus given women's relative late entitlement to the full benefits of citizenship, it would be a grave mistake to disenfranchise them from their long fought individual rights, solely because they choose to participate in their cultures.<sup>127</sup> In other words, as identity group members, women should not have to give up their citizenship entitlement to keep their cultures.

Different set of response emerge from Marxist feminist like Nancy Fraser, who the another hand acknowledges the need for recognition of material sources of inequality. Therefore not only cultural dimension, but a strong redistributive dimension to remedy inequalities would be needed.

## V. CONCLUSION

"A striking features of contemporary political philosophy is the emergence of the nature of the political itself as central theme of discussion."<sup>128</sup> Both feminist and multicultural political theory have

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<sup>125</sup> Ibid.

<sup>126</sup> Ibid.

<sup>127</sup> Ibid.

<sup>128</sup> Noel 'O Sullivan, "Difference and concept of political in contemporary political philosophy", *Political Studies*, Vol. XLV, 1997; 739-754 at 739.



contributed towards this trend by maintaining that story of western life to date as being one of arbitrary exclusion, in the course of which various victim groups have been created – in case of women by patriarchy, and minorities by majorities. This trend has been compounded at practical level by development and acceptance of multiculturalism as a value and fact of life. But as Kymlicka points out, “interesting debate is not whether to adopt multiculturalism or not but rather what kind of multiculturalism to adopt”<sup>129</sup> Therefore feminist point need would be to consider not only intercultural but also intracultural equality. Anne Phillips says “The need is for us to consider equitable treatment of minority and majority culture alongside other considerations of equity, that is between men and women.”<sup>130</sup> She cautions “against elevating cultural membership to status of primary good as it potentially trumps all other considerations.”<sup>131</sup> Feminist say that respect for other cultures is always premised on first respecting the individual citizen – which is not abstract but a gendered, differentiated citizenship within which multiple differences and diverse perspective of previously excluded other might be recognized, affirmed and represented. Infact a

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<sup>129</sup> Will Kymlicka, "American multiculturalism in interventional arena", *Dissent*, Fall 1998, pp. 73-79, p. 73.

<sup>130</sup> Anne Phillips, 'Why worry about multiculturalism', *Dissent*, Winter 1997; pp. 57-63, p. 63.

<sup>131</sup> *Ibid.*

sensitivity to historical injustices that is a new pluralism as Chantal Mouffe points out is needed.<sup>132</sup>

Therefore from a feminist perspective "Multiculturalism is a problem today and foreseeable future – a problem for politics and ethics of politics".<sup>133</sup> This is because feminist and many such other issues still need to be addressed in their true complexity, within the domain of present multicultural societies.

The next chapter look at issue which emerge out of the interface between multiculturalists and feminist; that is the issues with which feminist expect multiculturalist to engage and vice versa. In turn, also chapter looks at issues, which need to addressed by both.

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<sup>132</sup> For further reference see, Chantal Mouffe, *The return of political*, (London, Verso, 1993).

<sup>133</sup> Joseph Raz, Multiculturalism : a liberal perspective, *Dissent*, Winter 1994; 67-74 at 67.

## CHAPTER IV

### EMERGING ISSUES

#### I. INTRODUCTION

As seen in earlier chapter, feminist call upon multiriculturalist to acknowledge that group rights strengthen dominant subgroups within each culture and privilege conservative interpretations of culture over reformative and innovative ones. Women rarely belong to the more powerful groups in society and protectors of women's rights do not affiliate themselves with conservative segments.<sup>1</sup> It follows then, that woman and those who strive to protect their rights and equal status are amongst the first to be harmed by group rights.<sup>2</sup>

However it is not as if multiculturalists have not taken cognisance of feminist critique. Multiculturalist like Parekh, in response to feminist critique remarks that when allowed to flourish under the minimally necessary moral constraints, multiculturalism is likely to generate radically novel ways of conceptualizing and structuring inter gender relations that

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<sup>1</sup> Yael Tamir, "Siding with the under dogs", in *is multiculturalism bad for women.* ed. Joshua Cohen, Mathew Howard and Martha Nussbaum, (Princeton, Princeton University Press, 1999), pp. 47-52; p. 47.

<sup>2</sup> Ibid.

cannot but deepen and broaden the hitherto some what parochial sensibilities.<sup>3</sup> Far from being the enemy of women it gives them the unique historical opportunity to pluralize and transform radically the universally hegemonic and boringly homogeneous patriarchal culture that damages both women and men alike.<sup>4</sup>

Further, need is to understand culture as a way of life, a rich and time worn grammar of human activity, a set of diverse and often conflicting narratives, whereby communal understanding, roles and responsibilities are negotiated.<sup>5</sup> As such culture is a living, breathing system for the distribution and enactment of agency, power and privilege among its members and beyond. Rarely are those privileges distributed along a single axis of difference such that, for example all men are more powerful than all women. Race, class, locality, lineage, all accord measures of privilege or stigma to their bearers.<sup>6</sup>

Further culture is something rather more complicated than patriarchal permission for powerful men to subordinate vulnerable women.<sup>7</sup> There are brutal men and brutal women everywhere. Is it their

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<sup>3</sup> Bhikhu Parekh, "A varied moral world", In op. cit., pp. 69-75; p. 74.

