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Cross-border feminism: shifting the terms of debate for US and European feminists

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Recent decades of women's rights advocacy have produced numerous regional and international agreements for protecting women's security, including a UN convention that affirms the state's responsibility to protect key gender-specific rights, with no exceptions on the basis of culture or religion. At the same time, however, the focus on universal women's rights has enabled influential feminists in the United States to view women's rights in opposition to culture, and most often in opposition to other people's cultures. Not surprisingly, then, feminists across the global South have criticized the universal-women's-rights agenda. This article reviews representative critical responses to universal-women's-rights advocacy. The author argues that, taken collectively, these critical responses do not reject the possibility of cross-cultural feminist advocacy but they do suggest the need for feminists in the United States and Europe to focus less on transferring rights across the obstacles of culture and more on how they can revise and expand their own understanding of women's rights in response to the struggles of other women, many of whom view women's rights as organic to their own cultures and as connected to broader social struggles.

Keywords: transnational feminism; women's rights; indigenous feminism; eurocentrism; Susan Okin; Chandra Mohanty

Introduction

Over the last two decades, feminist theorists and activists have grappled with the question of how to advance women's rights across geographic and cultural borders.¹ Feminist confrontations with this challenge have yielded fruitful debate as well as practical achievements, including discussion of women's complicated relation to multiculturalism and the broadening of UN human-rights doctrine to include gender-specific human rights. And yet, notwithstanding the achievements of women's-rights advocacy, this particular framing of feminism's challenge – to advance universal women's rights across the obstacles of culture – has faced increasing criticism from within feminism, especially from feminists across the global South, who argue that pitting rights against culture belies the complexity of many women's struggles while it fuels xenophobia and colonialist stereotypes in the United States and western Europe.²

Given the urgency as well as the potential dangers of women's-rights advocacy, this article examines how global-minded feminists can best preserve the progressive impulses of women's-rights advocacy while avoiding the dangers. I address the article in particular to white women in the North who, like myself, may be sympathetic to the idea of a common humanity with common moral norms that transcend geographic borders but whose own social location has limited their understanding of the best way to pursue such norms. Thus, I proceed by reviewing the case for universal women's rights, which is presented in representative form by US philosopher Susan Moller Okin (Okin et al. 1999; Okin 2000), and then by examining key critical responses

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from around the world to the universal-women's-rights agenda. I draw in particular on Chandra Talpade Mohanty (Mohanty, Russo, and Torres 1991a,b, 1997), Rajeswari Sunder Rajan (2005), Aili Mari Tripp (2002), and R. Aida Hernandez Castillo (2002), as they offer representative perspectives from several continents on the need for women's-rights advocacy to be more sensitive to the cultural underpinning of effective rights doctrine, to the transnational dimensions of women's oppression, and to the historical and cultural roots of women's-rights struggles. In light of their analyses, I suggest how northern feminists might reframe the task of supporting women abroad so as more effectively to resist imperialist appropriation and aid the struggles of women on the other side of transnational power hierarchies, many of whom identify with both their dignity as women and their culture.

The case for *universal women's human rights*

Advocacy for international standards for the protection of women worldwide against gender-based violence has been influential since the 1980s and finds clearest expression in arguments for *universal women's human rights*. In the strong version of this argument presented by US philosopher Susan Okin, 'women's rights to be treated as equals' take a clear priority 'over group's or people's rights to preserve and promote their cultures' (Okin 2005, 91). In other words, the locus of feminist theory and activism must be 'the framing of women's rights as *universal women's rights*', an agenda that is threatened by 'anti-universalizing' theorists who are preoccupied with the differences amongst women (Okin 2000, 38, emphasis added).³ Not all women's-rights advocates draw as stark a division as Okin does between respect for women's rights and respect for cultural differences. Nonetheless, Okin's work has been particularly influential and, even amongst those who disagree with her, has spurred a framing of the debate in terms of how feminists might reconcile respect for women's rights with respect for cultural differences.⁴

The central insight behind the universal-women's-human-rights agenda is that women's basic security and dignity should not be compromised in any context and that the human-rights discourse provides an effective framework for affirming this inviolability of women's basic needs. In effect, by articulating women's rights as *universal human rights*, the protection of women's basic dignity and security are presented as non-negotiable demands that cannot be overridden by appeals to culture, religion, or any other local practices. The recognition that culture can never justify violating rights and that 'the advocacy of each right means demanding some cultural changes' (Arat 2003, 243) is particularly important for women, for many state leaders continue to invoke culture and religion as an excuse for resisting full compliance with international women's-rights standards. Moreover, many communities disproportionately sanctify culture and religion in matters involving sexuality, marriage, and other forms of power over women (Okin 2000, 30–1; Rajan 2005, 124; Arat 2003, 233–8; Shah and Guichon 2006, 129). A recent statement by Iraqi activist Houzan Mahmoud condemning a surge in sex-trafficking, 'honor killings', and other forms of misogynist violence in her country underscores the dangers of accepting cultural practices uncritically, for Mahmoud reports that the worst abuses are 'all backed by laws, tribal customs, and religious rules' (Mahmoud, cited in Judd 2008).

