

The London School of Economics and Political Science

***A Room of One's Own in a House
for All: Feminist Considerations on
Autonomy and Multiculturalism***

Muriel Kahane

A thesis submitted to the Department of Government of the
London School of Economics for the degree of Doctor of
Philosophy, London, September 2010

UMI Number: U615374

All rights reserved

INFORMATION TO ALL USERS

The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if material had to be removed, a note will indicate the deletion.



UMI U615374

Published by ProQuest LLC 2014. Copyright in the Dissertation held by the Author.
Microform Edition © ProQuest LLC.

All rights reserved. This work is protected against
unauthorized copying under Title 17, United States Code.



ProQuest LLC
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106-1346

THESES

F

9461

1275775

Declaration

I certify that the thesis I have presented for examination for the MPhil/PhD degree of the London School of Economics and Political Science is solely my own work other than where I have clearly indicated that it is the work of others (in which case the extent of any work carried out jointly by me and any other person is clearly identified in it).

The copyright of this thesis rests with the author. Quotation from it is permitted, provided that full acknowledgement is made. This thesis may not be reproduced without the prior written consent of the author.

I warrant that this authorization does not, to the best of my belief, infringe the rights of any third party.

Abstract

This thesis has four separate but connected areas of interest: multiculturalism, autonomy, equality and feminism. These are brought together by considering an important critique of multiculturalism: that of the paradox of multicultural vulnerability. The case of minorities within minorities challenges whether multiculturalism does indeed help within minority groups. One of the ways these disputes have been resolved is through the evaluation of the alleged autonomy women practice in choosing illiberal practices. Whether women (and other at risk members) are considered to be autonomous will determine whether the practice will be tolerated by liberal states or not. However, what do we mean by autonomy?

In the thesis I look at three different modern conceptions of autonomy through two intervening variables: socialisation and multiple identities. Theories of autonomy have been criticised by feminists because of the reliance on the idea of atomistic selves. The notion of socialisation places autonomy within embodied experiences, but it also brings to light the issue of adaptive preferences. Intersectionality or multiple identities also highlights the plural self as variable, conflicting and contradictory – all qualities that aptly describe the realities of lived experience. In the thesis I defend a tripartite understanding of autonomy that correlates with a differential understanding of the self. Through this it might become possible to speak about autonomy without essentialising identities, whilst simultaneously being sensitive about inequality.

Acknowledgements

I have noticed that many of my colleagues have had rather short acknowledgements. I understand that this is the way “we do things” in academia. Nonetheless I feel I cannot conform to the standard: this thesis would never have been completed without the help of the many people who were there throughout. For this reason I apologise: this is not meant to read like *The Iliad*, but I nonetheless understand it might be rather verbose. It must also be mentioned that PhDs in Spain are rather different to the UK. In Spain the tradition is that the whole family attends the defence. By whole family I also mean extended – grandparents, cousins, aunts, uncles and friends are often present. Before the questions begin, the candidate will often take a few minutes to thank those that have ensured the livelihood, sanity and ability to see the project to its end. Such attendance (and familial significance) is not usually common practice in the UK, nor would I want it to be. However, I will take my acknowledgements to be the equivalent of those minutes before “el tribunal”.

In the first instance, I would like to thank my supervisor, Professor Anne Phillips. In Spanish the term for supervisor is “director/a de tesis” i.e. director of thesis. I believe this definition better showcases Anne’s work than the English “supervisor”. She did more than merely “supervise”. She led, directed and shepherded me through the many, often conflicting and contradictory, interests I held. She read, advised and encouraged whenever needed. Thanks to her I was able to narrow down my topic without necessarily feeling I was letting myself, or my core interests, down. She was encouraging as well as harsh and, above all, she allowed me to develop my writing and ideas over the course of the thesis.

In second place, I would like to thank my friends. The ones mentioned here are by no means the only ones that have helped make this process bearable. I do not think I exaggerate when I say that without their help, support and sense of humour this thesis would have never been finished. Sha Hua and Paul Kirby were particular sources of thought throughout both undergraduate and postgraduate studies – always probing, often critical and always understanding.

Kristy MacLeod and Harriet Allez have proved to be invaluable sources of laughter, grounding, as well as the much under-valued provision of food and drinks. These, albeit not crucial to a PhD, do help make it more amenable. Leda Glyptis was always there too – as a source of academic advice, as a sounding board and as the symbol for the last vestige of sanity when I thought I could not cope. And then there is the girl who has endured daily phone calls, laughter and tears for 23 years, Sonia Yañez. Without any of these friendships I would have not been able to complete this PhD. The same can be said for my PhD colleagues, Camillia Kong, Jeremy Williams and James Gledhill whom I thank for their companionship and advice. Without them the process of writing would have been a far lonelier endeavour. There are many others that ought to be mentioned, but ultimately this is not a Nobel acceptance speech. Amongst them are Beatriz Isidro, Laura Moreno, Jess Schultz, Sarah Birke, Samantha Nicklin, Omar Srouji, Anna Crowther, Paddy McCloskey, Jemma Samuels, Lauren Elliot, Ahmed Badawi, Ofer Zalzburg, Michaela Birk, Alejandra Hernandez, Natasha Sharma, Yogi Hendlin and Charles Devellennes.

I must also thank Christine, Richard, Rosie Upright and the Sunderland boys, who ensured that despite being away from my family I always had a (closer) home to visit. They provided endless amounts of food, wine, stories, advice and support, and I am sincerely grateful for everything they have done. Edward Upright has stoically endured the past five years with a sense of humour that without which I am certain it would have been impossible to finish. Much in my thesis I owe to countless nights bouncing ideas around, playing with diagrams and seemingly never-ending proof-reading sessions. The remainders of sanity I have left I owe to his common sense, support and his ability to always make me laugh, despite how bad the “intersectional parties” were becoming. Thank you, thank you, thank you.

Finally, I would like thank my family. Through my father I was first able to encounter, in an atmosphere and country that, at the time, allowed for no such thing, the conflicting and often incredibly productive relationships that multiple identities provide. To my father I owe my interest in cultures, and my drive to conceptualise beyond the ascriptive. We are not necessarily what we are told we

are, and what we are, we need to think about. We can be many things at the same time, and we can be all of them in many different ways. Identification comes from upbringing but also from research and familial longing. I thank him for his endless support, ability to understand (or at the very least pretend to) the dark corridors of a PhD trek, and his ability to engrain a sense of duty that goes beyond that of mere individual existence – the historical memory and sense of duty of those who have suffered. I also thank him for his economic support throughout my PhD – I understand this choice was not a necessarily understandable one, but it was, nonetheless, one he has supported me by.

This PhD is ultimately dedicated to my mother. She belongs to a generation of feminist activists in pre-democratic Spain, an inheritance that I will never do justice. She and I do not agree blindly – politically, philosophically, morally... yet her ability to be tolerant with my opinions, as a young girl born in democracy, is what ultimately led me to research issues to do with freedom. She was the one who pushed and questioned me from the very first day, and who taught me to distrust anything given at face value. It is thanks to my mother, and her efforts, that I am able to argue, think and behave in the way I believe a consequential feminist would (although she might disagree). More importantly it was through her that I was able to understand that autonomous human beings do not always act as expected. She was the one who showed me how it might be possible that human beings make decisions based on grounds other than reason – emotion, and in her case, love, being prominent.

To all of you, a million thanks.

Contents

I. Introduction: Multiculturalism, Feminism and Autonomy	10
1. Arguments for Multiculturalism	10
2. Multiculturalism and Feminism	15
a. Okin	15
b. Subsequent Debates	19
i. Kukathas	19
ii. Shachar	24
iii. Chambers	28
iv. Saharso	31
3. Autonomy and Contextual Understanding.....	34
4. Central Perspectives	42
a. Understanding the Subject from her Own Perspective	42
b. Conceptualising New Paths	45
c. Mediating (Strong) Universalism with (Soft) Relativism...	47
5. Thesis Structure	48
 II. Socialisation	 51
1. What is meant by Socialisation?	51
2. Socialisation and Autonomy	53
a. The Mechanisms of Socialisation	55
b. The Free Will versus Determinism Debate	59
c. Unequal or Oppressive Socialisation	62
i. The Metaphysics of Being and Rationality.....	63
ii. Adaptive Preferences and Materiality	68
3. A Theoretical Example: Chambers	70
4. Socialisation and Identity	77

III. The Plural Self: Me, Myself and I	82
1. What is meant by ‘Multiple Identities’?	82
2. Multiple Identities and the Social	86
3. How does Intersectionality Operate?	91
4. The Implications of Multiple/Intersectional Identities	104
 IV. Procedural Theories of Autonomy	 110
1. Introduction	110
2. Structural Procedural Theories of Autonomy	114
a. What the Theory Maintains	114
b. How the Theory Works in Practice: Examples	116
c. Evaluation of the Theory	118
3. Historic Procedural Theories of Autonomy	126
a. What the Theories Maintain	126
b. How the Theories Work in Practice: Examples	128
c. Evaluation of the Theories	130
4. Strengths and Weaknesses of the Procedural Model	133
 V. Relational Theories of Autonomy	 139
1. What do Theories of Relational Autonomy Try to Achieve?.....	141
2. Friedman’s Integration Model	143
a. What the Theory Maintains	143
b. How the Theory Works in Practice: Examples	149
c. Issues to consider	152
3. Meyers and Autonomy Competency	158
a. What the Theory Maintains	158
b. How the Theory Works in Practice: Examples	164
c. Issues to Consider	167
4. Conclusions	174

VI. Substantive Theories of Autonomy	179
1. Strong Substantive Theories of Autonomy	180
a. Strong Substantive Theories, Socialisation and Multiple Identities	190
2. Weak Substantive Theories of Autonomy	195
a. Weak Substantive Theories and Self-Worth	200
 VII. Conclusions: the Tripartite Understanding of Autonomy	207
1. The argument So Far	207
2. The Tripartite Understanding of Autonomy as a Synthesised Approach.....	208
a. Insights from Procedural Theories	209
b. Insights from Substantive Theories	211
c. Insights From and Beyond Relational Theories	213
3. The Tripartite Understanding of Autonomy	214
a. What Is it?.....	214
b. How Does It Work?	216
c. Crucial Insights.....	220
i. On the Relation between Reason and Emotion.	221
ii. Process as Distinct from Action	223
iii. The Plural Self	226
4. Potential Issues	227
a. Relativism	227
b. Non-Ethnocentric Feminism and Emancipatory Politics..	231
5. Conclusions.....	239
 VIII. Bibliography	243

I. Introduction: Multiculturalism, Feminism and Autonomy

1. Arguments for Multiculturalism

Like many of the “isms” that characterise social and political theory, multiculturalism defies easy definition. As Charles Mills notes,

there is multiculturalism as state policy (itself varying from nation to nation) and multiculturalism as minority activist demand, multiculturalism as applied generally to the political theorization of society as a whole and multiculturalism as applied specifically to tertiary education and curriculum reform, multiculturalism as including the politics of race, ethnicity, gender, sexual orientation, and disability, and multiculturalism as excluding at least some of these, multiculturalism self-described, or hostilely described by others as weak, strong, liberal, conservative, corporate, ‘managed’, critical, radical, insurgent... and the list goes on.¹

The object of multiculturalism varies. At its heart is a concern with difference – but the particular meaning of what difference entails is somewhat contested. The particular shape of multicultural politics can also vary. As Andrew Mason points out, the different arguments might call for group representation, exemption from laws and policies or simply recognition of groups based on basic human needs or flourishing.²

Despite the variety in multicultural justifications, all proponents have in common what Paul Kelly takes to be a “similar endorsement of the communitarian ‘social thesis’ – namely, that individual identity is shaped by and provided through

¹ Charles Mills, “Multiculturalism as/and/or anti-racism?”, in *Multiculturalism and Political Theory*, ed. Anthony S. Laden and David Owen (Cambridge: Cambridge University Press, 2007), p. 221.

² Andrew Mason, “Multiculturalism and the Critique of Essentialism”, in *Multiculturalism and Political Theory*, ed. Anthony S. Laden and David Owen, p. 232-42.

membership of groups”.³ The social matters because it is through the social that life is rendered intelligible. Individuals are not atomistic beings, but rather are (at least) partly formed by the social processes around them.