<sup>4</sup> Ibid; p. 75.

<sup>5</sup> Bonnie Honig, "My culture made me do it", in Ibid; pp. 35-40; p. 39.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid, p. 36.

Jewish, Christian or Muslim identity that makes them brutal or is it their brutality?<sup>8</sup>

We need to understand the measure of agency in that setting and their agency is bound up with the cultures, institutions and practices that gave rise to it.<sup>9</sup>

Moreover, an analysis of tense relations between feminism and multiculturalism must be careful not to conflate 'different' with culture and culture with foreignness.<sup>10</sup> Foreignness itself is not fundamentally threatening to women. Need would be to vigorously interrogate spurious excuse 'my culture made me do it'. Unfamiliar practices labelled sexist like polygamy, veiling, are more complicated and ambiguous than label allows.<sup>11</sup>

Further need would be at this juncture to look at interface between multiculturalism and feminism, and issues emerging thereof.

Thus both provide important theoretical insights to each other. This raises certain important issues for multiculturalist and feminists. Apart from this the need would be to look at issues, that have not been taken cognisance of by either of them.

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid; p. 40.

<sup>10</sup> Ibid, p. 36.

<sup>11</sup> Ibid.

## II. FEMINIST CONCERNS ABOUT MULTICULTURALISTS

According to feminist, multiculturalist need to

- (a) address the issue intra group inequalities and
- (b) to have insight into its central term, culture.

**Intra Group Inequality** - Feminists sensitize multiculturalists to look not only at inter group inequality but more carefully at intragroup inequalities and specifically at gender inequalities, when examining the legitimacy of minority group rights. Justice within ethno-cultural groups is as important as justice between ethno-cultural groups. What feminist point out is that multiculturalist like Kymlicka need to broaden their concept of internal restrictions (which according to him are those claims by a group, which involve limiting the civil and political liberties of individual members).<sup>12</sup> Feminist on other hand insist that the ability of women to question and revise their traditional gender roles can be drastically curtailed even when their civil rights are formally protected in public sphere. Need would be to have a broadened definition of internal restrictions to include private sphere oppression as well. Multiculturalist tend to prioritize cultural group rights, so feminists would stress on need to strive towards a form of multiculturalism that gives the issues of gender

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<sup>12</sup> See, Susan Moller Okin, 'Is multiculturalism bad for women', in *Ibid*; 20-22; Also see Aylet Shachar, 'On citizenship and multicultural vulnerability', *political theory*, vol. 28, No. 1, Feb. 2000, for a distinction between strong and weak multiculturalist position; 64-89, p. 68.

and other intra group inequality their due; that is to say a multiculturalism that effectively treats all persons as each others moral equal.<sup>13</sup>

Feminist emphasis on the private sphere inequalities, however reminds us that culture's can be deeply oppressive in ways that neither involve minority rights nor formally violate political and civil liberties. Cultures can be oppressive because of values on social roles they inculcate.<sup>14</sup> They can as Okin points out, repress the value of autonomy and significantly, "our capacity to question our social roles".<sup>15</sup> She thus speaks of roles that cultural groups impose on their members. However Robert Post poses the question, when exactly do the pervasive influence of a culture become "imposition"?<sup>16</sup> The problem is particularly difficult because the distinction cannot be evaluated merely by reference to contemporary notions of political and civil liberties. This is because such liberties are themselves the result of a long and complex historical evolution within the context of western culture. Therefore one has little or no idea what civil rights would be necessary to protect individuals autonomy within the context of an alien structure of culture.<sup>17</sup> It may be that liberalism would espouse very different forms of civil and political liberties if attempting to check the imposition of gender roles in the

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<sup>13</sup> Susan Moller Okin, 'Reply', in *Ibid*, p. 131.

<sup>14</sup> Robert post, "Between norms and choices", in *Ibid*, p. 67.

<sup>15</sup> *Ibid*.

<sup>16</sup> *Ibid*.

<sup>17</sup> *Ibid*; p. 68.

circumstance of a pervasively patriarchal culture, like orthodox Ashkenazi Judaism.<sup>18</sup> Therefore feminists remind multiculturalists that distinguishing between enabling and oppressive cultural norms is a fundamental challenge of liberal multiculturalism, a challenge that has yet to be successfully confronted.<sup>19</sup>

**Definition of Culture** - Secondly, feminist and many other groups would point out that multiculturalism (as a term) is without much insight into its own central term: culture. How is culture to be defined? Does it refer to ethnic group, or is it inclusive of religious group, women etc.<sup>20</sup> This needs to come out sharply in the multiculturalist discourse, otherwise multiculturalism would mean only cultural diversity excluding diversities of sexes, sexual orientations, class, religion etc.