A second insight behind the push for internationally recognized women's human rights is that if human-rights doctrine is to be adequate to the threats that face women, then we need to articulate gender-specific rights. Despite the 1948 UN Declaration of Human Rights and the 1979 UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), many states have continued to turn a blind eye to abuses, including forced marriages of minors, 'honor killings', and women's unequal access to education and healthcare. The problem here is not only the common tendency of governments to embrace rights more in rhetoric than in practice but,

more fundamentally, a male model of rights, which CEDAW has only begun to challenge.⁵ As is now widely recognized, the model of rights that emerged in Europe in the 1700s and that still influences human-rights doctrines presumes that the rights bearer is a male head of household. Consequently, this model emphasizes the right to be free from state intrusion in one's 'private' realm of family, marriage, and religion; however, it overlooks the dangers facing many women, who are threatened less by government meddling in their family and religious practices than by those family and religious practices themselves and by abusive husbands and fathers, protection from whom often demands state intervention (Mackinnon 1989, 90–5, 184–94; Bunch 1995; Okin 2000, 28–36). At the same time, despite its male orientation, the traditional model of human rights presumes that rights are gender neutral and thus has overlooked needs specific to women, such as the right to say no to sexual intercourse and the right to marriage choice (Bunch 1995, 15–17; Okin 2000, 29, 38). Received models of human rights also fail many women (and any people whose access to basic goods and services is tenuous) because such people often require for their autonomy not simply that the state leave them alone but that the state help to provide basic goods and services, notably, education, healthcare, and childcare (Mackinnon 1989, 186–8; O'Neill 1999, 58–66; Okin 2000, 29).⁶

Advocacy for universal women's human rights has had considerable practical impact. In response to a decade of feminist organizing around women's rights, the 1995 World Conference on Women that took place in Beijing endorsed a Platform for Action with a bold 'no cultural exemptions clause' that states that '[a]ny harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated' (cited in Okin 2000, 40). In the wake of the Beijing conference, long-ignored ritualized and domestic-sphere violence against women has come to the forefront of international human-rights work. Amnesty International, for instance, has established a women's program dedicated to battling problems from 'honor killings' to sexual abuse of women in US prisons. In 1996, the US Immigration and Naturalization Services (INS) made a historic decision to grant asylum to a woman who was fleeing female genital cutting.⁷ In 2001, the International Criminal Tribunal for the former Yugoslavia recognized wartime rape, long considered a normal part of war, to be a crime against humanity and a war crime. In 2002, the United Nations adopted a groundbreaking resolution proclaiming rights specific to 'the girl child'.⁸

Critical responses to 'universal women's rights'

Ironically, the success of women's-rights campaigns since Beijing has also revealed the limitations of a universal-women's-rights agenda. Feminist theorists who have reflected critically on this agenda have acknowledged its achievements and have respected its concern to resist cultural excuses for abuse; however, they have also identified dangers in projects that turn legitimate scrutiny of cultural practices into a seeming opposition between culture and rights. The dangers arise, in particular, when liberal feminists like Okin mystify women's rights, as if such rights were above history and culture, or when they invoke this mystified universality of women's rights in order to present universal-women's-rights advocacy as the only legitimate feminist work.⁹ Below, I review the critical responses to the universal-women's-rights agenda and the challenges that these responses present for global-minded northern feminists.

The need to situate rights work locally

Some feminists have criticized the universal-women's-rights agenda for its overconfidence in a universal-rights doctrine and inadequate attention to the way that legal rights depend for their effectiveness on everyday norms and relationships. While they acknowledge the need to hold

governments accountable for protecting women's basic safety, they also argue that the 'strident assertion of the priority of liberal individual rights under all circumstances' cannot be a 'quick-fix' to the problems faced by women everywhere (Rajan 2005, 123, 134). Single-minded calls for universal women's rights are not effective, they explain, because women's rights do not become universal 'by means of uniformity and fiat', but only when they are negotiated in specific communities and thereby made meaningful to the people who will be enjoying, enforcing, and interpreting those rights on a daily basis (Rajan 2005, 121). Even some feminists who have been strong women's-rights advocates recognize that women's legal rights remain mere 'window-dressing', or at best tools for responding punitively to abuse after it occurs, unless the rights are supported by the many social and cultural institutions that structure everyday life (Castillo 2002, 406–8; Craske and Molyneux 2002, 23; Ertuk, cited in Shah and Guichon 2006, 130). Afghan writer Zuhra Bahman attests to the role that cultural tradition plays in setting the terms for workable legal doctrine. The stark gender inequality in contemporary Afghanistan, says Bahman, is 'embedded in the traditions of Afghan society', such that removing the Taliban and instituting western legal institutions 'does not solve the problem' (Bahman 2008, 11).

If women's-rights doctrine is ineffectual without a supportive cultural underpinning, these critics suggest, then advocacy for women's rights must be spearheaded by local women, who are attentive to local politics and who press their demands in ways that do not alienate but negotiate with and educate fellow community members. 'No one seriously advocates refusing the ideal of universal access to human rights,' says Rajan. 'What creates resistance and unease' are the attempts by some northern feminists to implement such rights without regard for 'the complexities of the situation on the ground', where women are in various webs of relationships with men, including problematic relations of economic dependence as well as valuable social and cultural solidarities (Rajan 2005, 132, 133). Given many women's array of ties to their communities, such women can best pursue their aims not by pitting universal women's rights against local culture, but through locally organized 'conciliatory and participative processes' (Rajan 2005, 132). As Bahman puts it, negotiating with traditional institutions has its challenges, but '[o]nly working with the existing systems, with patience and understanding, bringing about change slowly, and with subtlety, will succeed' (Bahman 2008, 13). This does not mean sacrificing women's rights to custom, but rather engaging in the slow, practical work of drawing on local ethical frameworks and negotiating with local populations, so as to find ways to coordinate women's needs for safety, respect, and dignity with other compelling community values. One young Afghan woman, for instance, has raised awareness of the abuses associated with child marriages by using Islamic scripture to defend women's rights, and mass prayer to promote support for victims (Bahman 2008, 12). And in Uganda, Tripp reports, when some Sebei women campaigned to end genital cutting (which is unique to the Sebei community), the women initially polarized their community and led local elders to defend the practice even more fiercely; however, when the women worked with local health, family and development groups to educate the elders about the health dangers, the elders became more receptive to change and sought ways to reconcile their concern for rituals that introduce women into the community with women's concerns for physical integrity and dignity (Tripp 2002, 427–32).