A concern with autonomy underlies many of the justifications of multiculturalism, although other considerations, such as equality, may well also be part of the justifying rationale. Charles Taylor’s defence of multiculturalism focuses on ontological questions. He argues that, given the pluralism inherent in modern societies, recognition of cultures is crucial. Following a Hegelian understanding of the self, Taylor defends the importance of recognition as a means of reclaiming the individual’s capacity to “listen to this inner voice”, to be oneself. His politics of recognition demand “that we all recognize the equal value of different cultures; that we not only let them survive, but acknowledge their worth”.⁴ Multiculturalism in this sense is a political endeavour that better reflects the ontology of being. Culture matters because autonomy matters – we require access to our cultures as a means of being, of understanding what is going on around us.

Iris Marion Young’s early multiculturalism was based on an ontological belief in the importance of the social in the formation of the self. Although autonomy underlies her account, for Young, multiculturalism was justified on egalitarian grounds. She argued that given that “oppression happens to social groups”, equality requires affirmative action or special rights.⁵ Multiculturalism is necessary because redistribution is not sufficient: recognition of cultures is necessary in order to “foster the inclusion and participation of all groups in public life”.⁶ Young’s work was not overly concerned with the relation between individuals and groups: her aim was to redress inequality in a way that did not solely focus on the material distributive paradigm.

³ Paul Kelly, “Introduction: Between Culture and Equality”, in *Multiculturalism Reconsidered*, ed. Paul Kelly (Cambridge and Oxford: Polity Press, 2002), p. 7. Festenstein makes a similar point in Matthew Festenstein, *Negotiating Diversity* (Cambridge: Polity Press, 2005), p. 8 -13.

⁴ Charles Taylor, “The Politics of Recognition”, in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton, N.J.: Princeton University Press, 1994), p. 64.

⁵ Iris M. Young, *Justice and the Politics of Difference* (Princeton, N.J.: Princeton University Press, 1990).

⁶ Ibid., p. 11. A similar point was made by Anne Phillips in *The Politics of Presence* (Oxford: Clarendon Press, 1995), p. 45.

This viewpoint is echoed in Amy Gutmann's definition of multiculturalism. For Gutmann, multiculturalism is intrinsically linked to notions of equality.

Recognising and treating members of some groups as equals now seems to require public institutions to acknowledge rather than ignore cultural particularities, at least for those people whose self-understanding depends on the vitality of their culture. This requirement of political recognition of cultural particularity – extended to all individuals – is compatible with a form of universalism that counts the culture and cultural context valued by individuals as among their basic interests.⁷

Seen in this light, it seems that (some) theories of multiculturalism seek to challenge the justice of mere equality of opportunity. If egalitarianism is indeed the reduction or elimination of arbitrary forms of inequality (such as gender, race, ethnicity, political allegiance, religion, etc.), it seems that equality of formal rights is not enough to achieve practical equality. The inequalities of outcome that persist in the current system of distributive justice are systematic and, as such, point to the existence of well-established identifiable processes that both feminist and multicultural theories seek to challenge.

Multicultural theorists challenge the homogeneity of the “normal citizen”, pointing out that mere redistribution of resources is not enough to do away with the systematic inequalities that persist in society.⁸ Because of the importance of cultures in allowing choice and developing autonomy, culture cannot remain a private affair. Expecting cultures to be exclusively private forecloses “any engagement with the fundamental question of representation of minorities in the political and cultural institutions of the public arena”.⁹ This in turn matters because, as Will Kymlicka points out, governments are not neutral in terms of culture:

⁷ Amy Gutmann, “Introduction”, in *Multiculturalism: Examining the Politics of Recognition*, by Amy Gutmann and Charles Taylor (Princeton: N.J.: Princeton University Press, 1994), p. 5.

⁸ Nancy Fraser, *Justice Interruptus* (New York: Routledge, 1997).

⁹ Clive Harris, “Beyond Multiculturalism? Difference, Recognition and Social Justice”, *Patterns of Prejudice*, Vol. 35, No.1 (2001), p. 16.

The idea of responding to cultural differences with 'benign neglect' makes no sense. Government decisions on languages, internal boundaries, public holidays, and state symbols unavoidably involve recognising, accommodating and supporting the needs and identities of particular ethnic and national groups. The state unavoidably promotes certain cultural identities, and thereby disadvantages others. Once we recognise this, we need to rethink the justice of minority rights claims.¹⁰

Cultural groups are also in need of recognition, of "calling attention to, if not performatively creating, the putative specificity of some group and then affirming its value".¹¹ The ability to choose is circumscribed by culture. For Avishai Margalit and Joseph Raz, multiculturalism matters because it can enable human flourishing. In this sense,

membership of such groups is of great importance to individual well-being, for it greatly affects one's opportunities, one's ability to engage in the relationships and pursuits marked by the culture. Secondly, it means that the prosperity of the culture is important to the well-being of its members. If the culture is decaying, or if it is persecuted or discriminated against, the options and opportunities open to its members will shrink, become less attractive, and their pursuit less likely to be successful.¹²

The group to which one belongs will severely affect the opportunities one has, the choices one is able to make. As a result, certain cultural communities ought to be protected in an attempt to avoid disadvantaging those whose culture is dissimilar to that of the majority.

Although notions of autonomy permeate multicultural accounts, it was Kymlicka who took it to be the most important element in justifying different multicultural rights. According to Kymlicka, autonomy is central to liberalism.

¹⁰ Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 2003) p. 108.

¹¹ Fraser, *Justice Interruptus*, p. 16.

¹² Avishai Margalit and Joseph Raz, "National Self-Determination", *Journal of Philosophy*, Vol. 87 no. 9 (1990) reprinted in Will Kymlicka (ed.), *The Rights of Minority Cultures* (Oxford: Oxford University Press, 2004), p. 87.

The defining feature of liberalism is that it ascribes certain fundamental freedoms to each individual. In particular, it grants people a very wide freedom of choice in terms of how they lead their lives.¹³

The most important characteristic of liberalism is its commitment to freedom. What matters is the freedom to choose, and which choices are available to us hinge on the surroundings. We are all not only deeply enmeshed in social relations and cultural patterns, we are also partly defined by such relations. Culture is thus central in the formation of liberal autonomy.¹⁴

Kymlicka recognised this when he claimed groups were in need of special recognition. For him, the grounds for recognition are based on the importance of societal cultures for autonomous development. The value of cultural membership rests on its central position in enabling autonomous reflection. It follows that

Liberals should be concerned with the fate of cultural structures, not because they have some moral status of their own, but because it is through having a rich and secure cultural structure that people can become aware, in a vivid way, of the options available to them, and intelligently examine their value.¹⁵

In Kymlicka's view, multiculturalism is necessary for individuals, not for groups. The point is not to protect groups but rather individuals "qua members of cultures".¹⁶ In this sense, multiculturalism is grounded on respect for individuals – another central liberal concern. Lack of recognition can harm the formation and development of autonomy. Self-image, dignity, self-respect and self-identity are

¹³ Kymlicka, *Multicultural Citizenship*, p. 80.

¹⁴ It must however be noted that not all multiculturalists justify multiculturalism through a commitment to autonomy or equality. See Chandran Kukathas, *The Liberal Archipelago* (Oxford: Oxford University Press, 2003) and Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (Cambridge, Massachusetts: Harvard University Press, 2000). However, it remains the case that concerns about autonomy permeate most accounts of multiculturalism.

¹⁵ Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Clarendon Press, 1991), p. 165. It is in chapter 8 of this book that Kymlicka defends cultural rights on the grounds of their importance for autonomous development in the most clear way.

¹⁶ Kymlicka, *Liberalism, Community and Culture*, p. 167.

all crucial elements of autonomy which might be impaired when cultures are devalued or valued to a lesser degree than others.¹⁷

The projection of an inferior or demeaning image on another can actually distort and oppress, to the extent that the image is internalized.¹⁸

Special rights are conceived of as a way of ensuring, and even promoting, the autonomy of individuals within minority groups. Thus understood, multiculturalism is not the singling out of certain groups for special treatment, but rather the creation of circumstances that enable individuals within groups to access more substantial versions of equality.

Multiculturalism is justified through a number of commitments. Concerns about equality figure in a number of these, as does a concern with the formation and development of autonomy. Theorists have prioritised either autonomy or equality, but, given the central place of the social in the formation of liberal selves, and its importance in enabling choice, it seems that autonomy, albeit not always central, underlies many of the accounts.

2. Multiculturalism and Feminism

a. Okin

Although feminism and multiculturalism spring from similar egalitarian concerns, some feminists have challenged whether multiculturalism is indeed the best strategy through which to pursue equality. According to Susan Moller Okin, one of the prominent critics of multicultural theories, multiculturalism can be bad for women since it fails to uphold its commitment to equality by treating cultural

¹⁷ See Lisa Schuster, "Common sense or racism? The treatment of asylum-seekers in Europe", *Patterns of Prejudice*, Vol. 37, No. 3 (2003); Yael Tamir, *Liberal Nationalism* (Princeton: Princeton University Press, 1993); Margalit & Raz, *National Self-Determination*; Taylor, *The Politics of Recognition*.

¹⁸ Taylor, "The Politics of Recognition", p. 36.

groups as monoliths, failing to recognise how these are themselves gendered.¹⁹ By not paying attention to the private sphere, multiculturalism fails to consider the inequalities that permeate what is usually considered the private: the nomos group and the family.²⁰

What thus emerges is what is referred to by Ayelet Shachar as the paradox of multicultural vulnerability. This is the situation whereby “pro-identity group policies aimed at levelling the playing field between minority communities and the wider society unwittingly allow systematic maltreatment of individuals within the accommodated group”.²¹ By allowing multicultural groups jurisdiction over certain group matters, women and other ‘at-risk members’ might find themselves under a more unequal position compared to the situation they would face if they did not belong to the cultural group in question. Okin’s essay was pointing at a very real problem that needs to be addressed.

Okin’s problems with multiculturalism had partly to do with autonomy. Whilst agreeing with Kymlicka’s claims about the importance of autonomy for liberals, she disagreed that being able to access one’s cultural group (whatever it may be) is a requirement for exercising autonomy. According to Okin,

Surely self-respect and self-esteem require more than simple membership in a viable culture. Surely it is not enough for one to be able to ‘question one’s inherited social roles’ and to have the capacity to make choices about the life one wants to lead, that one’s culture be protected. At least as important to the development of self-respect and self-esteem is *our place within our culture*. And at least as pertinent to

¹⁹ Susan M. Okin, *Is Multiculturalism Bad for Women?* (Princeton, N. J. : Princeton University Press, 1999), and “Feminism and Multiculturalism: Some Tensions”, *Ethics*, Vol. 108, No.4 (1998), pp. 661-684.

²⁰ According to Shachar, the term *nomoi* (nomos, singular) groups refers to collectivities that are said to “share a unique history and collective memory, a distinct culture, a set of social norms customs and traditions, or perhaps, an experience of maltreatment by mainstream society or oppression by the state, all of which may give rise to a set of group specific rules or practices”. Ayelet Shachar, *Multicultural Jurisdictions* (Cambridge: Cambridge University Press, 2001), p. 2 footnote 5.

²¹ Shachar, *Multicultural Jurisdictions*, p. 2.

our capacity to question our social roles is *whether our culture instils in us and forces on us particular social roles*.²²

For Okin, autonomy requires certain substantive conditions. Not all cultures will provide the same choices and, according to her, certain cultures, given their inherent patriarchalism, will restrict the very availability of options accessible to women. Where we are in a culture is crucial for our autonomous development. It thus follows that, for her, certain cultures simply do not promote autonomy.

Okin's essay was highly controversial. She claimed that "most cultures have as one of their principal aims the control of women by men" and that some women

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, to be encouraged to alter itself so as to reinforce the equality of women – at least to the degree to which this value is upheld in the majority culture.²³

This was not well received by many. Leti Volpp criticised Okin for her assumption that minority cultures are more patriarchal than western liberal ones.²⁴ According to her

We identify sexual violence in immigrant of color and Third World communities as cultural, while failing to recognise the cultural aspects of sexual violence affecting mainstream white women. This is related to the general failure to look at the behaviour of white persons as cultural, while always ascribing the label of culture to the behaviour of minority groups.²⁵

For Volpp, it is crucial not to take cultures as static or rigid. Cultures are constantly reformed and challenged from within, and might well embody

²² Okin, *Is Multiculturalism Bad for Women?*, p. 22.

²³ *Ibid.*, pp. 13- 23.

²⁴ Leti Volpp, "Feminism versus Multiculturalism", *Columbia Law Review*, Vol. 101, No. 5. (2001).