### III. MULTICULTURALIST CONCERNS ABOUT FEMINISTS

Multiculturalists point that

- (a) Multiculturalism is much broader than mere discussion on group rights.

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<sup>18</sup> Ibid; 68.

<sup>19</sup> Ibid.

<sup>20</sup> Different thinkers have different opinion on what the term culture should include. theorist Amy Gutmann includes along with cultural identities of African American, Asian Americans, native Americans, also women. Culture here seems to be different custom, ways, mores or morals of people, groups and sexes.



- (b) Feminist needs to address issue of cultural specificity.
- (c) Understanding of patriarchy in a relevant context.
- (d) Need to look at indigenous tradition of reform and resistance, so that minority women are not viewed as passive victims.
- (e) To understand complex problems of post colonial countries.

**Multiculturalism not a mere discussion on group rights -**

Multiculturalist point that feminist need to appreciate the full force of the challenge of multiculturalism and the opportunity it offers to deepen and enrich their self understanding. Liberal feminist like Okin reduce multiculturalism to a discussion about group rights, which is but a small and minor part of it. What is clumsily called multiculturalism is a revolt against liberal hegemony and self righteousness.<sup>21</sup> For centuries liberal writers have claimed that theirs was a transcultural and universally valid moral and political doctrine, representing the only true or rational way of organizing human life. A multiculturalism that rejects this extraordinary claim is not so much a doctrine, as a perspective. Pared down to its barest essentials and purged of the polemical exaggeration of its defenders and detractors, it represents the view that culture provides the necessary and inescapable context of human life.<sup>22</sup>

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<sup>21</sup> Bhikhu Parekh, op. cit.; In ed. Joshua Cohen, p. 73.

<sup>22</sup> Ibid, p. 74.

**Cultural Specificity** - From a multicultural perspective, the liberal view of life is culturally specific and neither self evident nor the only rational or true way to organize human life. Some of its values, when suitably redefined may be shown to have universal relevance, but others may not; and liberal relations with non liberal cultures should be based not on dogmatically asserted liberal values but on a critical and open-minded dialogue.<sup>23</sup> Liberal feminist like Okin offer a liberal theory of multiculturalism in which liberalism is the hegemonic interlocutor and sets the parameters for non liberal cultures. Feminists therefore need to acknowledge that all moral and political doctrines tend to reflect and universalize their cultural origins; that all cultures are partial and benefit from insights of others and that truly universal values can be arrived at only by means of uncoerced and equal intercultural dialogue.<sup>24</sup>

Mainstream feminists need to understand the fact that their perspectives may not be final one's. Minority community women have their own perspective, on particular issues effecting their lives. Just as within mainstream feminists, minority women are marked by diversity of perspectives.

Feminists need to guard against viewing minorities as the object "subjects" of their cultures of origin, huddled in the gazebo of group rights, preserving the orthodoxy of their distinctive cultures in the midst of great

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

storm of western progress.<sup>25</sup> When this becomes the dominant opinion within the liberal public sphere (strangely similar to views held by patriarchal elders within minority communities whose authority depends upon just such traditionalist and pieties) then minorities are regarded as virtual citizens never quite "here and now", relegated to a distanced sense of belonging elsewhere to a "there and then".<sup>26</sup>

Uma Narayan points out that how western feminist explanation result in third world women emerging as victims of their cultures. While it is not similarly invoked in cases of forms of violence that effects mainstream western women. Such explanations seem to suggest that third world women suffered "death by culture".<sup>27</sup>

Therefore theorizing on issues of culture, is a complicated matter for feminists- lest be changed of being ethnocentrist and insensitive to

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<sup>25</sup> Homi Bhabha, "Liberalism sacred cow", in *Ibid*; pp. 79-84; p. 80.

<sup>26</sup> *Ibid*.

<sup>27</sup> Uma Narayan, *Dislocating Cultures, identities, traditions and third world feminism*, (New York, Routledge, 1997), p. 54. Consider for e.g. the possible effects on western understanding of dowry murder of the "lurid exoticism" of fire and of women being burnt to death. Given the lack of contextual information, Indian women's murder-by-fire seems mysterious, possibly ritualistic and one of those factors that is assumed to have something to do with Indian culture. While the use of fire as the preferred instrument of dowry murder does have much to do with details of the Indian context, these details are less cultural" and "exotic" and more mundane and material, than they are often assumed to be. In travelling across national borders unaccompanied by such contextual information, dowry-murder, loses its links to the category of domestic violence and becomes transmuted into some sort of bizarre "Indian ritual", a form of violence against women that surely must be "caused by Indian Culture"; p. 102.

other's culture. Liberal feminist need to realize that, each culture has 'its others; and in keeping with this, requisite sensitivity is needed.