As Tripp and others acknowledge, such discussion-based approaches run the risk of enabling patriarchal groups to dominate discussion. Nonetheless, they argue that women's efforts to open avenues of discussion with fellow community members can themselves transform women's status in the community, in effect serving as one of the 'strategies for women's empowerment' that UN special rapporteur on violence against women, Yakin Ertuk, identifies as a necessary complement to legal rights (Ertuk, cited in Shah and Guichon 2006, 130). Their claims are substantiated by various positive examples of women gaining cultural and political agency through initiating community discussion of women's issues. Like the Sebei women, for instance,

organized indigenous women in Chiapas have transformed the gender dynamics in their community by initiating broad-based discussion of women's rights. In their case, the women advocated for the Women's Revolutionary Law of 1994, whose locally generated provisions were debated both in formal proceedings and amongst villagers. They also organized community educational workshops on women's rights, without which, the women realized, laws that protected marriage choice or outlawed domestic abuse had little practical value. Such activities have helped to generate general respect for women's rights as well as to empower indigenous women, who continue to participate – often in traditional Mayan dress and Zapatista masks – in all aspects of Zapatista politics (Castillo 2002, 406–8; Fischer-Hoffman et al. 2008; and my own visit to Oventic in spring 2007).

Even women's struggles in Iraq attest to the importance of grassroots, conciliatory work as an essential component of women's-rights advocacy; for Osman's condemnation of the grossest forms of violence exists alongside the community-building work of Iraqi Al-Amal. Among Al-Amal's projects are human-rights training courses that help women to command respect in everyday life and to support themselves independently of men (Sandler 2003, 15). They have also sought legislative reform and have drawn on international doctrine as one reference point for formulating more gender-equitable laws; however, rather than simply invoke international doctrine, they have brought together Iraqi judges, law professors, religious authorities, city leaders, and human-rights activists in order that they might jointly explore ways of integrating human-rights concerns into the Iraqi legal system in ways that resonate in local conceptual frameworks and that 'preserve Iraqi community' – that is, that preserve cooperative relations amongst people who share one land and whose support is crucial to effective legal change.¹⁰

Attempts by foreigners to invoke universal women's rights without attending to such locally based community outreach, critics warn, not only have limited effectiveness, but risk endangering the women they seek to help. In some cases, attempts by foreigners to champion the cause of other women thwart productive discussion within those women's communities, sometimes by silencing the women on whose behalf they attempt to speak and sometimes by compelling women who have been working for change within their communities to defend problematic cultural practices, when outsiders have intervened without understanding the social significance of the practices they condemned (Gilliam 1991, 218; al-Hibri 1999, 42). In other cases, international women's-rights campaigns have created a local backlash against indigenous women, who have been working through their own channels to address abuse but whose efforts have been endangered by international campaigns that link the women with foreign powers (Rajan 2005, 132, 274 n. 21).

Clearly, attempts by local women's groups to work cooperatively with fellow community members cannot substitute for addressing the power relations that underlie many culturally sanctioned abuses. In many cases, as the above critics acknowledge, powerful groups will not change their traditional practices without substantial pressure, especially when the prevailing cultural practices serve their political and economic interests. Thus Tripp offers as another, less easily resolved example the efforts by Ugandan women to gain rights to own and inherit land. Adversaries have invoked clan 'cultural tradition' to oppose the women's claims, but Tripp argues that the real obstacles lie in the concerns of male clan members to maintain their control over resources, which has been increasingly threatened by land scarcity and growing commercial agriculture (Tripp 2002, 420–4). None of the above critics deny such far-reaching political and economic determinants of culture. Nor do they presume that local culture should be the only target of women's activism. Their point in emphasizing the cultural underpinning of rights is simply that locally based community outreach is one vital component of women's-rights work and that feminists in the North endanger such local work when they attempt to export women's rights without concern for everyday relationships and values, whose support

'may ultimately mean that new laws are something more than just written documents' (Castillo 2002, 408).

The need for broader social change

Critics have also found the universal-women's-rights-agenda inadequate with respect to pursuing broad social change. Some of these critics stress that the benefits of legal rights are limited without socio-economic changes, for without material security women are particularly vulnerable to gender-based violence, including rape, domestic abuse and sex-trafficking, while they also bear the brunt of poverty-related overwork, food deprivation and neglect (Farmer 2003, 43–4; Rajan 2005, 121; Ertuk, cited in Shah and Guichon 2006, 123). Transnational feminists Mohanty and Gilliam pursue further the implications of such materialist concerns for cross-border feminism.