²⁵ *Ibid.*, p. 1189.

feminist values too. Indeed, the danger of over-emphasising the difference between liberal western cultures and others has also been highlighted by Uma Narayan's *Dislocating Cultures*, where she compares the cases of death caused by domestic violence in the US and dowry murders in India. Although the figures are statistically similar, there is a clear asymmetry in the way they are portrayed. According to Narayan,

Fatal forms of violence against mainstream Western women seem interestingly resistant to (...) 'cultural explanations', leaving Western women seemingly more immune to 'death by culture'. I believe that such asymmetries in 'cultural explanation' result in pictures of Third World women as 'victims of their culture' in ways that are interestingly different from the way in which victimisation of mainstream Western women is understood.²⁶

Indeed, perhaps Okin's characterisation of the problems encountered by multicultural feminists was too caricatural. As Raz commented, "the same social arrangements can have differing social meanings, and therefore differing moral significance, in the context of different cultures. This leads [Okin] to judge other cultures more harshly than her own, for she is instinctively sensitive to the context of her culture (and mine) and is less likely to misread it."²⁷ Non-western cultures are not necessarily and by definition more patriarchal than western ones, and there are clear dangers in thinking this is the case. As Bonnie Honig pointed out, such clear judgements rest on underlying assumptions on what is male violence and what constitutes sex inequality. Given that there is no clear agreed universal definition, Okin was perhaps too reliant on liberal characterisations.²⁸ Bhikhu Parekh went even further, and claimed that Okin was "wrong to claim the authority of the entire liberal tradition".²⁹ There are many kinds of liberalism and how the different values fit in is disputed matter. If Okin's definition of gender

²⁶ Uma Narayan, *Dislocating Cultures: Identities, Traditions and Third World Feminism* (New York: Routledge, 1997), pp. 84-5.

²⁷ Joseph Raz, "How Perfect Should One Be?", in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, N. J.: Princeton University Press, 1999), p. 98.

²⁸ Bonnie Honig, "My Culture Made Me Do It", in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, N. J.: Princeton University Press, 1999), p. 38.

²⁹ Bhikhu Parekh, "A Varied Moral World", in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, N. J.: Princeton University Press, 1999), p. 71.

equality is one that minority cultures ought to respect, there is no reason why consensus should stop at that – issues such as free speech, representation and individualism could all become matters that minority cultures could be expected to conform to.

Another line of criticism befell Okin's initial conclusion that multiculturalism and feminism were incompatible.³⁰ According to Kymlicka, multiculturalism and feminism are related struggles that challenge liberal theories in similar ways, they are "allies engaged in related struggles for a more inclusive conception of justice".³¹ Indeed, both multiculturalism and feminism can be seen to challenge the individualist conceptions of justice that have characterised much political theory. They both emphasise the need for recognition of those who have been discriminated against. As Oonagh Reitman suggests, there may be no need to choose between feminism and multiculturalism – there could be a form of multicultural feminism that respects the concerns of both literatures.³²

b. Subsequent Debates

i. Kukathas

Okin's essay gave way to a plethora of different proposals. Chandran Kukathas agreed that multiculturalism and feminism were in tension but, unlike Okin, argued that it should be multiculturalism that takes precedence.³³ The multiculturalism he proposes is of a different form to that of Kymlicka. Kukathas argues that multiculturalism does not require special rights or protections. The state should have as little involvement as possible, and "groups, or religious or cultural traditions (...) have to survive by their own resources".³⁴ The idea is that

³⁰ Okin maintained the two were incompatible unless (young) women were represented in negotiations about group rights. See Okin, *Is Multiculturalism Bad for Women?*, p. 24.

³¹ Will Kymlicka, "Liberal Complacencies" in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, N. J.: Princeton University Press, 1999), p. 34.

³² Oonagh Reitman, "Multiculturalism and Feminism: Incompatibility, Compatibility or Synonymity?", *Ethnicities*, Vol V, No. 2 (2005).

³³ Chandran Kukathas, "Is Feminism Bad for Multiculturalism?", *Public Affairs Quarterly*, Vol. 15 (2001).

³⁴ *Ibid.*, p. 92.

if individuals disagree with a culture they should be allowed to leave. The right of exit is thus

nothing more or less than the right to repudiate authority. It arises out of what might be called the 'no-right' of any authority to coerce people into becoming or remaining members of a community or association. No authority has the right to prevent anyone from dissociating from the community and seeking to leave it.³⁵

For Kukathas, a good society must allow freedom of association and dissociation. This is in itself the most important freedom since "not all associations found in society value freedom" and, even if they do value freedom, they might not practice it, or might even be indifferent to it.³⁶ So, in order to respect the rights of all, a multicultural society must ensure that all individuals can freely associate or disassociate as they see fit. Ultimately, "what matters is that people not be required to live in or be a part of ways they think wrong, or to participate in practices which (morally) they cannot abide".³⁷ States cannot, nor should they, guarantee the existence of any particular group – the longevity of groups is something that should be kept out of the remit of the state, given that whether or not the group exists is based on the needs of its members. Kukathas acknowledges that his proposed form of multiculturalism might seem "insensitive to power differentials", a key feminist concern. But nonetheless he believes that "it should be addressed by denying any greater authority, such as the state, the power to support or entrench existing power".³⁸ A minimal state is the best way to allow for freedom of conscience.

Kukathas' multiculturalism is based on his belief of the centrality of freedom of conscience. For him, "a good society is one in which agreement is not compelled; for it is recognised that people disagree, and it is accepted that those who cannot be persuaded to think and behave differently should be tolerated or

³⁵ Kukathas, *The Liberal Archipelago*, p. 97.

³⁶ Ibid, p. 93-4.

³⁷ Ibid, p. 95.

³⁸ Kukathas, "Is Feminism Bad for Multiculturalism?", p. 94.

allowed to go their separate ways”.³⁹ A society cannot enforce conformism – what is central is that individuals be able to decide how they want to live, regardless of the normative content of these decisions. For him,

A person’s preferences have no bearing on whether or not he is free.
People generally have different preferences and different preference orderings; and they have preferences about their preferences.⁴⁰

Many objections have been raised to the claim that freedom of exit is a sufficient means of protecting the most at-risk group members. Kukathas accepts that the costs of exit might be high, but nonetheless maintains that “if an individual continues to live in a community and according to ways that (in the judgement of the wider society) treat her unjustly, even though she is free to leave, then our concern about the injustice diminishes”.⁴¹ Indeed, although he maintains that “those who are most likely to exit are not the well-to-do or the powerful but the poor and powerless”, he still thinks that his minimalist freedom of exit is enough to ensure the rights of individuals within cultures.⁴²

Kukathas’ freedom of exit solution has been considered to be an important part of the solution to the paradox of multicultural vulnerability, but is considered by many to be insufficient. Four key problems can be identified. First is the under-theorisation of choice. Despite Kukathas’ belief that not all cultures value freedom, and that a multicultural theory must be able to accommodate associations without enforcing this value on them, freedom of exit seems to depend on the assumption that people *can choose* to leave or to remain. Is choice related to autonomy? According to Kukathas it is not. It seems that choices themselves are of intrinsic value and something that all human beings will value regardless of the normative commitments of their cultures. However, it remains unclear why choice and autonomy are unrelated, or why choice is of such value if autonomy is a culturally-specific practice. Choice plays a central role in his

³⁹ Ibid, p. 101.

⁴⁰ Ibid, p. 109.

⁴¹ Chandran Kukathas, “Are there any cultural rights”, *Political Theory*, Vol. 20, No. 1, (2002), p. 133. For a similar comment see Kukathas, *The Liberal Archipelago*, p. 107.

⁴² Kukathas, *The Liberal Archipelago*, p. 108.

freedom of exit but both the actual practice of choosing and its significance remain under-theorised.

Kukathas' reliance on choice brings up a second consideration central to the study of minorities within minorities: what are the effects of oppressive socialisation or learned or adaptive preferences? As Brian Barry pointed out, freedom of exit, albeit crucial, is of more use when agents are fully aware of alternative possibilities, and are able to successfully choose them. Merely having choices might not be sufficient since "you may not be aware (or not clearly enough aware) of the alternatives, or you may be too inured to ill-treatment to recognise it, or you may be held back from leaving by a sense of duty".⁴³ The very realisation of what choices there are and an individual's knowledge of these can be seen to be dependent on the social structures and norms around her. Are all choices of equal value? Must there not be some consideration of the *ways* in which people make choices that make them truly their own? Freedom of exit, although a vital necessity of any multicultural theory, is insufficient in order to limit the potential negative consequences of multicultural rights.

Thirdly, as Okin argues, exit is often less available to women. This means that they are significantly less able to steward the process of the group (as Kukathas claims should be the case).⁴⁴ Okin's position is grounded on her earlier work on the difference between the public and the private. According to her,

to the extent that a more private, domestic sphere does exist, its very existence, the limits that define it, and the types of behaviour that are acceptable and not acceptable within it all result from political decisions.⁴⁵

Kukathas' conceptualisation springs from his preference for a minimal state. The public is the concern of the state, the private is not: it is up to individuals to decide what is it they want to do with their private lives. It is crucial to note here

⁴³ Brian Barry, *Culture and Equality* (Cambridge: Polity Press, 2003), p. 149.

⁴⁴ Susan M. Okin, "Mistresses of Their Own Destiny: Group Rights, Gender, and Realistic Rights of Exit", *Ethics*, Vol. 112 (2002), pp. 206-7.

⁴⁵ Susan M. Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989), p. 129.

that Kukathas' view of the private sphere is quite broad, reflecting his quasi-anarchist position regarding how much power the state ought to have. Okin's comments on the public and the private were based on the consideration of the family as private and the rest as public. Kukathas also considers the family a private matter, but, in addition, culture is also to be part of the private sphere of non-intervention. Yet, as Shachar mentions echoing Okin, "this binary opposition leads us astray, however, not only because it ignores the web of relations between the inside and the outside [public and private], as well as the fragility of these categorisations, but also because it obscures the fact that what constitutes a 'private affair' is in itself defined by the state's regime of law".⁴⁶

A final point can be made in relation to Kukathas' multiculturalism. According to Shachar, he is overly reliant on assumptions about the internal homogeneity of groups. It seems that Kukathas values the fact that cultural identities might be very important for individuals. However, the structure and form of these identifications is left somewhat under-theorised.

Kukathas, like Okin, must downplay the fact that minority group members possess multiple affiliations – to their minority groups, genders, religions, families, states and so on. These different facets of individual identity may overlap and crisscross in complex ways. None can be said to have absolute priority over all others at all times. Yet Kukathas consistently prefers to ignore this potentially fluid intersection of affiliations, reducing this richness of personal identity into a single opposition instead: minority group member vs. citizen.⁴⁷

Although Shachar overemphasises how much internal unity Kukathas gives to groups, her observation still holds. If indeed freedom of exit is to be of importance, there must be some recognition of the plurality of identities of individuals, and what kind of challenges these might pose. The assumption that exit is the best way of protecting individuals against practices they might disagree with seems somewhat reliant on the idea of culture as a whole, instead of analysing whether there are specific practices an agent might object to, and

⁴⁶ Shachar, *Multicultural Jurisdictions*, p. 41.

⁴⁷ Ibid., p. 70.

others she feels strongly committed to. Cultural identifications are not static, nor are they necessarily over-arching. An agent might agree with one practice but disagree with another. Exiting a particular cultural community in order to avoid the practice she disagrees with means that the agent will lose out on other practices, commitments and relations that she might otherwise value.

Whilst this freedom of exit is a necessary part of any multicultural theory, there is a need to go further than merely ensuring individuals can leave their cultures. We must conceptualise the role of choice in a deeper way, taking into account the impact of socialisation and problem of adaptive preferences. What does it mean to say that individuals ought to be free to choose their cultural attachments? And how can we theorise in a way that does not assume cultures as bound and homogeneous, but takes seriously the plurality that characterises individuals' positions towards "their" cultural groups?

ii. Shachar

Shachar's transformative accommodation is a feminist response to the paradox of multicultural vulnerability that springs from her notion of cultural identifications as multiple, overlapping and conflicting. Like Kukathas, Shachar agrees with Okin that feminism and multiculturalism are in tension. However, for her, the key to solving the paradox is in allowing for plural attachments to have different areas of jurisdiction:

So long as women's citizenship guarantees remain firmly in place, there are circumstances under which a degree of regulated interaction between secular and religious sources of law and identity may contribute to (rather than inhibit) the improvement of women's equality and dignity under both systems, affording them an opportunity to express their commitment to both.⁴⁸

⁴⁸ Ayelet Shachar, "What We Owe Women: The View from Multicultural Feminism", in *Toward a Humanist Justice: The Political Philosophy of Susan Moller Okin*, eds. Debra Satz and Rob Reich (Oxford: Oxford University Press, 2009), p. 143.