Infact many minority community women critique many practices of western women. Some women infact draw attention to practices of Silicon *implants* and *anorexia* by women in west. It was quite shocking to find out how far very intelligent and otherwise quite independent women could starve themselves to conform themselves to pretty unrealistic expectation; linked to beauty myth, then is the idea that Western women are forever young and sexy individuals, while women elsewhere graduate to connectivity and motherhood.<sup>28</sup> However one of political refugee in Denmark remarked to this - "I do not like your life, for sexual freedom is no good. We think about sexuality in a different way from people in the west. We feel that it is holy".<sup>29</sup>

Need is for location of notion of agency (choice) within structural constraints and social meanings, thus leading to expansion of our understanding of decisions made in both the east and west, of the Sati and the women who chooses genital surgery for her daughter, and of the anorexic.

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<sup>28</sup> Chilla Bulbeck, *'Reorienting Western feminism's - women, diversity in a post colonial world*, (Cambridge, Cambridge University press, 1998), p. 213.

<sup>29</sup> Ibid, p. 214. Further women, for eg. to liberal feminists, either chooses her marriage partner or she acts under duress and coercion and the marriage may be annulled. There is nothing in-between, nothing which takes account of the more experimental relations young people in India are pursuing.

We cannot thus begin to separate the differences from similarities until we understand the history, the culture, the resources, the world-view of other women. The first step towards this would be moving beyond the half-truths of stereotypes, for example in the opposition between sexually defined white women and the black matriarch.<sup>30</sup> Feminists need to be cautious - lest be charged with producing cultural stereotypes. Stereotyping is reductive, in so far as they claim for a cultural type, an invariant or universal representability.<sup>31</sup> Stereotypes disavow the complex, often contradictory contexts and codes- social or discursive - within which the signs and symbols of a culture develop there meaning and values as part of ongoing transformation process.<sup>32</sup>

It means understanding the cultural embeddedness of different practices, like veiling, Sati or polygamy, questioning both ethnocentric descriptions of these practices and the universal applicability of individualistic rights-based discourse.

Thus feminism is influenced by culture which nurtures (and opposes) it, so the preoccupations of women will not be everywhere the same. Where religion is a significant belief system, women struggle to interpret it to meet their own ends and for their own experiences where democratic states talk of citizens rights, women deploy their own notions

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<sup>30</sup> Ibid, 218.

<sup>31</sup> Homi Bhabha, op. cit., p. 81.

<sup>32</sup> Ibid.

of women rights in riposte. Where population policies collide with reproductive choices, women develop contesting images of maternity. As Jan Pettman suggests, we should both accept own diversity and call up a 'strategic essentialism', when men seek to silence women by claiming an alliance with their own women against other women. Cross-cultural alliances, however, are only likely to succeed if they are based on some understanding of why other women take the political position that they do.<sup>33</sup> (Women from oppressed groups are acutely aware of need for their men folk). Coalition work is necessary because the reality of life is that many kinds of people live in the world. Coalition work does not mean submission to the other. It means walking the tightrope of connection, distance and power.<sup>34</sup>

**Understanding Patriarchy in Relevant context** - Thirdly, any understanding of patriarchy needs to be put in a relevant context. Patriarchy in India, for instance, intersects with poverty, caste, illiteracy; patriarchy in liberal America is shored up, among other things by racism, the gun culture, desulatory welfare provision. Patriarchy and gender relations in migrant communities are complicated by the fact that women-young and old are often caught between the benevolent patronage of a western liberal patriarchy and aggressivity of an indigenous patriarchal

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<sup>33</sup> Chilla Bulbeck, *op. cit.*, p. 205.

<sup>34</sup> *Ibid*, p. 205.

culture- threatened by the majority culture and challenged by its own second generation.<sup>35</sup> Okin's ahistoric view of patriarchy and her monolithic deterministic notion of culture itself combine to form a dangerous presumption that many of world's other culture's - cultures that are not western majority cultures - exist in a time warp.<sup>36</sup>

Need would be therefore for a multicultural society, to deal with multiplicity of patriarchies and move not towards universal principles that pick up the common elements and flatten them into a core but towards imagining a concretization of universal, that can take into account both similarity and difference.<sup>37</sup>

**Indigenous Tradition of Resistance** - Fourthly, western liberalism becomes at once the measure and mentor of minority cultures. Such campaigning stance obscures indigenous traditions of reform and resistance, ignores local leavenings of liberty, flies in the face of feminist campaign within nationalist and anticolonial struggles, leaves out well established debates by minority intellectuals and activists concerned with the difficult translation of gender and sexual politics in the world of migration and resettlement.<sup>38</sup>

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<sup>35</sup> Homi Bhabha, op. cit., p. 81.

<sup>36</sup> Ibid.

<sup>37</sup> Kum Kum Sangari, 'which diversity', *Seminar* 484, Dec. 99, 24-30; p. 26.

<sup>38</sup> H. Bhabha, op. cit.; p. 82.