The need to confront hierarchies among women

When we prioritize the material concerns of majority-world women and situate these concerns within the ensemble of transnational trade institutions and ideological processes that structure our daily lives, Mohanty and Gilliam argue, then we see that a feminism relevant to the majority of the world's women must focus less on gender-specific rights and more on transnational relations of domination that cut across gender; less on universal commonalities among women and more on the common interests of specific communities of women vis-à-vis the interests of transnational capital. The focus of Mohanty and Gilliam on transnational socio-economic relations is compatible with efforts by other theorists to address the local pressures on women's lives; however, Mohanty and Gilliam (and, to some extent, Tripp and Rajan) foreground the transnational determinants of such local conditions and the consequent hierarchies among women in different national, social and ethnic locations. Their preference for the term *transnational* over the homogenizing term *global* registers their efforts to locate women within historically specific cross-border hierarchies.

Unfortunately, the liberal version of global feminism embraced by Okin – as a battle of universal women's rights against the idiosyncrasies of culture – allows Okin to view Mohanty and Gilliam as representing only the inverse of her own position – that is, as if they favored the preservation of particular cultures over and against women's rights (Okin 2000, 37–8; 2005, 91, 266 n. 14). Neither Mohanty nor Gilliam, however, argue for the prioritizing of culture over rights. The differences among women that they emphasize are not fixed cultural differences to preserve but, rather, differences constituted by interrelated levels of social and cultural domination that can be transformed through political struggle. Accordingly, for Mohanty and Gilliam, the point of cross-border feminist coalitions is not to unite against an abstract patriarchy but to coordinate strategies and resources in confronting the abusive practices of specific transnational institutions. Such coordination is possible, they each stress, only when those of us in more privileged social locations devote time and energy to learning about others' situations and examining our own lives from their standpoint (Gilliam 1991; Mohanty, Russo and Torres 1991a, 11–21; 1991b, 71–4; 1997, 12–28).

The different approaches pursued by Mohanty and Gilliam on the one hand, and Okin on the other are apparent in their different responses to female genital cutting and its northern critics. Okin praises US critic Fran Hosken for bringing international attention to genital cutting. Mohanty and Gilliam (and Rajan), by contrast, criticize Hosken and her colleagues for their preoccupation with the issue, by which they reduce Third World women to helpless victims, neglect broader health and economic issues, and sometimes compel African and Arab women long

critical of genital cutting to defend the practice against western cultural chauvinism (Gilliam 1991, 218–19; Mohanty, Russo and Torres 1991b, 57–8, 66–7; Rajan 2005, 124). In turn, Okin chides Gilliam and Mohanty for focusing ‘not on the harm done to women by [genital cutting] but on the alleged harm done by Western feminists who oppose it’ (Okin 2000, 43 n. 9). Mohanty and Gilliam’s point, however, is not to demonize women like Hosken but to provide ‘internal critique’ of fellow feminists from whom they ‘expect and demand more’ (Mohanty, Russo and Tores 1991b, 75).

The ‘more’ that Mohanty and Gilliam expect from those of us in more privileged social locations includes greater attention to the transnational social and cultural institutions that connect our lives to others across the globe and to the political effects of our own activities. For instance, instead of focusing narrowly on exotified forms of violence (which fuels colonialist stereotypes), Hosken might heed the advice of the Arab and African women she seeks to help and broaden her critique to include a study of labor exploitation by transnational corporations (Gilliam 1991, 218–19). As another positive example, Gilliam cites the North Americans who reacted to Nestlé’s misleading advertisements for infant formula in India and Africa by boycotting Nestlé products in the United States (Gilliam 1991, 224). More recently, students at my own school have supported women (and men) sweatshop workers by collaborating with the Workers’ Rights Consortium to help workers press their own demands for better working conditions in the factories that produce university clothing. The members of Women with Dignity in Chiapas demand a similar self-awareness and self-responsibility on the part of international visitors to their community. Although northern feminists might expect such a group to be focused on domestic violence or on individual women’s rights, Women with Dignity is a weavers’ collective that seeks fair prices for its goods and that asks visitors to avoid the ‘free market’, where indigenous people sell at desperate prices, and to buy only from cooperative-run stores.¹¹ Significantly, all of these practices involve those of us in the North relinquishing moral authority and listening to others’ suggestions about how we can support their struggles, even when this means confronting our own role in their oppression and exploitation.

Okin warns that the transnational feminist focus on issues that cut across gender risks dividing women; however, if addressing broad social struggles and the intra-women hierarchies they imply must be dismissed as ‘hardly conducive’ to feminism, then feminism becomes unresponsive to many women. Mohanty and Gilliam refuse to let feminism become so narrow. When they rethink feminism in light of Third World women’s struggles for dignity and autonomy in the face of transnational social hierarchies, they demonstrate that confrontation with such hierarchies need not thwart feminist alliances but, on the contrary, makes genuine feminist alliances possible by encouraging those of us in more privileged locations to resist our intellectual and material domination over other women. In this view, global-minded northern feminists need not choose between Okin’s alternatives of either immediate alliance with all women against universal patriarchy or merely accepting women’s oppression in other countries as ‘cultural difference’. A third alternative is for feminists in the North to temper our certainty about women’s rights enough to listen to other women’s accounts of what they need for dignity and autonomy and, in the process, to confront the relation of our own lives to their oppression.