For her, it is central that multicultural policies be sensitive to the plural attachments agents hold. This means thinking of jurisdiction in terms of different “sub-matters” which are “multiple, separable, yet complementary legal components”. Agents

...must have clear options which allow them to choose between the jurisdiction of the state and the nomoi group. Choice here means that they can remain within the sub-matter jurisdiction of the original power-holder (approval) or that they can resist that jurisdictional authority at predefined ‘reversal’ points (disapproval). ... As a last resort they can discipline the relevant power-holder by ‘opting out’ of a jurisdiction if the jurisdiction power-holders fail to effectively respond to constituent needs.⁴⁹

Effectively what this means is that individuals decide themselves under which jurisdiction (or even cultural system) they want to operate. By dividing along sub-matters, agents can differentiate in practical ways between different practices that they might or might not agree to. Both the cultural group and the state retain authority – only this authority is now “responsive to all its constituents”.⁵⁰ This will in turn, according to Shachar, “allow cultural differences to flourish, while creating a catalyst for internal change”.⁵¹

Shachar’s proposal seems more appealing from the perspective of minorities within minorities aiming to be sensitive to plural identifications. However, it still suffers from a number of drawbacks. As Anne Phillips notes, the proposal could potentially work for countries that already have systems of joint governance, but it would be more difficult, or there would be strong resistance to implementing this in countries that do not, such as most European liberal states.⁵² Reitman goes even further, claiming that the difficulties of the exit option remain even if there are systems of joint governance operating. Shachar’s partial exit would perhaps enable more choice in terms of the different aspects that constitute cultural lives,

⁴⁹ Ibid, p. 122.

⁵⁰ Ibid, p. 117.

⁵¹ Ibid, p. 118.

⁵² Anne Phillips, *Multiculturalism without Culture* (Princeton: New Jersey: Princeton University Press, 2007), p. 152-3.

but those who do decide to “opt out” in particular instances, such as women who obtain a divorce in Israel, “may well suffer negative consequences, in terms of social ostracism and communal reprimand, for deigning to flout the authority of the religious legal system”.⁵³

As well as the practical difficulties involved in instituting a joint governance approach in countries that do not have it, there are also other problems. Firstly, there would be an increase in group membership regulation: individuals would have to enter and/or exit groups in order to be allowed to be under their jurisdiction. The question of ‘who is allowed to be a member’ could conceivably pose problems. Secondly, as Clare Chambers notes, it is not clear which group individuals with a variety of identifications should be affiliated to:

should a Jew by descent who is a believer in Islam be governed by Jewish or Muslim law? What (...) happens to those individuals (atheists, libertarians, comprehensive liberals?) who wish to be bound to no group? Should a Jewish atheist be governed by Jewish jurisdiction, or may she remove herself to the monopolistic rule of the state?⁵⁴

A third point has to do with the practicality of the exit option. Reitman maintains that these systems of joint governance would make exit in European liberal states more difficult than it currently is:

Groups would acquire compulsory and automatic jurisdiction over status determination. For these women, exit becomes a much more formal procedure since they would have compulsorily to submit to the minority’s regulation and then formally to exit from it after a given period of time.⁵⁵

⁵³ Oonagh Reitman, “On Exit” in *Minorities within Minorities: Equality, Rights and Diversity*, eds. Avigail Eisenberg and Jeff Spinner-Halev (Cambridge: Cambridge University Press, 2005), p. 202.

⁵⁴ Clare Chambers, *Sex, Culture and Justice: The Limits of Choice* (Pennsylvania: Pennsylvania University Press, 2008), p. 152.

⁵⁵ Reitman, “On Exit”, p. 203.

Assimilation would become a highly regulated activity that entails effort on the individual's behalf (not to mention state resources). Given the nature of the process of assimilation it seems rather demanding to expect individuals to submit formal appeals to 'leave' one's religion, and a possible consequence might be a disparity between the numbers of those formally assimilating and those who do not submit the formal appeals but are nonetheless assimilating.

What is most striking about Shachar's account is that despite her commitment to the fluidity and multiplicity of culture, her language about individuals remains firmly within the rational actor tradition. As Phillips notes, both Kukathas and Shachar "depict the individual in abstractly ahistorical terms".⁵⁶ Indeed, Shachar's idea about individuals choosing which jurisdiction they prefer on certain issues and assessing the costs and benefits of different options is reliant on an implicit view of rationally autonomous individuals. She does not seem to link choice and autonomy – her book contains no discussion of how these (omnipresent) choices are made; or of what happens when two choices, originating from different identifications, conflict.

It seems Shachar does not take the implications of her own argument seriously enough. Her critique of Okin rests on the unfairness of requiring women to choose between their culture and their rights. From that critique one would assume that she does indeed understand the difficulties of wrenching oneself from one's culture, and hence the complexities of choice. However, her conceptualisation of choice remains under-theorised, in so far as there is no discussion of how choices are made or why they should matter. Shachar seems to understand the complexity of belonging and identification, but this does not seem to translate into the complexity of making choices about those identities. Interestingly, one of her "limiting principles" is what she calls the "clearly delineated choice options".⁵⁷ According to this proviso it is important that agents have "clear options which allow them to choose between the jurisdiction of the state and the nomoi group".⁵⁸ The choices available are limited and regulated: the

⁵⁶ Phillips, *Multiculturalism without Culture*, p. 153.

⁵⁷ Shachar, *Multicultural Jurisdictions*, p. 122-6.

⁵⁸ Ibid, p. 122.

individual can choose to belong to the jurisdiction of the nomoi group *or* the jurisdiction of the state. However, this seems to obscure the complexity of identification, assuming an almost linear route in the decision-making procedure.

In this thesis I agree with Shachar's view that we must avoid a strict dichotomy between cultural groups and citizenship, and with her insights into the plural identifications that agents hold. However, the crux of my argument is to analyse some of the conceptual matters that underpin Shachar's proposals. What kind of autonomy are we talking about? Are all instances of decision-making autonomous? What are the effects of holding a variety of identifications on a conception of autonomy? And is it possible that a non-decision, i.e. ambivalence, be an instance of autonomy?

iii. Chambers

Whereas Shachar's view of choice remains close to the rational actor tradition, Clare Chambers argues that the effects of socialisation must be taken seriously given the constraints these can put on our preferences. Choosing which jurisdiction to follow is not an adequate solution to the paradox of multicultural vulnerability. For Chambers, Shachar's proposed solution is problematic because it allows for practices that are simply not egalitarian. For Chambers

An unequal state of affairs cannot be justified simply by the observation that it came about as the result of the choices of those who are the least well off. ... Liberals should be concerned about cases where the disadvantage and influence factors are present because they illustrate the limitations of individuals' ability to escape contexts that limit, rather than enhance, their choices.⁵⁹

Liberals ought not to tolerate certain practices because it cannot be claimed that they are autonomously chosen. Free choices are not truly free in the relevant

⁵⁹ Chambers, *Sex, Culture and Justice: The Limits of Choice*, p. 156-7.

ways because of the effects of social construction. According to Chambers, social construction affects autonomy in two ways:

The ways in which individuals and their preferences are formed by social forces and the fact that individuals' options are constrained by social norms – some of which are harmful or epitomise inequality.⁶⁰

Harmful norms need to be identified. Then it must be established whether there are good reasons for agents to follow these harmful norms – for example, in terms of future benefits received. If these benefits are dependent on a social norm, the state ought then to establish whether this social norm is unequal. If indeed it is, then the state ought to intervene since

the only way for most individuals to escape a social norm that is a requirement for achieving social status (...) is in a context of (near) universal noncompliance so that the norm ceases to function. Otherwise, there will always be an incentive for an individual to follow the norm and thus increase her status.⁶¹

Through an analysis of Martha Nussbaum's critique of the practice of female genital cutting (FGC),⁶² Chambers argues that breast implants can also be seen as a product of unequal social construction; if so, she argues, then both practices should be banned. Chambers admits that her solution to the paradox of multicultural vulnerability might be considered by some to be paternalistic, but nonetheless believes that it is the sort of paternalism that is compatible with a liberalism sensitive to social construction.⁶³ Following Joel Feinberg, she claims that paternalism

is always a good and relevant (though not necessarily decisive) reason in support of a criminal prohibition that it will prevent harm (physical, psychological or economic) to the actor himself.⁶⁴

⁶⁰ Ibid, p. 159.

⁶¹ Ibid, p. 194.

⁶² Martha Nussbaum, *Sex and Social Justice* (Oxford: Oxford University Press, 1999).

⁶³ Chambers, *Sex, Culture and Justice: The Limits of Choice*, pp. 202-221.

⁶⁴ Joel Feinberg quoted in Chambers, *Sex, Culture and Justice: The Limits of Choice*, p. 209.

Chambers' paternalism combines the harm element with the idea of social construction. For her, "self-harming practices are unjust if they are performed only in response to a social norm, since in such cases society is both culpable for and able to remedy the harm caused".⁶⁵ The state has a responsibility to ensure that harmful social norms are not available to be chosen.

Chambers' approach prioritises equality over autonomy concerns. She does not explicitly challenge that idea that autonomy ought to be the driving consideration because what appears to be an autonomous decision might not be so when analysed through the lens of unequal social construction. For her,

concerns about equality, coupled with the theory of social construction, must lead to a modification of the liberal prioritization of choice and of some liberal accounts of autonomy.⁶⁶

Autonomy ought not to be in tension with equality, but if it is, equality should be prioritised in order to have a truly liberal solution to the paradox of multicultural vulnerability. Autonomy matters, but ought not to be the sole concern. Chamber's conception of autonomy is left considerably open. Autonomy has been thought to be divided into two kinds: procedural autonomy refers to content-neutral forms of autonomy, whereas substantive refers to forms of autonomy that prioritise particular values. Chambers is committed to procedural autonomy, but a procedural autonomy that is substantive in so far as she believes that equality should be a key characteristic of autonomous decision making. This thesis argues that the relation between substantive and procedural autonomy needs to be unpacked in order to be clear about the kinds of autonomy we are dealing with. To what extent do choices need to be substantive in order to render the decision an autonomous one? How can a conceptualisation of autonomy be sensitive to socialisation without being too rigid?

⁶⁵ Chambers, *Sex, Culture and Justice: The Limits of Choice*, p. 211.

⁶⁶ Ibid, p. 229.

A second issue with Chambers' solution to the issues posed by the paradox of multicultural vulnerability is her inflexibility in terms of the kinds of multiculturalism she would allow. Despite her nuanced work on social construction, Chambers ignores the different meanings a single practice may have.

As I argue in section 3 of this chapter, taking socialisation seriously requires awareness of the various meanings practices might have. The same tradition or custom can represent a variety of norms. These norms can only be understood with reference to the context in which they are exercised. It becomes apparent that Chambers is perhaps too quick to assign particular meanings to practices, without sufficient consideration of the ways in which they might be seen and understood by those who choose them.

Ultimately, Chambers' idea that symbols of inequality ought to be banned so that they no longer constitute a choice seems overly rigid, especially given her earlier preoccupation with the role of social structures in forming both the way agents choose and their actual choices. Her account of social construction will be further discussed in chapter II, when her solutions to the paradox of multicultural vulnerability will be seen to be insufficient in dealing with the consequences of oppressive forms of socialisation.

iv. Saharso

Like Chambers, Sawitri Saharso also agrees that equality and autonomy can conflict when attempting to find a solution to the paradox. Saharso's solution, however, focuses on using contextual understanding on a case by case basis in order to decide whether or not to tolerate practices. For her, "good feminism may well require acts of multiculturalism", leading her to espouse a broader form of multiculturalism than Chambers allows.⁶⁷

⁶⁷ Sawitri Saharso, "Feminist Ethics, Autonomy and the Politics of Multiculturalism", *Feminist Theory*, Vol. 4, No. 2 (2003), p. 201.