For example, within the dominant feminist discourse, migrant women have continuously been represented as belonging to an under developed culture in contrast to superior western culture. The very notion of immigrant women - a discursively created stereotyped category confirms the popular image of immigrant women as largely, subordinated, passive and driven solely by tradition. What is being missed is that rather than being passive victims, women who have immigrated, actively employ the complex cultural symbolism of their histories, to challenge contemporary forms of subordination and in the process, they create new solidarities. For example - in the Swedish context, the role of women (immigrant) in development of culture and local Urban communities is often essential in that they act as the main bearers of informal networks, integrating local public life.<sup>39</sup>

Social struggle is conducted through culture. Creative resistance to stigmatizing institutional labelling is articulated through women's own culturally derived discourse. Infact in so far as they deal with current social problems (of discrimination and ethnic conflict), they are often expressed in broader forms of solidarity that transgress narrow ethnic boundaries, these emerging forms of consciousness may be defined as modern.<sup>40</sup> At the same time they are grounded in tradition and socio-

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<sup>39</sup> Alexandra Alund, "Feminism, Multiculturalism, and essentialism" in *women citizenship and difference*, Nira Yuval Davis & Pnina Werbner. ed. (London, Zedbooks, 1999); pp. 147-161, p. 153.

<sup>40</sup> Ibid.



cultural heritage in the country of origin. It has led to struggle and culture of resistance against marginalization in economic, cultural and political arenas. This involves challenging the stereotypical depiction of immigrants- not least immigrant women as backward tradition. Thus social deprivation, unemployment, residential segregation, tends to be understood in simplistic culture related terms. Bad health, early pensioning and long periods of sick leave are explained with reference to cultural peculiarities.<sup>41</sup> Structure generated differences are explained in terms of cultural stereotype about innate mentality of migrant or refugees, which prevent them from escaping poverty or state dependence.

Thus by challenging this mentality, immigrant women tradition cannot be reduced to patriarchal oppression- because there is element of rebellion embedded in concealed female subcultures flourishing in the interstices of many so called traditional systems.<sup>42</sup> For example it is compelling to see in Britain that how black feminists have challenged self serving appropriation of women's issue by a racist British State.<sup>43</sup> Simultaneously, they have resisted protection by men when it has come with a defense of practices oppressive to women, and white feminist attempts to rescue them from patriarchy. In short, black feminists in Britain have refused salvation, whether by the state in the name of

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<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Lata Mani, Multiple Mediations, *Feminist review*, No. 35, Summer '90.

civilized modernity by black men on behalf of tradition and community or by white feminist in the interest of ethnocentric versions of women liberation. Therefore what one needs to address is the complex intersection between gender, class, ethnicities and racialized state practices.

**Post Colonial countries and problem of late modernity** - Fifth, feminists should while dealing with post colonial countries be able to understand complex problem of late modernity. It is the fragile political and economic fate of post colonial societies caught in an uneven and unequal forces of globalization to suffer in a heightened and exaggerated form the contradictions and ambiguities that inhabit the western world.<sup>44</sup> Bhabha to illucidate the point, takes up the case of new divorce laws in China.<sup>45</sup> Formulated to make divorce difficult, to punish male adultery and to protect wives who are increasingly cast aside for mistresses, (known as little honey's), the proposed laws have met a mixed, contested response within the feminist community. women advocates have been bitterly split, with some calling the need for protection, while younger feminists call this as regressive move in a country, where communists have a history of paternalistic meddling.<sup>46</sup> Whether married women should seek

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<sup>44</sup> Bhabha, op. cit., p. 82.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

progressive state protection or aggressively reject the surveillance of such a pastoral state, is an argument that has many resonance with such discussions in the west. Common cause can be made with such controversies on one side or other but not without undertaking the work of cultural translation, which would enable us to specify the concept of paternalistic meddling in relation to the American liberal understanding of patriarchal influence, when discussing policy issues concerned with family laws, role of women and regulatory norms of the state.<sup>47</sup>

#### **IV. ISSUES OF CONCERN TO BOTH FEMINIST AND MULTICULTURALIST**

Apart from the issues, which plague individual multiculturalism and feminism, need would be to look at issues which both need to address.

**Cultural Implantation and rights of Children** - Firstly, multiculturalists and feminist need to both focus on the fact that cultures not only liberate but also constrains.<sup>48</sup> Women problem does not exhaust the supply of problems embedded in cultural rights project.<sup>49</sup>

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<sup>47</sup> Ibid, p. 83.

<sup>48</sup> Janet Halley, "Cultural constraint", in Ibid, p. 100.

<sup>49</sup> Ibid.