Linking social justice and women’s rights

In their criticism of liberal feminism and their calls for greater social responsibility and self-criticism on the part of northern feminists, Mohanty and Gilliam move away from the language of women’s rights; however, human rights and social justice discourses may be most productively used together. Granted, some social critics have questioned whether the language of rights, which has roots in liberal individualism and property rights, is adequate to projects

that seek a radical transformation of dominant institutions in a way that acknowledges the interconnectedness of our lives and the value of community over profit (Pollis and Schwab 2000; Farmer 2003, 213–16). Others have cautioned that rights discourse has now been appropriated by pharmaceutical and genetic-engineering companies to invoke ‘corporate rights’ over formerly community practices (Shiva 1997; Pollis and Schwab 2000, 211–12; Tolan 2002; Godrej 2003). Nevertheless, as Castillo and others remind us, the discourse of rights has multiple roots, including roots in indigenous struggles of resistance against colonialism. Rights discourse has also been pushed in new directions by an array of emerging social movements, ranging from the Mexican *campesinos* who are fighting lumber companies for their birthright to the forests, to the *maquiladora* workers who are suing a US-owned company for their rights to back-pay, and from the thousands of indigenous farmers who protested in Cancún for rights to food sovereignty, to the tens of thousands of US immigrants who are advocating for workers’ rights regardless of citizenship status (Mohanty 1997, 4; Lajoie 2001; Craske and Molyneux 2002, 1; Gomez Flores 2003; Quiroz-Martínez 2003). Significantly, such activists are using the language of rights not merely to claim legal protections for individual rights-bearers but to expand who counts as a rights-bearer, assert community values irreducible to market calculations, and limit the hegemony of corporate-run trade institutions.

The possibility of linking human rights to broad social change indicates that women’s-rights work, too, can be made accountable to broader goals of social justice and community vibrancy. Various women’s groups have demonstrated how women’s-rights advocates in the North might pursue such a broader mandate. The Women’s International League for Peace and Freedom (WILPF), for instance, designs its agenda by member-nominated and -elected issues, so as to respond to the evolving and diverse concerns of its worldwide members. The current targeted issues include a committee that focuses on human rights (including human-rights educational work), a committee that works to defend democracy against ‘corporate rights’, a committee that works to end military occupation of Iraq, and a committee that works to protect community control over water resources. Although the member-chosen and grassroots-committee-organized issues do not conform to any conventional logic of issue categories, the span of issues challenges the committees to educate WILPF members and the international community about the concerns of women in diverse communities, to draw links between gender-related concerns and the broader social issues of concern to many women, and to develop plans for action that ask WILPF members to put pressure on their own states to conform to WILPF goals as well as to coordinate their activism with the activism of groups in other parts of the world resisting related forms of violence. Members of the Tennessee Industrial Renewal Network (TIRN) have also demonstrated the effectiveness of transnational feminist alliances that challenge women in more privileged communities to build connections with and expand their agendas in light of the struggles of other women. Significantly, TIRN members responded to outsourcing in their community by traveling to Matamoros to meet with the Comité Fronterizo de Obreras (the Border Women Workers’ Committee), some of whom had taken the Tennessee women’s former jobs when their company moved south. After attending Comité meetings, touring the community, and sharing stories, TIRN members returned to the states with ties to specific Mexican women activists along with commitments to advocate for Matamoros families against pollution-causing US-owned companies and to testify about *maquila* abuses at Bush administration hearings on the North American Free Trade Agreement (NAFTA) (Tong 1999). Such groups demonstrate the importance of feminists in the North devoting resources to learning about the concerns of women across borders and adjusting their agendas in response to these concerns, if they are to avoid ‘stridently asserting’ universal women’s rights while neglecting the ways that their own states’ policies are undermining the social and cultural conditions for dignified lives.

The need to situate culture and rights in history

Finally, critics of the universal-women's-rights agenda seek a greater appreciation of culture as a historical phenomenon and a resource for women's rights. In accord with contemporary cultural theorists, these critics emphasize that cultures are not fixed or discrete entities but fluid, heterogeneous, and contested phenomena that develop in interaction with other historical processes. Likewise, no claims about the content of a culture are innocent, for any time that we identify a practice with 'the culture', we invent and remake that culture. If naïve conceptions of culture have enabled patriarchal groups to identify cultural integrity with practices that regulate women, then this more sophisticated conception of culture as a contested and evolving historical phenomenon affirms the legitimate role that women can play in defining and remaking their culture (Narayan 1997, 14–17; al-Hibri 1999, 43; Castillo 2002, 402–4; Arat 2003, 242–5; Rajan 2005, 123).

The implication of this more sophisticated conception of culture is a more interactive relationship between culture and rights than the liberal universal-rights agenda acknowledges. Liberal feminists recognize tensions within cultures which, they rightly point out, complicate any attempt to defend a practice in the name of 'cultural tradition'. They fail to address, however, the extent to which the more sophisticated conception of culture also complicates any attempt to invoke 'universal women's rights' as if these were outside the contingencies of history and culture. By contrast, critics who take seriously the complex and historical character of cultures recognize that culture do not offer self-evident norms but, precisely in their tensions, they are an essential source of human-rights values. In effect, their analysis suggests that cultural life serves not only as a necessary support for effective rights doctrine but also as the source of inspiration for rights themselves. Cultural life serves this role because, insofar as any culture consists of evolving and contending modes of organizing everyday life, the culture encompasses both patriarchal attempts to dominate women and women's resistance to that domination. The discourse of women's rights develops within such cultural tensions. Examples of locally inspired women's-rights movements attest to this richness of cultural life. For instance, when the indigenous women of Chiapas used the language of rights to articulate their Revolutionary Law for Women, they did not merely invoke an imported discourse, but shaped and expanded the language of rights to include more collective-minded rights – notably, rights to participate in community affairs and in the revolutionary struggle (Fischer-Hoffman et al. 2008). Such women's rights (as Upendra Baxi observes with respect to human rights generally [Baxi 2006, xvi]) are the product not of mere abstract analysis but of analysis rooted in the practical struggles of historically and culturally specific communities. Likewise, women's-rights discourses gain transnational status 'not by uniformity or by fiat' but through the work of local women's movements, as they build alliances and share resources and visions with one another (Castillo 2002, 387; Tripp 2002, 418; Arat 2003, 241–6; Rajan 2005, 134).