Saharso has criticised what she calls the “deductive approach to tolerance” as too rigid.⁶⁸ The deductive approach to tolerance operates by establishing abstract toleration principles and then analysing “whether or not a particular practice is consistent with them”.⁶⁹ It is reminiscent of Chambers’ focus on equality as the appropriate consideration when thinking about whether to tolerate a practice or not. In *Sex, Culture and Social Justice* Chambers argues against breast implants and female genital mutilation, and, in her response to Saharso, claims that sex-selective abortions also fall short of respecting women’s equal status and, as such, should not be tolerated.⁷⁰

Saharso claims that an approach that is not solely based on abstract principles is a better way of finding solutions. The contextual approach to tolerance focuses on analysing on an individual basis in an attempt to gain “situational understanding” of the problems faced and to include the perspectives of all the parties involved. Saharso’s work recognises that practices can be grounded in a variety of different social norms, making contextual analysis crucial so as to ensure that the pertinent norms are considered. If there is a decision to be made that involves prioritising one principle (equality, autonomy or tolerance, for example) over another, it ought to be made following a utilitarian calculus.⁷¹

Equality cannot trump autonomy a priori. According to Saharso, it is crucial to respect women’s own perspectives on their preferred choices and identifications. She argues for a relational understanding of autonomy, criticising the assumption that choices are either autonomously chosen or imposed (and therefore not autonomous). For Saharso it is crucial to look at the reasons why women continue to choose inegalitarian or patriarchal options, remaining open about the ways women “negotiate oppressive social conditions”.⁷² For her, “if women do

⁶⁸ Sawitri Saharso and Odile Verhaar, “Headscarves in the Policeforce and the Court: Does Context Matter?”, *Acta Politica*, Vol. 41, No. 1. (2006).

⁶⁹ Ibid, p. 68.

⁷⁰ Clare Chambers, “Autonomy and Equality in Cultural Perspective: Response to Sawitri Saharso”, *Feminist Theory*, Vol. 5, No. 3 (2004).

⁷¹ Saharso and Verhaar, “Headscarves in the Policeforce and the Court”, p. 77.

⁷² Saharso, “Feminist Ethics, Autonomy and the Politics of Multiculturalism”, p. 201.

not want to break with tradition it is inadequate to perceive this as a 'forced choice' made by 'brainwashed' victims of culture".⁷³

Although for Saharso context is crucial, not all practices are to be tolerated. Respect for women means taking their choices seriously, without creating caricatures of minorities: "The challenge is to be critical, yet not to add to the further demonization of minority groups."⁷⁴ When thinking about autonomy we must consider the difference between

the right to autonomy and the capacity for autonomy when judging multicultural issues. While the first refers to the right to act autonomously in the outside world, the second refers to the psychological abilities that autonomy requires.⁷⁵

Women might exercise autonomy even when their right to it is not upheld. They might choose to pursue practices and identifications that are sanctioned by law under the assumption that these customs must necessarily be forced upon them. However, as has been argued, respecting women's own views on the meaning of different practices is a crucial necessity in a feminist multicultural framework.

Despite Saharso's recognition of the importance of respecting people's own perspectives, and her mention that "some cultural contexts are more conducive to the mental capacity for autonomy than others",⁷⁶ she does not elaborate on what kind of autonomy is necessary in the evaluation of permissible practices. Her work focuses on the analysis of particular policy initiatives in the Netherlands, applying the aforementioned contextual approach instead of a deductive approach over-reliant on formal abstract principles.⁷⁷ In this thesis I share Saharso's commitment to respecting women's own self-understanding, and her

⁷³ Ibid, p. 210.

⁷⁴ Sawitri Saharso, "Sex Selective Abortion: Gender, Culture and Dutch Public Policy", *Ethnicities*, Vol. 5, No. 2 (2005), p. 249.

⁷⁵ Saharso, "Feminist Ethics, Autonomy and the Politics of Multiculturalism", p. 210.

⁷⁶ Ibid.

⁷⁷ See Saharso, and Verhaar, "Headscarves in the Policeforce and the Court: Does Context Matter?"; Sawitri Saharso and Baukje Prins, "In the Spotlight: A Blessing and a Curse for Immigrant Women in the Netherlands", *Ethnicities*, Vol. 8, No. 3 (2008); Sawitri Saharso, and Doutje Lettinga, "Contentious Citizenship: Policies and Debates on the Veil in the Netherlands", *International Studies in Gender, State and Society*, Vol. 15, No. 4 (2008).

view that policy initiatives should be grounded in a contextual manner. However, further elaboration on autonomy is required – it is necessary to understand autonomy in a contextual way given that it too can be considered an abstract principle. What kinds of autonomy are we talking about? Do all instances of decision-making count as autonomous decisions? How much abstraction is required in a conception of autonomy? Is it possible to think of autonomy in the contextual manner that Saharso advocates?

3. Autonomy and Contextual Understanding

Chambers and Saharso embody different approaches to the paradox of multicultural vulnerability. Chambers' account draws attention to the (sometimes unequal) norms that justify practices, emphasising the effects of oppressive socialisation on autonomous choice. Saharso stresses the importance of respecting women's autonomy given the plurality of understandings that contextual interpretation involves. Both theorists highlight the importance of the social in bestowing meanings on choices and attachments, but whereas Chambers seems to limit the range of possible meanings, Saharso emphasises the importance of considering context. It is useful at this stage to consider various examples in order to see the role that contextuality plays in interpreting autonomy. This is particularly important, given that autonomy is often taken to be a key factor in deciding the permissibility of multicultural practices.

A paradigmatic case of the equality vs. autonomy question has been that of permissibility of the veil in liberal European societies.⁷⁸ After the 2003

⁷⁸ This debate has taken place at both theoretical levels and policy levels. For theory discussions on the permissibility of the veil see (for example) Anna E. Galeotti, "Citizenship and Equality: the Place for Toleration", *Political Theory*, Vol. 21, No.4 (1993); "A Problem with Theory: A Rejoinder to Moruzzi", *Political Theory*, Vol. 22, No. 4 (1994); Norma C. Moruzzi, "A Problem with Headscarves: Contemporary Complexities of Political and Social Identity", *Political Theory*, Vol. 22, No. 4 (1994a); "A Response to Galeotti", *Political Theory*, Vol. 22, No. 4 (1994b). See also Cecile Laborde, "Female Autonomy, Education and the Hijab", *Critical Review of International Social and Political Philosophy*, Vol. 9, No. 3 (2006); "Secular Philosophy and Muslim Headscarves", *Journal of Political Philosophy*, Vol. 13, No. 3 (2005). In terms of policy there has been debate in Britain, France, Germany, Denmark, Belgium, Italy, Norway, the Netherlands and, recently, Spain. In France, veils are banned in public institutions: one may not attend or work in a public institution whilst wearing a veil.

publication of the Stasi report in France there was considerable debate over whether women were under undue pressure to wear the veil, thus showing conformity to patriarchal social norms.⁷⁹ According to the Stasi report, the banning of the veil was justified because it represented a sexist resurgence that called into question the liberty of the girls forced to wear it:

Les jeunes filles se retrouvent d'une résurgence du sexisme qui se traduit par diverses pressions et par des violences verbales, psychologiques ou physiques. Des jeunes gens leur imposent de porter des tenues de porter des tenues couvrantes et asexuées, de baisser le regard à la vue d'un homme ; à défaut de s'y conformer, elles sont stigmatisées comme «putes». (...) Des droits élémentaires des femmes sont aujourd'hui quotidiennement bafoués dans notre pays. Une telle situation est inacceptable.⁸⁰

The veil is seen as an embodiment of gendered norms that subject women and is widely seen as a means of controlling female sexuality.⁸¹ Fatima Mernissi, a Moroccan feminist, summarises this reading of the purposes of the veil:

The woman is a dangerous distraction which must be used for the specific purpose of providing the Muslim nation with offspring and quenching the tensions of the sexual instinct. But the woman should not, in any way, be an object of emotional investment or the focus of attention, which should be devoted to Allah alone in the form of knowledge seeking, meditation and prayer.⁸²

⁷⁹ The Stasi Report was commissioned by President Jacques Chirac in order to investigate how the principle of *laïcité* should apply in practice. The report focused primarily on the veil and its permissibility in French public schools. The findings of the Stasi Commission were enshrined in law in what is known as law 2004-228 of 15 March 2004, which came into practice on the 2nd of September 2004.

⁸⁰ Bernard Stasi, *Laïcité et République. Rapport de la Commission de Réflexion sur l'application du Principe de laïcité dans la république* (Paris : La Documentation Française, 2003), p. 46-7.

⁸¹ It must be noted that the French ban was not justified exclusively by reference to the patriarchal symbolism of the hijab. Concerns about *laïcité* and *fraternité* also figured prominently. See Cecile Laborde, *Critical Republicanism: The Hijab Controversy and Political Philosophy* (Oxford: Oxford University Press, 2008) for an excellent, if critical, discussion of the republican justifications for the ban on the veil.

⁸² Fatima Mernissi, *Beyond the Veil: Male-Female Dynamics in a Modern Muslim Society* (London: Al Saqi, 1985), p.14.

In such accounts, the veil is conceived as part of a series of institutions or practices that seek to control women and sexuality. The veil separates women from the outside world; it creates a barrier that works to exclude women from civil and public life. This exclusion can be said to work in two ways. Firstly, it excludes women from public life following the norms of da'wa or piety. It

can be interpreted as a symbol revealing a collective fantasy of the Muslim community; to make women disappear, to eliminate them from communal life, to relegate them to an easily controllable terrain, the home, to prevent them moving about, and to highlight their illegal position on male territory by means of a mask.⁸³

But it also excludes women, marking them as Muslim, and therefore part of a minority. As Joan Scott argues

the veil denotes both a religious group and a much larger population, a whole 'culture' at odds with French norms and values. The symbolism of the veil reduces differences of ethnicity, geographic origin, and religion to a singular entity, a 'culture', that stands in opposition to another singular entity, republican France.⁸⁴

There can be no denying that the veil can indeed be a symbol of unequal gendered expectations: a marker of oppression and patriarchy.⁸⁵ Women might choose to wear the veil, but their reasons might not be egalitarian ones; they may not have "taken part in constructing the framework within which decisions about dress take place, but rather are forced to respond in conflicting directions to frameworks constructed by men".⁸⁶

It is important, however, not to essentialise the position of women in Islam or the role of the veil in sustaining inequalities. For Mernissi, for example, the

⁸³ Fatima Mernissi, "Virginity and Patriarchy" in *Women and Islam*, ed. Aziza al-Hibri, (New York, Pergamon Press, 1982), p. 189.

⁸⁴ Joan Scott, *The Politics of the Veil* (Princeton and Oxford: Princeton University Press, 2007), p. 17.

⁸⁵ Laborde, "Female Autonomy, Education and the Hijab", p. 355.

⁸⁶ Nancy Hirschmann, "Western Feminism, Eastern Veiling and the Question of Free Agency", *Constellations*, Vol. 5. No. 3 (1998), p. 351.

disadvantages faced are “less Qu’ranic prescriptions and Islamic gendered institutions and more social and economic factors that privilege men over women and define the low status of women”.⁸⁷ In this view, the practice is an embodiment of inequality, but not reducible to inequality alone. Veiling is better understood as the consequence rather than the source of inequality. It can be

both a marker of autonomy, individuality, and identity, and a marker of inequality and sexist oppression. (...) The veil itself is not so much a cause of women’s lack of freedom and control over their lives as it is a marker of it.⁸⁸

The veil is not exclusively Islamic, nor is it necessarily only a religious symbol. Although many take it as a statement portraying the wearer’s Muslim identity, some studies argue that as a practice it emerged out of eastern and Semitic cultures, and that it has similarities with other Mediterranean or Semitic practices. Catholic women in the Mediterranean veil on entering a church, and orthodox Jewish women shave their heads upon marriage, subsequently to wear a wig in public, for instance.⁸⁹

Fadwa El Guindi shows, through her four-way topography of the different historical meanings of the veil, the changes that are geographically and historically located. Her research shows that the notion of veiling is not unknown outside Islam, and that it can reflect a variety of different meanings across political, historical, religious and class signifiers. Thus, in ancient Sumeria, the veil was a sign of gender complementarity. This has been carried on to today’s Bahrain, whereby the keys to the household, a sign of control and autonomy, are attached to women’s veils or braids. In Persia, the veil was a symbol of class exclusivity. It was only upper class women who were veiled – if lower classes or

⁸⁷ Haideh Moghissi, “Introduction”, in *Women and Islam: Critical Concepts in Sociology, Volume I*, ed. Haideh Moghissi (London: Routledge, 2005), p. 8.