The fact is that cultural survival policies often focus not on women but on children. And this is no accident: raising a child in a culture, implants not only the child in the culture but culture in child.<sup>50</sup> Kymlicka does find violations of liberal norms when religious groups withdraw their children from public schools so as to prevent them from being tempted to leave their sect and join the wider society. But this is the express goal of all cultural preservation policies that focus on children.<sup>51</sup> As Charles Taylor has noted, Kymlicka's theory does not say why it is consistent with liberalism not merely to preserve threatened cultures for those who would claim them today, but to preserve them for indefinite future generations as well.<sup>52</sup> And as Anthony Appiah concludes, a programme that designates future generations on the basis of their descent as the beneficiaries of cultural preservation also stipulates that they shall undergo the constraints of cultural implantation.<sup>53</sup> The family is a place where illiberal things happen not only because of male superordination over women but because of adult super ordination over children. This suggests that a thorough going critique of relative possibilities for sunny and grim stories of culture cannot be achieved with the resource of feminism alone.

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<sup>50</sup> Ibid, p. 103.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

Cultural implantation is moreover inevitable. Therefore, parents will always constraint their children merely by enculturing them.<sup>54</sup>

Infact as Martha Minow would put it - "children and not women lie at the heart of cultural clash and accommodation".<sup>55</sup> Children are the prime targets of socialization and even in liberal societies, children are not viewed as yet capable of choice. Any genuine effort to enable choices must focus on children. Yet any such effort then collides forcibly at heart of culture, at the centre of immigrant communities, at the core of third world societies, even at the most fundamental freedoms - to reproduce and raise children - ensured by law to individuals in western democratic societies.<sup>56</sup>

Reconciling what it takes to equip children as discerning choosers with communities as child rears is as hard as any task gets.

Taking up question of children child rearing and socialization is especially difficult because western liberals are perplexed how to handle cultural disputes in this terrain even among themselves. The US supreme Court delineated parental rights over children education after one state tried to prevent education in Germany due to anti immigrant sentiment,

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<sup>54</sup> Ibid, p. 104.

<sup>55</sup> See Martha Minow, About Women, About culture: About them, about us, *Daedalus*, Fall 2000; 125-145, p. 135.

<sup>56</sup> Ibid, p. 137.

and another tried to restrict catholic education.<sup>57</sup> As even these cases suggest, children often become simply the pawns in conflict among adults. No doubt this helps to explain, why in U.S. a patchwork quilt of rules and court decisions recognized right for children in some circumstances but not others.<sup>58</sup> This pattern also reveals ongoing ambivalence about whether to empower the state to act for children or instead strengthen parental prerogatives. Thus the U.S. supreme court ruled that minors have right to counsel, due process and against self incrimination when facing state juvenile justice or criminal charge. But Amish parents won the power to keep their children out of high school, the court did not even require consultation with children, otherwise the court acknowledged, members of Amish community would not only face constraints on their religious freedoms, they would risk loosing their way of life.<sup>59</sup> Each state under it own laws, requires children to obtain schooling. But each is constrained under the constitution to permit parents to opt out of common public schools and to satisfy this requirement in line with their own religious and personal commitments. Parental autonomy along with religious freedom is chief instrument of cultural pluralism in U.S.<sup>60</sup> Any greater incursion on parental control over

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<sup>57</sup> Ibid, p. 138.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid, p. 139.

<sup>60</sup> Ibid.

children's education and development will be viewed as assault on parental prerogative and family privacy.

Children thus remain under parental control except under limited circumstance and then state supervision takes the form of protection even more than assurance of individual rights. State privatizes most decisions about children.<sup>61</sup> It also establishes a framework of pluralism and avoids state standardization of children primary responsibility and power to parents conceals from public view much that affects children avoiding both public controversies and public responsibility about everything from what constitutes appropriate moral instruction to what for children are decent standard of living, medical services etc. Here then, is the problem for those who would address the place of children from private to public concern puts from and centres debates over what is a good life, what values should guide children's development and how much should children's need be met by people other than their family.<sup>62</sup> Thus questions arise that what state control can be adopted compatible with constitutional commitments to parental prerogatives and religious freedom to equip children as choosers of what method can be adopted compatible with respecting all individuals to address minorities or immigrant cultural practices that trouble majority. For example as case of circumcision

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<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

shows that state prohibition of female genital cutting leads to claim that male circumcision should equally be disallowed. So question arises, should it no longer be a parental prerogative? And if so what special claim should be available for Jews and Muslims who still believe in the practice.<sup>63</sup> According to Minow, what needs to be acknowledged is that all our preferences are shaped willy-nilly by cultural practices and options and can work to enhance these options with sufficient humility and respect to each one. Along the way, we will have to acknowledge that debate over cultural conflict and assimilation are not just about women and not just about immigrant minority groups or third world nations, they are about all of us.<sup>64</sup>

**Post colonial societies and Cultural complexities – issues of entanglement and mixtures** - Secondly, both multiculturalist and feminist need to understand that for many post colonial people (who now count as minorities of western multiculturalism) liberalism is not such a foreign value nor quite so simply a generational values.<sup>65</sup> Infact Asian and West Asian feminist have been deeply engaged in those contradictions of

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<sup>63</sup> Ibid, 140.

<sup>64</sup> Ibid.