Sensitivity to this historically and culturally situated generation of women's-rights discourse is essential to understanding the struggles of women in indigenous and religious communities. Many such women, critics of liberal feminism argue, do not want to shed their culture and religion to embrace liberal culture, but seek rather to affirm both their community identity and their dignity as women within their communities. For instance, al-Hibri describes how many educated women have found rich and empowering values in religious sources and how western feminists who assume that those women can only be liberated by joining secular western culture exercise a condescending paternalism similar to patriarchy (al-Hibri 1999, 45). And in Chiapas, indigenous women have made substantial advances on behalf of women's concerns while also allying with their fellow community members in seeking the right to maintain indigenous institutions independent from the Mexican state. Significantly, both their feminist and their indigenous

consciousnesses are home-grown, inspired by years of indigenous resistance to exploitation and racism, whose values the women have applied to their specific situation as indigenous women (Castillo 2002, 385–6, 403). A recent Zapatista conference concretized the women's integration of indigenous tradition, *Zapatismo* and feminism. The 'Women's Encuentro', which devoted its annual theme to Zapatista women, enforced strict rules to foreground women's voices: men were invited to provide childcare, cooking, and clean-up, but auditorium seats, translating, and speaking were reserved for women. At the same time, however, the women also made clear – in their demands for rights to participate in Zapatista organizations, in their stories of life before and after the uprising, in their hymns and tributes to fallen comrades, and in their Zapatista-inflected calls for listening to and organizing with all of those who are struggling – that their interests as indigenous women were bound up with the liberation of all members of their community (Fischer-Hoffman et al. 2008).

In Iraq, too, women's-rights advocates have refused to choose between their culture and their rights. Granted the misogynist practices – which include Saddam-inherited laws that permit 'honor killings' as well as officially illegal but rampant kidnapping, gang-rape and sex-slavery – seem to be 'backed by laws, tribal customs, and religious rules'. This is predictable, given that, as Narayan and Castillo have warned, powerful groups are adept at invoking 'custom' to serve their interests. Nevertheless, the abuses may be less a function of a fixed Iraqi tradition than one of the broader political context, which has promoted some cultural elements at the expense of others. According to one Amnesty International journalist, Saddam shifted from a fairly secular and gender-equal legal system to the sexist laws only in the 1990s, in a seeming attempt to regain the support of male populations demoralized from the Iran–Iraq war (Sandler 2003, 23). Saddam apparently realized that the military humiliation endured by Iraqi men, which was compounded by his own repressive rule, the US sanctions, and then the US invasion, could find an outlet in the men's abuse of women; as one Iraqi man put it, the men felt a need to 'control something', which was often women (Iraqi man, cited in Sandler 2003, 24). Contesting these patriarchal developments, women have laid their own claims to defining Iraqi customs. For instance, many women educated in the 1950s and 1960s, who recall female-headed government ministries and female professionals who worked for equal pay, claim that the active public role of women is integral to Iraqi life, whereas the current state of affairs, in which women fear leaving their homes, 'is not Iraq, not the real Iraq' (Iraqi woman, cited in Sandler 2003, 22). One younger woman has used the blog format to disseminate a human perspective on the war; by tracing how the war has threatened Iraqi women's agency and how she and others have survived these threats, she contributes to a continuing Iraqi women's culture (<http://riverbendblog.blogspot.com/>).

The implication of this richer sense of culture for feminists in the North is that we can support other women's struggles for autonomy and dignity not by invoking universal rights that we oppose to their culture, but only by supporting women's efforts to participate actively in the making of their own culture. Likewise, we need to recognize the complexity of any culture, such that no culture can be reduced to a single practice and every culture, if approached with sensitivity to its tensions and complexity, offers insights that can contribute to the continuing development of women's rights.

Women's rights and cultural chauvinism

Unfortunately, although Okin and her peers acknowledge tensions within cultures, they nonetheless tend to make sweeping generalizations about the virtues of 'liberal cultures' and the misogyny of 'the world's other culture'. For instance, Michael Ignatieff purports to recognize the agency of indigenous women when he claims that 'it is for the women themselves to

decide how to adjudicate between tribal and Western wisdom' (Ignatieff 2001, 112); however, he assumes that a choice for women's rights must be a choice for 'Western wisdom'. A similar cultural chauvinism informs the introduction to an anthology inspired by Okin's work. The authors acknowledge human rights problems in US history but present these in the context of 'repeated challenge[s] from movements inspired by ideas of human equality', as if a steady extension of human rights were inherent to the dominant US culture (Cohen, Howard and Nussbaum 1999, 1). They contrast this presumed egalitarian momentum of US culture to 'some cultures [that] do not accept . . . the principle that people are owed equal respect' (Cohen, Howard and Nussbaum 1999, 4). Okin similarly contrasts 'more liberal cultures' to 'the world's other cultures' (Okin et al. 1999, 16–17) and implies that the latter are uniquely misogynist: she highlights the more shocking abuses in African and eastern regions and treats such abuses as if they were representative of the areas' cultures, which she describes as 'the cultures in which some of the most obvious and egregious violations of human rights are taking place' (Okin 2000, 31).¹²