⁸⁸ Nancy Hirschmann, “Western Feminism, Eastern Veiling and the Question of Free Agency”, pp. 352-3.

⁸⁹ See Marie Aimée Hélie-Lucas, “The Preferential Symbol for Islamic Identity: Women in Muslim Personal Laws”, in *Feminist Theory Reader: Local and Global Perspectives*, ed. Carole McCann and Seung-Kyung Kim (New York: Routledge, 2002); Azizah Al-Hibri “A study of Islamic Herstory: or how did we ever get into this mess?”, in *Women and Islam*, ed. Aziza al-Hibri, (New York: Pergamon Press, 1982).

slaves veiled, it was considered a criminal offence.⁹⁰ Hellenic society, as represented by Leila Ahmed, veiled as an embodiment of gender asymmetry, whereby women were admired for their silence as a symbol representing their submissiveness. Byzantines veiled out of pious Christian beliefs, which held women as the probable sources of sin.⁹¹

Even if we do take the veil to be a reflection of a woman's Muslim identity, it cannot be considered that alone. Similarly, it cannot be exclusively considered a symbol of patriarchy. Understanding the contextual significance of the veil means not seeing it as a static signifier. As Ruth Rubinstein points out, dressing has the following (if not more) purposes: to separate group members from non-members; to place the individual in the social organisation; to place the individual in a gender category; to indicate desired social conduct; to indicate high status and rank; to control sexual activity; to enhance role performance; to give the individual a sense of activity and/or to indicate political position.⁹²

Veiling encompasses all the above. Apart from clearly differentiating women in terms of religious belief, it is also a symbol of familiarity and position within kinship bonds. Women may change the position of their veil in order to indicate their different relationships with other agents surrounding them.⁹³

The hijab, the material it is made from, its colour and patterns are all locally contingent. Thus, the headscarf is often used as a common signifier of belonging to different tribes or villages. For instance, Palestinians have over twenty different veils, all made from different materials and worn differently according to the area the woman comes from.⁹⁴ By seeing a particular embodiment, an observing agent will be able to locate the nomos group, and/or village to which the agent wearer belongs.

⁹⁰ Fadwa El Guindi, "The Veil Becomes a Movement" in *Women and Islam: Critical Concepts in Sociology Volume II*, ed. Haideh Moghissi, (London: Routledge, 2005).

⁹¹ Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven: Yale University Press, 1992).

⁹² Ruth Rubinstein, *Society's Child: Identity, Clothing and Style* (Boulder, Colorado: Westview Press, 2000).

⁹³ Fadwa El Guindi, *Veil: Modesty, Privacy and Resistance* (Oxford: Berg, 1999), p. 86.

⁹⁴ Shelag Weir, *Palestinian Costume* (London: British Museum Publications, 1989).

The hijab has also been said to be a matter of class: veiling as a sign that the woman did not need to engage in manual labour, thus indicating the family's socio-economic status.⁹⁵ Different veils were worn by women in different socio-economic strata, with some being considered as a symbol of (economic) success, and thus desirable.

Veiling has also emerged as a clear political statement. In the aftermath of colonialism, in Algeria and Egypt, women who did not previously cover donned the hijab in order to show "that one was against colonialism or against the Western sympathetic elite regime and all that it stood for".⁹⁶ Similarly, the hijab has also been seen to be a symbol of "political protest against elite Westernisation programmes and Western neo-imperialism [assuming] less dramatic forms than revolutionary coups".⁹⁷ The particular form of the new dress could also signify the possibility of regarding Islam as an alternative system of government.

It emerges that the veil can represent a variety of social norms and, importantly for my argument, could represent a number of different ones simultaneously. It can be seen as a symbol of patriarchy, and it is undoubtedly true that some women are under undue pressure to wear it. According to Cecile Laborde, laïcites tended to

insist that even in the more common cases when older adolescents voluntarily decide to wear headscarves on religious grounds, and are not subjected to obvious coercion or threats by either their parents or religious leaders, doubts must be cast about the authenticity and validity of their choice.⁹⁸

The autonomy of those who wore the veil was cast into doubt. However, despite the symbolism of the veil as a symbol of patriarchy, contextual understanding

⁹⁵ Lois Beck and Nikki R. Keddie, eds, *Women in the Muslim World* (Cambridge: Mass: Harvard University Press, 1978).

⁹⁶ Katherine Bullock, *Rethinking Muslim Women and the Veil: Challenging Historical and Modern Stereotypes* (London: International Institute of Islamic Thought, 2002), p. 88.

⁹⁷ Ibid, p. 91.

⁹⁸ Laborde, *Critical Republicanism*, p. 119.

shows it can also represent a variety of other norms such as religion, place of origin or political allegiance. Can contextuality help shed light on what autonomy means and how it might be reflected in practice?

The case of the veil in France was just one example where the autonomy of the individuals who chose to wear it was called into question. There have been several other examples in multicultural Europe that reflect the same phenomenon. One such example is evidence from court cases where cultural defence has been used.⁹⁹ According to Paul Magnarella,

A cultural defense maintains that persons socialized into a minority or foreign culture, who regularly conduct themselves in accordance with their own culture's norms, should not be held fully accountable for conduct that violates official law, if that conduct conforms to the prescriptions of their own culture.¹⁰⁰

According to Volpp, cultural defence is useful because it provides a way of countering the belief that the law has no culture.¹⁰¹ If law is intended to be universal, it seems logical that factors that help explain behaviour in different contexts be taken into account. However, as Phillips argues, the use of cultural defence can have unintended consequences. One such is the assumption that culture affects people differently: people from minority cultural groups are taken to be more affected by cultural norms than members of the majority.

⁹⁹ See Moira Dustin and Anne Phillips, "Whose Agenda Is It? Abuses of Women and Abuses of 'Culture' in Britain", *Ethnicities*, Vol. 8, No. 3 (2008); Alison Renteln, "A Justification of the Cultural Defense as a Partial Excuse", *California Review of Law and Women's Studies*, Vol. 2 (1993); Dorianne L. Coleman, "Individualising Justice Through Multiculturalism: The Liberal's Dilemma", *Columbia Law Review*, Vol. 95 (1996); Julia P. Sams, "The Availability of the 'Cultural Defense' as an Excuse for Criminal Behaviour", *Georgia Journal of International and Comparative Law*, Vol. 16, (1986); Jeroen Van Broeck, "Cultural Defence and Culturally Motivated Crimes (Cultural Offences)", *European Journal of Law and Criminal Justice*, Vol. 9 (2001); Nancy S. Kim, "The Cultural Defense and the Problem of Cultural Preemption: A Framework for Analysis", *New Mexico Law Review*, Vol. 27 (1997); Daina Chiu, "The Cultural Defense: Beyond Exclusion, Assimilation and Guilty Liberalism", *California Law Review*, Vol. 82 (1994).

¹⁰⁰ Paul Magnarella, "Justice in a Culturally Pluralistic Society: The Cultural Defense on Trial", *Journal of Ethnic Studies*, Vol. 19, No. 3 (1991), p. 67.

¹⁰¹ Leti Volpp, "(M)isidentifying Culture: Asian Women and the 'Cultural Defence'", *Harvard Women's Law Journal*, Vol. 17 (1994).

Individuals from the dominant cultural group might be led astray or make mistakes, but are usually deemed as in some way responsible for their actions. (...) Individuals from minority groups, by contrast, are more commonly conceptualized as defined by and definitive of their culture, so that even the most aberrant can become 'typical' products of their cultural norms.¹⁰²

This in turn has two consequences. It can overstate the role of cultural difference, justifying certain actions as cultural. Honour crimes or violence against women are explained by reference to cultural backgrounds where the role of honour and piety are emphasised. Secondly, it can also "diminish women (and men) from minority cultural groups by mis-representing their cultures, and mis-representing the individuals as less autonomous beings".¹⁰³ It seems that the more the individual conforms to cultural stereotypes, the more she will be considered to be acting in a non-autonomous manner. It emerges that the relation between culture and autonomy is a complicated one that deserves further study.

Contextual understandings might help understand in which ways, if at all, culture matters in the formation and development of autonomous capacities. As Saharso notes when considering the autonomy of women who choose to have hymen repair surgery and sex selective abortions, it is important to see how women themselves see their attachments operating, and the significance of their actions. Even if Okin was right to point out that the politics of multiculturalism can problematise the development of feminist agendas, we must be wary of jumping to assumptions regarding agency, such as: "If a woman takes a decision that runs counter to the majority culture's sense of what is right and just, it cannot be her decision. It must be imposed by an outside source – her husband, her culture, her religion."¹⁰⁴ The alleged autonomy of agents emerges as one of the considerations operating in decisions to do with the veil, but also hymen repair surgery, forced and arranged marriages, and criminal cases.¹⁰⁵ As such, it seems

¹⁰² Anne Phillips, *Gender and Culture* (Cambridge: Polity Press, 2010), p. 88.

¹⁰³ Ibid, p. 89.

¹⁰⁴ Saharso, "Feminist Ethics, Autonomy and the Politics of Multiculturalism", p. 209.

¹⁰⁵ See Phillips, *Gender and Culture*, Chapters 7 and 8 and Anne Phillips and Moira Dustin, "UK Initiatives on Forced Marriage: Regulation, Exit and Dialogue", *Political Studies*, Vol. 52, No. 3

necessary to see what we mean by autonomy and how it might be called into question by unequal gender norms.

4. Central Perspectives

Autonomy is, and should be, a central consideration in the study of minorities within minorities. But whilst increasingly cited as a key concern in thinking through the dilemmas of multiculturalism, it remains under-theorised. My own approach stresses sensitivity to context and individuality, and awareness of the problems associated with adaptive preferences. In the following section I outline some of these central concerns that drive and inform the approach taken in this thesis.

a. Understanding the Subject from her Own Perspective

A key challenge when thinking about autonomy is to think in terms of individuals' own perspectives. Autonomy's ultimate focus is individuals: how they perceive and see their own lives. Multiculturalism deals with socio-cultural practices that might be different from our own. As such, it is necessary to engage with others in a manner that places their attachments and preferences within social and historical contexts. Maleiha Malik posits that this form of relational understanding must move away from neutral objectivity:

Rather than mere description of outer action, this method gives a better understanding of the subject from her own perspective. In this sense, it is an inter-subjective understanding rather than an objective description that is being forced from the outside.¹⁰⁶

(2004) for discussions of how considerations of autonomy affect the policy initiatives and court rulings regarding forced and arranged marriages.

¹⁰⁶ Maleiha Malik, "The Branch On Which We Sit; Multiculturalism, Minority Women and Family Law", in *Feminist Perspectives on Family Law*, ed. Alison Didduck and Katherine O'Donovan (Milton Park, Abingdon: Routledge Cavendish, 2006), p. 226.

These claims are echoed in Saba Mahmood's *The Politics of Piety*. She demonstrates that options that might seem inegalitarian at first sight are not necessarily so when analysed more closely. For Mahmood, the very fact that we term practices egalitarian or not is problematic, as human agency cannot be placed under a strict binary classification:

If the ability to effect change in the world and in oneself is historically and culturally specific (both in terms of what constitutes 'change' and the means by which it is effected), then the meaning and sense of agency cannot be fixed in advance, but must emerge through an analysis of the particular concepts that enable specific modes of being, responsibility and effectivity. Viewed in this way, what may appear to be a case of deplorable passivity and docility from a progressivist point of view, may actually be a form of agency – but one that can be understood only from within the discourses and structures of subordination that create the conditions of its enactment. In this sense, agentival capacity is entailed not only in those acts that resist norms but also in the multiple ways in which one inhabits norms.¹⁰⁷

According to Mahmood it is crucial to understand the context in which decisions are taken: we must understand the agency of the people that inhabit and render norms intelligible. In her study of piety in Egypt she encountered a number of women who donned the hijab despite their husbands' opposition.¹⁰⁸ For her, this must be an example of autonomous action "precisely because they are enacting their own desires for piety, despite the social obstacles they face, and not following the conventional roles assigned to women".¹⁰⁹ For Mahmood, it is important to uncover how norms are "performed, inhabited and experienced in a variety of ways".¹¹⁰ The movement of piety is not one that takes place only at a symbolic level. Piety, for the women who conform to it, requires a particular relation of the self to the body. The different embodiments of norms and the

¹⁰⁷ Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2005), p. 14-5.

¹⁰⁸ Ibid., pp. 174-188.

¹⁰⁹ Ibid., p. 149.