<sup>65</sup> See – Lila Abu Lughod, "Feminist longings and post colonial conditions", in *Remaking women, feminism and modernity in middleeast*, (Princeton, Princeton University Press, 1998); pp. 3-15; p. 15.



liberal tradition that become particularly visible in colonial and post colonial contexts and carry over into contemporary lives of diasporic or migratory communities. Such an agonistic liberalism with colonial and post colonial genealogy has to struggle against indigenous patriarchies - political and religious, while strategically negotiating its own autonomy in relation to paternalistic liberalism of colonial modernity or westernization.

Infact in case of post colonial societies it needs to be recognized that cultures cannot simply displace or undermine each other. The complex process of borrowing, translating and creating new mixtures, or cultural hybrids - cannot be subsumed under this sort of dichotomous image.

What the case of feminism in Egypt shows however is that the elements of borrowed or imported culture are susceptible to disaggregation for political purposes.<sup>66</sup> Elements that apply to only a tiny minority can be singled out for self serving vilification as foreign, while those widely accepted, especially by large middle and lower middle classes, are less likely to be carrying the tainted lable, 'Made in west'.<sup>67</sup> It thus seems to be a common dynamics of post colonial cultural politics that cultural transplants are selectively and self consciously made the

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<sup>66</sup> Lila Abu Lughod, "The Marriage of feminism and Islamism in Egypt selective repudiations in a dynamic post colonial cultural politics", in *Ibid*, pp. 243-269; p. 263.

<sup>67</sup> *Ibid*.

object of political contest. Thus one needs to understand history of feminism in Egypt with an awareness of its multifaceted nature, historical stages and complex intertwinement with the west, while regarding the claims of Islamists to cultural authenticity or counter modernity with healthy suspicion.<sup>68</sup>

As far as feminism is concerned, Badran would argue that origins of feminism in post colonial context cannot be sought in any culturally pure location.<sup>69</sup> External elements - external to class, region, country are appropriated and woven into the fabrics of indigenous or local. Egypt has historically appropriated and absorbed alien elements into a highly vital indigenous culture. She infact shows how such women were more nationalistic and uncompromising regarding British colonialism than men of their class and shows how despite meeting with european feminist and developing their ideas in relationship to european women and feminist organization, egyptian feminists were politically independent.<sup>70</sup>

Thus need is to refuse to be dragged into opposition between east and west in which so many such arguments are mired. However most powerful way to do this is to fearlessly examine the process of entanglement.

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<sup>68</sup> Ibid, p. 264.

<sup>69</sup> Lila Abu Lughod, *op. cit.*, p. 15.

<sup>70</sup> Ibid.

## V. CONCLUSION

Therefore both multiculturalist and feminist need to think of dualism as an oscillation and productive conflict between distinct terms that is not resolved through a harmonious synthesis. For example there is no need for feminism to ally with one of these, pointing out that particular groups of women, may ally themselves variously and indeed simultaneously to both.<sup>71</sup> Multiculturalist and feminist might do better, as pointed earlier, to think in terms of 'difference with sameness and sameness with difference'. The interference with purity of such categories can be enormously productive in challenging conventional framework and definitions. By contrast the resort to eternal incommensurability and otherness, (within both discourses), simply assign women and minorities to ghetto of difference and hence leaves the realm of same untouched. Need would be to look at difference not as a foundation but a relation; it is not an inherent property of things or people but a distinction engendered by a particular framework.<sup>72</sup> There is no reality-in-itself that can prove difference or similarity one and for itself. To affirm a commonality with others or to assert a difference from others is to engage in a rhetorical

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<sup>71</sup> Rita Felski, *Feminist theory and postmodern culture* (New York, N. York University Press, 2000), 131.

<sup>72</sup> *ibid.*

and political act. It is only in these contingent terms that the value of such statements can be assessed.<sup>73</sup>

Thus metaphors of 'hybridity' and like, not only recognize difference within individual subject, fracturing and complicating holistic notion of identity but also look at connection between subjects by recognizing affiliation and repetition.<sup>74</sup> For example Susan Stanford Friedman has recently made a detailed and compelling case for hybridity and syncreticism as a way of working through certain dilemmas and deadends in feminist theory. Difference is no longer the master trope.<sup>75</sup> Rather than encouraging an even greater atomization of identity, we can explore the many strands of affiliation and differentiation among individual, groups and cultures. Affiliation does not prevent disagreement rather makes it possible. It is only through the context of shared premise, beliefs and vocabularies that dissent become possible.<sup>76</sup> The point however is not to idealize hybridity as a new source of political value. It is simply to admit that cultural impurity is the backdrop of all contemporary struggles including struggles for self determination and cultural autonomy - in a global context of voluntary and involuntary interchange.

Similarly as far as the debate over universalism/ particularism is concerned (like equality and difference), both bleed into each other.

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<sup>73</sup> Ibid

<sup>74</sup> Ibid, p. 127.