The aim of these liberal feminists to spread women's rights across the globe may be noble, but their crude stereotypes of other cultures are historically unsound and politically dangerous. When they fail to examine other cultures on their own terms and in their complexity, they not only perpetuate colonialist stereotypes of others but thwart critical self-awareness within their own communities. For instance, when Okin and her colleagues generalize about 'liberal' and 'other' cultures, they ignore the power hierarchies that have made it possible for them, as members of dominant nations and social groups, to make such self-certain judgments about the world's cultures. They thereby gloss the power hierarchies that give ideological privilege to their own standpoints while they perpetuate the myth that the standpoint from white, upper-middle-class, liberal-capitalist society is authoritative, with no need of being checked by other standpoints. As a result, despite their vigilance about abuses against women abroad, they overlook abuses within the United States and western Europe, including the United States' own failure to ratify CEDAW, continuing human-rights abuses against women within the United States (e.g. abuse of women in prisons, violence against Native American women, and the stripping of basic rights from immigrant women and men),¹³ and the contribution of US and European trade policies to the impoverishment of women worldwide (Cavanaugh et al. 2002; Tripp 2002, 416; Farmer 2003). Such abuses should be of particular concern to US feminists, but they recede from view when the struggle for women's rights is presented as a battle against the irrationalities of other cultures.

Finally, when feminists in the North present liberal-identified women's rights as the antidote to abuses in other cultures, they abet a new form of 'white-man's-burden' thinking that has become increasingly prevalent amongst North American academics and pundits. Such thinking has reduced much US foreign-policy debate to condescending discussions about whether or not the United States should assume the 'burden' of bringing democracy and equality to others.¹⁴ Likewise, the pitting of women's rights against other cultures allows women's-rights discourse to be appropriated by politicians for whom the notion of protecting women from their cultures provides a convenient 'pretext for intervention' (Rajan 2005, 120). Of course, not all women's-rights advocates support interventionist military policies. Nonetheless, when they identify 'other cultures' as the main culprit in the curtailment of women's rights, they allow politicians to claim to be working on behalf of women when they intervene militarily in other nations, as if forceful intervention were the only way to advance women's rights in non-European communities. Ironically, the recent US invasions of Iraq and Afghanistan, both rationalized, in part, on claims to be protecting women's rights, demonstrate the hollowness of US commitments to protecting women in occupied territories as well as the immense suffering that such invasions cause women (Sandler 2003; Faludi 2007, 39–45).

(see Smith,
RAWA)

Conclusion

Taken together, the critical responses to the universal-women's-rights agenda do not argue for abandoning transnational feminist alliances or rights discourse; however, they do suggest the need for feminists in the North to take greater care not to provide fodder for racist or interventionist politics and to devote more time and energy to learning from other women about the kind of local, state, and international steps that the protection of their rights demands. In effect, the above criticisms suggest the need to shift the terms of debate amongst northern feminists from the problem of how we can bring universal rights to other cultures to the problem of how we can expand our own understanding of women's rights in light of other women's struggles.

This framework directs northern feminists both to avoid cultural stereotypes and to take seriously the way that social and cultural locations shape our own and other women's perspectives on women's rights. In her own suggested reframing of women's-rights projects, Tripp focuses on the first of these directions: She emphasizes the need to overcome mystifying dichotomies between 'Western and Nonwestern' cultures and instead to see 'the commonality of our problems and solutions, and our common humanity' (Tripp 2002, 417). While I appreciate Tripp's concern to dismantle colonialist categories and to recognize the feminist elements within each culture, I am also concerned (in light of the above criticisms, including Tripp's) that, too often, the focus on 'common humanity', for northern feminists, has led us to overlook the specificity of other women's situations as well as our own place in transnational hierarchies. Thus my own suggestion for how feminists in the North should approach cross-border feminism is neither to focus on transferring 'western' rights to other cultures nor to foreground our common humanity, but to ask, rather, what we can learn from other women's struggles about the meaning of women's rights and the obligations that these imply for those of us in privileged social locations.

Viewed in terms of this question, the women's activism discussed above already implies substantial revisions and enrichments to liberal conceptions of women's rights. For instance, the efforts by Afghan and Iraqi women to cultivate feminist elements within their communities challenge feminists in the North to support those women without demonizing their cultures and without invoking 'universal' norms that are associated with an occupying power, which could jeopardize those women's relations with their communities. They also challenge us (as one representative of the Revolutionary Association of Women of Afghanistan put it) to spend less time proclaiming ourselves saviors of Afghan women and more time listening to 'what Afghan women want' (Tahmeena, cited in Flanders 2001, 36–8). Likewise, they challenge us to hold our own states' policies accountable to those women's concerns, which currently include, for instance, imposing human-rights conditions on aid to the Afghan government, implementing greater community control of donor aid, holding foreign military forces accountable for violence against civilians, and demanding greater sensitivity to local authorities on the part of occupying personnel, whose insensitivity has fueled support for the Taliban (Basir 2008; Khabaryal 2008; Mosadiq 2008).

The indigenous women of Chiapas likewise challenge women in the North to stretch our notion of women's-rights work beyond the conventional notion of legal protection for individual women against the state or against men. On one level, the Chiapas women challenge us to account for the importance to women's autonomy of women's participation in community culture and politics. On another level, they challenge us to expand our notion of women's rights to include economic protections for whole communities of women against the ensemble of exploitative trade institutions that jeopardize their daily livelihoods. In the words of the women at the Zapatista Women's Encuentro who were asked what women abroad could do to support their struggle, they challenge us to 'organize [our]selves' to build state policies and local institutions at home that respond to all of those who are struggling from below (Fischer-Hoffman et al. 2008, 19).