¹¹⁰ Ibid., p. 22.

different ways of understanding ritual obligations among Egyptian Muslims actually reveal radically different conceptualizations of the role bodily behaviour plays in the construction of the self, a difference that in turn has consequences for how the horizon of individual freedom and politics is imagined and debated.¹¹¹

Understanding the subject from her own perspective means attempting to comprehend the various ways agents inhabit norms. Meanings and significance will vary, but nonetheless this shift in hermeneutical understanding can aid the understanding of pluralism. As Malik states:

Attention to the purpose, intention and motivation which is necessary for us to make sense of our own practice also provides the basic modular frame within which the different practice is accommodated and made more intelligible.¹¹²

Indeed, it seems to be that autonomy must be sensitive to women's own experience of their cultures and practices. This in turn will have two different implications for a conceptualisation of autonomy. In the first instance, practices will have to be analysed with sensitivity, placing them within historical and social discourses. Cultures, attachments and identifications cannot be seen in static or rigid ways – understanding the subject's own perspective requires that we understand the ways in which agents themselves see and interpret these preferences.

Secondly, understanding the subject from her own perspective means remaining relatively open about the kinds of attachments that might coexist in one agent's identity. Particularly important for my argument is that it might be possible simultaneously to hold seemingly contradictory attachments. This involves understanding how agents themselves see their attachments operating; only in this way can we identify whether there is indeed a contradiction, or whether the appearance of contradiction arises because we are thinking of these attachments

¹¹¹ Ibid., p. 121.

¹¹² Malik, "The Branch on Which We Sit; Multiculturalism, Minority Women and Family Law", p. 228.

in essentialised or static ways. Rigid definitions of identity are incompatible with respect for plural identifications.

b. Conceptualising New Paths

Understanding the subject from her own perspective will lead us to a richer and more complex way of interpreting culture and cultural attachments. This is of particular importance given the origins of multiculturalism within the liberal secular and Western traditions.¹¹³ This thesis argues that it is important to remain open about the possibilities of culture, autonomy and multiculturalism. Solutions to the paradox of multicultural vulnerability might be discovered, but these need not follow pre-established paths. New possibilities might arise as a consequence of considering subjects from their own perspective and attempting to gain situational understanding sensitive to agent's own understanding. Madhavi Sunder's work argues for a nuanced approach to thinking about the relation of law and multiculturalism.¹¹⁴ She contrasts cultural survival with cultural dissent, arguing that the latter is the most appropriate method to deal with the particularities of culture in our time. Cultural survival emphasises "old notions of imposed identity over new normative visions of identity as a choice"¹¹⁵, and refers to the understanding of certain practices as necessarily imposed, or required, by particular cultural groups. The strategy of cultural dissent recognises instead "that cultures are changing, in some ways for the better. By acknowledging plurality within culture, this approach facilitates a normative vision of identity in which individuals can choose among many ways of living within a culture."¹¹⁶

Sunder's cultural dissent emphasises how cultures are changed from within, by the individuals who live within them. Cultural dissent emphasises the plurality

¹¹³ Brenna Bhandar, "The Ties that Bind: Multiculturalism and Secularism Reconsidered", *Journal of Law and Society*, Vol. 36, No. 3 (2009). Bhandar argues that despite the multicultural aim of respecting and accommodating difference, the manner in which it does is deeply rooted in Western liberal and thus secular thought.

¹¹⁴ Madhavi Sunder, "Cultural Dissent", *Stanford Law Review*, Vol. 545 (2001). See also "Piercing the Veil", *The Yale Law Journal*, Vol. 112, No. 6 (2003).

¹¹⁵ Sunder, "Cultural Dissent", pp. 499 – 500.

¹¹⁶ *Ibid.*, p. 500.

that characterises the experience of identities, pointing out differences within cultures as well as opening up new spaces to think about what autonomy could mean. By thinking about the different forms of contestation that might be possible, the approach of cultural dissent allows for the possibility of plural and potentially conflicting identities. These are all factors that a theory of autonomy sensitive to the case of minorities within minorities ought to be aware of.

By doing away with homogenising understandings of culture and cultural identifications, it is possible to avoid the reductionism implicit in binary classifications of action. Two separate issues arise here. Firstly, the idea is that agents do not belong to *either* culture A *or* culture B. Rather, agents might belong to both. This is linked to the second implication; that individuals can themselves choose and endorse those aspects of a culture (or various cultures) they feel most drawn to, and might challenge those aspects they are not completely in accordance with.

By eschewing binary classifications, it is possible that new paths of action emerge. Although Mahmood is right in pointing out that not all actions symbolise either resistance or subordination, there is still room to consider that there are other ways in which social norms are challenged. As Sunder claims, “women are (...) claiming their rights to challenge religious and cultural authorities and to imagine religious community on more egalitarian and democratic terms”.¹¹⁷ This is the kind of work that is currently being carried out by feminist advocacy groups such as Women Living Under Muslim Laws (WLUML).¹¹⁸

Rather than advocate purely secular strategies for equality in the public sphere without addressing the growing inequality in the private (...), WLUML employs strategies that contest fundamentalist depictions of identity. This approach entails both critiquing the fundamentalist claims

¹¹⁷ Sunder, “Piercing the Veil”, p. 1403.

¹¹⁸ See <http://www.wluml.org/english/index.shtml>.

about women's religious identity and empowering women to reshape religious identity in more egalitarian terms.¹¹⁹

It emerges that there is a need to look at autonomy in closer detail, since its understanding will pave the way to comprehension of new possibilities of action. This new form of looking at autonomy focuses on the discontinuities rather than the similarities, thus destabilising static understandings of both culture and the meanings of emancipation, allowing for more nuanced and representative strategies that are either currently in use or could be used in the future.

c. Mediating (Strong) Universalism with (Soft) Relativism

Given the two considerations above, it is necessary that a satisfactory conception of autonomy be able to mediate between the (soft) relativism that is intrinsic to contextual understanding and the universalism that egalitarian feminism requires.

Contextual understanding of the sort advocated by both Mahmood and Sunder involves recognising and respecting the interpretations that individuals themselves might offer on their attachments. However, this could potentially lead to a relativism whereby everything can be 'explained away': a form of value pluralism where all attachments have the same worth.

Strong versions of relativism are not conducive to feminist frameworks of analysis. If feminism indeed has as its object the elimination of arbitrary forms of inequality based on gender and sexual discrimination, then it seems clear that not everything can count as a choice. This is particularly true given the importance of social construction: adaptive preferences can indeed lead to outcomes that are not autonomous.

However, as Monica Mookherjee points out, we ought not to think that relativism and feminism are two contradictory projects. In the same way that the contextual

¹¹⁹ Sunder, "Piercing the Veil", p. 1436.

approach rejects binary classifications, the conception of autonomy proposed here maintains that there is a possible balance between the two.

Feminists should not reject ideals such as equality and freedom, but would do well to recognise that they can be interpreted in non-liberal ways. Ascertaining the meaning of freedom and equality involves acknowledging that the imperfections in any society cannot be assessed objectively and that the content of gender justice cannot be articulated abstractly.¹²⁰

In this thesis I argue that it is possible to hold a soft relativism coupled with a strong universalism. The conception of autonomy proposed will be considered a universal capacity, but one that needs to be interpreted in context. The relation of universalism and relativism will be further discussed in Chapter VII.

5. Thesis Structure

Autonomy emerges as one of the central concerns in liberal multiculturalism, and one that is often invoked when discussing the paradox of multicultural vulnerability. This thesis analyses different versions of autonomy in an attempt to find which approaches are most conducive to a conception that is aware of both the need for contextuality as well as the problems posed by unequal or oppressive forms of socialisation.

Two considerations will be central. In chapter II I analyse the importance of socialisation for a theory of autonomy. In this chapter I argue that socialisation is all-pervasive phenomena, which informs and gives meaning to what we do. The social is seen as crucial in constructing meaning, but also in enabling agents to understand the meaning of different values and practices. Despite its all-pervasiveness, I argue that socialisation does not negate the existence of autonomy, especially when the latter is not conceived of as an exclusively, or

¹²⁰ Monica Mookherjee, *Women's Rights as Multicultural Claims* (Edinburgh: Edinburgh University Press, 2009), p. 29.

even primordially rational enterprise. Nonetheless, given the unequal nature of social and material relations, I argue that understanding the way socialisation operates is useful in showing how adaptive preferences can be particularly damaging for women. Having established that autonomy is not de facto negated, I show how it can be a useful for a feminist theory, and how considering contextuality is central to understanding the way collective identities are formed.

Understanding the importance of the social in forming collective identities will lead us to recognise how individuals can hold a variety of attachments or different identities. Chapter III focuses on how individuals live through their multiple or intersectional identities. Here I argue that despite there being possible contradictions between attachments, this does not automatically negate the possibility of being an autonomous agent. The ways individuals negotiate between different identities and attachments shows how a theory of autonomy ought to be sensitive to individual variations in order to be true to embodied experiences. The structure of the identitarian self is also analysed, in order to then see how the different kinds of autonomy that permeate the literature are not so much contradictory, but rather focus on different parts of the self.

Chapters IV, V and VI constitute the theoretical bloc within which key theories of autonomy are analysed. Chapter IV focuses on procedural theories. These have often been popular amongst advocates of multiculturalism given their agnosticism about the content of a choice. This chapter analyses the importance of choosing, and I establish that although there is a moral imperative to respect choice, procedural autonomy alone is not able to deal with and accommodate the insights provided by socialisation and adaptive preferences.

Chapter V deals with relational theories of autonomy. Despite considerable differences between different relational theories, they all have in common the recognition of the importance of the social in creating or enabling autonomous individuals. In this chapter I argue that while relational theories provide an excellent starting point, they contain more substantive elements than they claim. Substantivity is not necessarily a problem since a conception of autonomy must have a substantive underpinning in order to avoid the trap of relativism. The

issue is instead that the focus on capacities, albeit useful, is insufficient to deal appropriately with how to account theoretically for cases where choices are not autonomously chosen – i.e. the deep effects of oppressive socialisation.

Chapter VI deals with substantive theories of autonomy that have dealt specifically with the paradox of multicultural vulnerability. This chapter deals with two types of substantivism. The strongest kind demands a substantivism that is fixed in its content. I argue that this is unsatisfactory for a number of reasons, the most important being the fact that it is too specific to be able to adequately account for the effects of oppressive socialisation. I argue that the second kind of substantivism discussed, often considered to be weaker, provides a good basis on which to consider the effects of oppressive socialisation: individual self-worth. A commitment to self-worth ensures an egalitarian substantive underpinning that eschews the potential relativism of a commitment to content neutrality whilst still remaining relatively open about the ways equality might manifest itself.

Chapter VII brings the previous arguments together, showing how the different areas of the identitarian self correspond with different kinds of autonomy. I argue that a conception of autonomy needs to consider not only to which particular area of the self the decision or attachment pertains, but also the timeframe it was developed in, what kind of autonomy is being exercised and to what degree. I argue that this conception of autonomy is able to accommodate the intuition that not all preferences are autonomously chosen, without being prescriptive about the contents of a choice. This universal but under-defined conception will be shown to have a certain emancipatory basis, but one that does not lead to particular consequences defined in an a priori way.

II. Socialisation

1. What is Meant by Socialisation?

According to the *Oxford Dictionary of Sociology*, socialisation refers to

the process by which we learn to become members of society, both by internalising the norms and values of society, and also by learning to perform our social roles (as worker, friend, citizen and so forth). (...) It is (...) recognised that socialisation is not a one way process, in which individuals learn how to fit into society, since people may also redefine their social roles and obligations.¹²¹

This definition is particularly interesting. Sociologists tend to think that social processes are almost primordial to the self. This is not an accident. As Nancy Hirschmann points out, “contemporary scholarship on social constructivism is much more common in fields other than political theory”.¹²² Despite the communitarian critique,¹²³ there is still a tendency in political theory to refer to the ‘self’, a self that seems almost self-made and independent from all that is around. But surely the social has a place in the constitution of who we are, in the formation of autonomous selves?

In basic terms, I take socialisation to be a process that encompasses norms, values and practices that are sustained collectively and help make agents who they are. These operate throughout society and can be, and commonly are

¹²¹ Gordon Marshall, *Oxford Dictionary of Sociology* (Oxford: Oxford University Press, 1998), pp. 624-5. Interestingly, there is no definition of socialisation offered in the Oxford Dictionary of Politics or the Oxford Dictionary of Philosophy.