<sup>75</sup> Ibid.

Steven Connor in fact points out that appeals to difference and incommensurability within post structural theory always refers back to norms, values and universalizable assumptions.<sup>77</sup> As against particularism, which is a self defeating logic, in order to build a more viable multiculturalism need would be as Laclau would point for formulating universal as an empty place.<sup>78</sup> This universalism is not one. It is not a preexisting something to which individuals accede, but rather the fragile, shifting and always incomplete achievement of political action; it is not a container of a substantive content but all empty place. As Laclau puts it, the dimension of universality reached through equivalence is very different from the universality which results from an underlying essence or an unconditioned apriori principle.<sup>79</sup> Rather than thinking of universal as something that is extra political and that can be used to adjudicate political claims, we should think it as product of political practice. The authentic universal would really be inclusive of all people of race, class, gender, sexuality, ethnicity, nationality etc. Need would be to look into the imbrication of universal and particular, the matter being not choosing one over the other but articulating in a scrupulously political sense, the relation

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<sup>76</sup> Ibid.

<sup>77</sup> Ibid, 131.

<sup>78</sup> See, Linda M.G. Zerilli, 'The Universalism which is not one - review of Laclau (emancipation (s)) *Diacritics*, 1998; pp. 3-20, p. 19.

<sup>79</sup> Ibid.

between the two; and how each is rendered impure by irreducible presence of other.<sup>80</sup>

Such a multicultural society has to be dialogical in character. Deliberation has to be essence and base of any such society.<sup>81</sup> For example as far as circumcision is concerned, feminist need to address not only the issue of child circumcision but also when adult sane educated women opt for circumcision? How should feminists address issues of such complexity? What feminist needs to realize controversy over issues such as Female genital mutilation (FGM) is not an open-and-shut case.

Need would be for anti FGM activists and pluralist alike to insist on "even handedness" and the highest standards of reason and evidence in any public policy debate on this topic or at least to insist that there is a public policy with all sides and voices fully represented.<sup>82</sup> The challenge is that different cultures contain apparently different ethical standards that yield conflicting judgements concerning social justice. Deliberation in different societies may yield differing results and not just because of differences in objective circumstance, but also because people have fundamentally conflicting beliefs that are reasonable and strongly influenced even if not wholly determined, by their differing cultural

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<sup>80</sup> Ibid.

<sup>81</sup> See - Amy Guttmann, "The challenge of multiculturalism in political ethics", *philosophy & Public affairs*, 22; 3 (Summer 1993), 171-204.

<sup>82</sup> Richard A. Shwedar, "What about Female Genital Mutilation? And why understanding culture matters in first place", *Daedalus*, Fall 2000, 209-232; p. 227.

identities. Social justice therefore may not demand the same resolution of the abortion controversy in the U.S. as in Ireland.<sup>83</sup> But in both societies it demands, deliberation and mutual respect in the political deliberations that provisionally resolves differences of moral perspective.

Deliberative universalism thus believes that conflicts are best addressed and provisionally resolved by actual deliberation, the give and take of argument that is respectful of reasonable difference. Deliberation recommended is not to be speculative but oriented towards decision making. Deliberation calls upon people to acknowledge the moral status of their own positions and also to acknowledge the moral status of those reasonable positions with which they disagree.<sup>84</sup> When there is as yet no universally justified resolution, people who fundamentally disagree may insist, as a matter of social justice, that conflicting perspectives be fully considered by a deliberative process of decision making.<sup>85</sup> Multiculturalism, thus requires deliberation on many matters of social justice. It also can aid adequate deliberation. Our moral understanding of many sides issues like legalizing abortion, female genital mutilation, polygamy is furthered by discussion with people whom we respectfully

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<sup>83</sup> See- Amy Guttmann, art. cit., p. 202.

<sup>84</sup> Amy Guttmann, art. cit.

<sup>85</sup> Ibid.

disagree, especially when these people have cultural identities different from our own.<sup>86</sup>

Multicultural societies throw up problems that have no parallel in history. They need to find ways of reconciling the legitimate demands of unity and diversity, being inclusive without assimilation, cultivating among their citizens a common sense of belonging while respecting their legitimate cultural differences and cherishing plural cultural identities without weakening the shared and precious identity of citizenship.<sup>87</sup> Although multicultural societies are difficult to manage, they need not become a political nightmare.<sup>88</sup> It might infact become exciting if we give up our traditional preoccupation with culturally homogeneous views and norms (male WASP); allowing them instead to intimate their own appropriate institutional forms, modes of governance and moral and political virtues which in no way however is oppressive to women and other minorities within the group. Thus while culture is important to both men and women within any group, its practices should however not be preserved at the behest of its vulnerable population.

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<sup>86</sup> Ibid, p. 203.

<sup>87</sup> Bhikhu Parekh, *Rethinking multiculturalism*, (Hound Mills, Macmillan Press, 2000), p. 343.

<sup>88</sup> Ibid, p. 344.



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