Such broad-minded and self-critical projects may not look like what many of us have understood as women's-rights advocacy. Nevertheless, such projects are not only compatible with efforts to enforce basic legal standards for the protection of women but they come to the foreground when we recognize that women's rights comprise not a fixed doctrine but an evolving discourse of resistance to abuse that emerges from culturally rooted and globally situated efforts to transform relations of domination. For those of us in privileged locations in the United States and western Europe, acknowledging the social and cultural roots of our own understanding of women's rights challenges us to rethink our task as global feminists from one of transferring universal rights across the terrain of cultural differences to one of learning from and responding to women who are struggling for their dignity in communities different from, but also connected to, our own.

Notes

1. I have written about debates within global feminism before in 'Women's Rights and Cultural Differences' (Stone-Mediatore 2004).
2. No single set of terms seems adequate to distinguish the communities of women who have been exploited by the history of colonialism and neocolonialism from women who have benefited from these institutions. The terms 'global North' and 'global South' are now more widely used than the terms 'western' and 'nonwestern', as they are somewhat more accurate geographically and less laden with colonialist connotations; however, these terms also seem to me misleading, not only because the geography is still crude, but because they retain a geographic description of what is really a political-economic division. The term 'Third World', despite its problematic negative connotations and association with victimhood, has the advantage of retaining a political connotation. This term also recognizes the common interests held by socially and politically marginalized communities within the United States, Canada, and western Europe and marginalized communities in other parts of the world. Thus this term has been used strategically by some theorists to embrace a self-consciously chosen political identity that encompasses all communities who suffer from the legacy of colonialism or have been exploited by transnational capital and who have a common interest in transforming the current transnational order (e.g. Mohanty, Russo, and Torres 1997, 7–8). The term 'majority world' also has its advantages and disadvantages. The term lacks precision but has the advantage of affirming the potential political power of people who are marginalized in the current social and cultural order. It also jolts whites in the United States and Europe, who are accustomed to thinking of themselves at the center of the world, into recognizing that they are neither the majority nor the norm. I use all of these terms, with the recognition that no single set of terms is adequate to the complex history of power relations that makes the division between communities of women significant, and that any set of terms is only a rough and tentative way of grouping together an array of distinct communities with some common history and interests.
3. I examine Okin's critique of 'anti-universalist' feminist theorists in greater detail in Stone-Mediatore (2004).
4. See, for instance, Peters and Wolper (1995, chapters 18–20), Okin et al. (1999), and Molyneux and Razavi (2002, chapters 2–4).
5. CEDAW requires signatory states to take steps to end sex-based discrimination and to ensure 'that women can enjoy all their human rights and fundamental freedoms'. In its unabridged version, it identifies rights specific to the needs of women, such as rights to marriage choice, and it identifies the responsibility of states to end violence against women and not to 'invoke any custom, tradition, or religious consideration to avoid their obligations' (<http://www1.umn.edu/humanrts/instree/women/engl-wmn.html#cedaw>). Nonetheless, many states, including the United States, have failed to ratify CEDAW, in part on grounds of religion or custom (Tripp 2002, 416; Arat 2003).
6. CEDAW and other women's-rights doctrines do recognize the need for social institutions that provide women with basic social services. Nevertheless, in practice, concerns to provide legal protection from physical abuse often overshadow the more politically difficult (but no less important) task of building institutions that ensure access to basic goods and services (O'Neill 1999, 58–64, 68).
7. This case, 'Matter of Kasinga', was won by Fauziya Kasinga of Togo. Despite this potentially precedent-setting case, however, the US INS continues to deny asylum to many other women fleeing gender-based violence.
8. See http://www.nyulawglobal.org/globalex/International_Criminal_Courts.htm and http://www.iom.int/jahia/webdav/shared/shared/mainsite/policy_and_research/un/56/A_RES_56_139_en.pdf.

9. See, for instance, Nussbaum (1999), Okin (2000, 2005) and my critique of Nussbaum and Okin (Stone-Mediatore 2004).
10. See www.iraqi-alamal.org/english/index.htm. (Their project descriptions seem to be regularly updated.)
11. Women with Dignity, presentation to visitors working with Schools for Chiapas, Oventic, June 2007.
12. Other feminist theorists have also criticized Okin and fellow liberal feminists for 'a very limited and static conception of culture' (Castillo 2002, 395); for making 'sweeping generalizations' about western and nonwestern cultures, as if there were 'something unique about minority or non-Western cultures in their disregard for women's rights' (Tripp 2002, 414–15); for failing to learn about other cultures and religions from anything but western-centered secondary sources (al-Hibri 1999, 42); and for 'repeating the cognitive moves of Orientalism' – that is, reducing other cultures to the polar opposite of idealized images of the West (Rajan 2005, 123).
13. See Camayd-Freixas (2008) and Amnesty International USA women's program (www.amnestyusa.org/violence-against-women). Significantly, Amnesty International's authority is based not merely on appeals to fixed universal norms but on bringing to bear the standpoint of a plurality of Amnesty groups across the globe, so that its human-rights doctrine is continually revisited and the record of each country is continually re-examined from the standpoint of groups situated in a plurality of global locations.
14. On the continued prevalence of white-man's-burden ideology in the work of North American intellectuals, see Magdoff and Foster (2003) and my own critique of Fouad Ajami and Michael Ignatieff in Stone-Mediatore (2007).

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