¹²² Nancy Hirschmann, *The Subject of Liberty: Toward a Feminist Theory of Freedom* (Princeton and Oxford: Princeton University Press, 2003), p. 75.

¹²³ See Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982) and *Democracy's Discontent* (Cambridge, Massachusetts: Harvard University Press, 1995); Charles Taylor, *Sources of the Self* (Cambridge: Cambridge University Press, 1995); Michael Walzer, *Spheres of Justice* (Oxford, Blackwell, 1983) and *Interpretation and Social Criticism* (Cambridge, Massachusetts: Harvard University Press, 1987); Alasdair MacIntyre, *After Virtue* (London, Duckworth, 1981) and *Whose Justice? Which Rationality?* (London: Duckworth, 1988).

invisible, operating without being codified in law. These social norms are often unspoken but known by (most) members of society. They cover a vast array of issues, ranging from eating habits to politics, manners, behaviour, speech, education and gender relations. These norms have effects on those who live within them: they inform and give meaning to many daily practices (both public and private) as well as the beliefs through which human beings sustain collective lives.

These social norms can also be visible, in terms of being codified in law and politics. Valuing life is a social norm: most human beings would agree that unnecessary killing is unethical and wrong. This has also become codified in law: most penal systems have provisions for the punishment of those who wrongfully kill others. These visible social norms also have effects on the individuals who live within them, shaping both their behaviour and their beliefs. As David Hume pointed out,

All laws are founded on rewards and punishments, it is supposed as a fundamental principle, that these motives have a regular and uniform influence on the mind, and both produce the good and prevent the evil actions.¹²⁴

However, socialisation is not solely the notion that social norms and institutions influence the individuals who live within them. The process also works in another way: individuals themselves help maintain and constitute social processes.

I take socialisation and social construction to be synonymous. However, I believe the term social construction has important connotations that influence its reception. 'Social construction' implies that there might be an agent that does the constructing, that social processes have an aim and a logic that is different from the way individuals would otherwise behave. I do not believe the term socialisation has such connotations. I take it as given in this thesis that

¹²⁴ David Hume, "Of Liberty and Necessity", in *Introduction to Philosophy: Classical and Contemporary Readings*, ed. John Perry and Michael Bratman (Oxford, New York: Oxford University Press, 1999), p. 433.

socialisation is an all-pervasive phenomenon, without (necessarily) having normative content. All forms of social relations can be considered to constitute socialisation and, as such, the process should not be seen as a problem but rather a given fact of human life.

However, the extent to which socialisation can be considered a problem has been a long-standing topic of debate.¹²⁵ This chapter seeks to answer three questions. Firstly, what are the precise mechanisms of socialisation? How does it operate? Secondly, does the fact of socialisation mean that no one can be autonomous? And finally, does the nature of socialisation mean that women might have less capacity, or fewer opportunities, to be autonomous?

2. Socialisation and Autonomy

The process of socialisation is relevant to theories of autonomy not only in terms of which choices are available, but also by deconstructing and explaining historically why those choices are such.

Emile Durkheim, writing in 1897, noted the importance of the social in explaining apparently individual autonomous acts. His work on suicide argues that the act of killing oneself, perhaps one of the most salient and commonly used examples of an individual private decision, is not quite as private, or indeed as dissociated from society, as one might think.

Victims of suicide are in an infinite minority, which is widely dispersed; each one of them performs his act separately, without knowing that others are doing the same; and yet, so long as society remains unchanged the number of suicides remains the same. ...There must be

¹²⁵ For instance, Sigmund Freud, in *Civilisation and its Discontents*, maintained that society operates so as to sublimate our natural inclinations (often sexual), creating a sense of unhappiness or displeasure. See Sigmund Freud, *Civilisation and its Discontents* (Oxford: Penguin Classics, 2002). For functionalists, socialisation might indeed have negative consequences but, overall, it ought to be considered a necessary process that enables the integration of society. See Emile Durkheim, *The Elementary Forms of Religious Life* (New York: Free Press, 1995) and *On Suicide* (London, New York: Penguin Books, 2006).

then some force in their common environment inclining them all in the same direction, whose greater or lesser strength causes the greater or less number of individual suicides.¹²⁶

Durkheim did not deny the existence of autonomy. He did not believe that *who* commits suicide is in any way pre-determined by the social currents of the time, nor that the individual agents committing suicide were acting on something other than their own impulse or decision-making. Instead, the aim of *On Suicide* was to show that the stability in suicide numbers shows that there are social norms that influence individuals. Suicide is a form of social fact, defined as:

Any way of acting, whether fixed or not, capable of exerting over the individual an external constraint; or which is general over the whole of a given society whilst having an existence of its own, independent of its individual manifestations.¹²⁷

Social facts affect our decisions. Despite acts such as suicide being individual, the existence of well established patterns shows that society has an effect on individual decision-making. This phenomenon has also been understood as the process of adaptive preferences, or the internalisation of exterior norms. The phenomenon of adaptive preferences is central to the study of autonomy. It maintains that what we wish for in life tends to be shaped – and limited – by what we see around us, or by the range of possibilities of which we are currently aware. For example, a woman who has been socialised into thinking that the role of mother is what will give value to her life will probably wish for children, regardless of what her other desires might be. Hence the question that socialisation poses for theories of autonomy: “Why should the choice between feasible options only take account of individual preferences if people tend to adjust their aspirations to their possibilities?”¹²⁸ Does the fact that something has been chosen by an individual suffice for us to consider that choice *pro tanto* significant?

¹²⁶ Durkheim, *On Suicide*, p. 304 - 5.

¹²⁷ Emile Durkheim, *The Rules of Sociological Method* (Glencoe: Free Press, 1966), p. 59.

¹²⁸ Jon Elster, *Sour Grapes: Studies in the Subversion of Rationality* (Cambridge: Cambridge University Press, 1983), p. 109.

a. The Mechanisms of Socialisation

Before considering whether autonomy is compatible with the fact of socialisation, it is necessary to understand how socialisation operates. This is of particular importance if we are to understand how oppressive and unequal socialisation processes harm women in ways that might negatively affect the development of the capacities required for the exercise of autonomous deliberation. How does socialisation affect our self-conceptions, identities and our ability to be autonomous?

Nancy Hirschmann explains that part of the problem, when trying to elucidate what exactly it means to say we are socialised beings, is that social construction has no identifiable agent. Nonetheless, it is possible to see how the process of socialisation (or social construction, in her terms) works by reference to the following three mechanisms.

At the first level is what she calls the “ideological misrepresentation of reality”.¹²⁹ Following from Marx, this understanding of social construction relates to those things that are socially created and not necessarily true – they are artificial, constructed, false. An example of an ideological misrepresentation of reality would be the belief that women are less capable of intellectual work than men. Many examples operate in our current societies, including the notions that black people are better at sport, that Jews are good with money and that Mediterraneans live life at a slower pace than northern Europeans. Though this is the most common way of thinking about social construction, there are two separate problems inherent in thinking that this is the only thing socialisation refers to.

First, thinking social construction is false, that a sort of false consciousness operates throughout society, might result in attempts to second guess what is actually true. For instance, norms of feminine appearance have often been criticised as oppressive and non-conducive to self-worth. Choosing to engage in

¹²⁹ Hirschmann, *The Subject of Liberty*, p. 77.

these norms could be a reflection of false-consciousness. However, “consider drag queens, transsexuals or transgendered individuals, for whom deployment of such standards of feminine appearance is a necessary ingredient of [their] personal worth”.¹³⁰ For drag queens, transsexuals and transgendered individuals it might be that traditional norms of feminine appearance help create and portray the identity they feel matters to them. In this instance, norms of feminine appearance do not work in an oppressive manner but, on the contrary, they help to overcome some of the traditional gender images that operate in society. Not all instances are examples of harmful socialisation.

The false consciousness thesis also gives the impression that there is a certain natural truth that underlies these accounts. In Hirschmann’s words, this is the

implicit assumption that if patriarchy would just leave women alone, women would be okay. Beneath that is a further assumption that women could be *not* socially constructed at all, that there is some true identity and set of interests that women have as women – an essentialist or naturalist thesis which, ironically, most feminists would consciously claim to reject.¹³¹

As I have already argued, social construction – or socialisation – is not something that can be avoided. There is no self that is prior to or independent of the social relations through which we exist. A second level of social construction, and one intrinsically tied to the first, is that of “materialisation”. This is the process whereby “the construction of social behaviours and rules takes on a life of its own, and becomes constitutive not only of what women are allowed to *do*, but of what they are allowed to *be*”.¹³² The process of materialisation speaks of how these social norms become the reality – how they are realised in actual life, and thus turn out to be more than ideal constructs: they become part of the social reality in which we live. So, the first level, the ideological misrepresentation of reality, becomes actualised. It is “not at odds with material reality; it actually produces it. It *creates* women’s reality; it constructs women’s lives in the most

¹³⁰ Benson quoted in Hirschmann, *The Subject of Liberty*, p. 79.

¹³¹ Hirschmann, *The Subject of Liberty*, p. 79.

¹³² Ibid.

active sense of the word.”¹³³ It is this second level of social construction, rather than the ideological misrepresentation of reality, that is most significant for a conceptualisation of autonomy. This level of materialisation points to the need to look at the grounds and basis of agents’ self-worth, as well as the material circumstances in which choices are made. More precisely, it shows the need to challenge the opposition between the material and our ideas of ourselves – hence the term materialisation.

The third level is what Hirschmann refers to as “the discursive construction of social meaning”. This is the idea that “language is not merely the medium through which meaning is communicated; it is constitutive of the meaning itself”. This is reminiscent of Charles Taylor’s notion that life, social life, is

dialogical in character. We become full human agents, capable of understanding ourselves, and hence of defining an identity, through our acquisition of rich human languages of expression. ...We are inducted into these in exchange with others. No one acquires the languages needed for self-definition on their own. ...The genesis of the human mind is in this sense not ‘monological’, not something each accomplishes on his or her own, but dialogical.¹³⁴

We need the social not just to construct meaning, but also to be able to understand the meanings themselves. Nothing exists in a vacuum – it is our very being which is socialised into existing, choosing and making sense of the options around us. For Hirschmann, this shows that it is nonsensical to speak of oppressed versus oppressors: “the idea of ‘them’ constructing ‘us’ is therefore too conspiratorial – or conscious and active – for men are socially constructed as well as women; they are as much the products of power as they are its agents.”¹³⁵ Socialisation affects all, and an awareness of the processes that affect us is beneficial to all.

¹³³ Ibid, p. 80.

¹³⁴ Charles Taylor, *The Ethics of Authenticity* (Cambridge, Massachusetts and London, England: Harvard University Press, 1991), p. 33.

¹³⁵ Hirschmann, *The Subject of Liberty*, p. 83.

This also has consequences for the way we think about emancipatory politics.

Language, meaning, identity, and choice are made possible by whatever context exists. If self-definition and the construction of meaning always take place in and through language, it follows that women have participated in that language and responded to it throughout history with our own practices.¹³⁶

Ways of resistance have to be articulated through those means that are available to women. The veil, for example, can be reconstructed as a means to challenge oppression, as when it enables women to go out to work. As Arlene MacLeod notes,

The veil in some way compensates for and even alleviates the dilemma they experience. ...‘The hijab is a protection from annoying people on the street,’ mentioned a married woman who had a long walk to her office building; ‘I don’t have to worry that men in the café or on the street are talking about me every day as I pass’.¹³⁷

The veil becomes reconstructed as one of the available means in which to challenge oppression, and not simply a marker of it.

Hirschmann’s analysis of social construction usefully shows how social norms come to influence individuals. Her account demonstrates the importance of being aware of the grounds of an agent’s self-worth, in order to ensure that the unequal process of socialisation has not harmed the agent’s capacities. But Hirschmann’s account does more than point at the potentially problematic areas in a conceptualisation of autonomy. She also shows how choices themselves need to be carefully considered. For her, bringing social construction into an analysis of freedom will have two distinctive outcomes. In the first case, being aware of the way we are affected by the social means that we will be concerned with “what

¹³⁶ Ibid., p. 99.

¹³⁷ Arlene E. MacLeod, “Hegemonic Relations and Gender Resistance: The New Veiling as Accommodating Protest in Cairo”, *Signs*, Vol. 17, No. 3 (1992), p. 550. Saba Mahmood makes a similar point. See Mahmood, *The Politics of Piety*, Chapter 4.

choices are available; customs, laws, and practices make certain options possible and foreclose others".¹³⁸ Being aware of the processes of socialisation in a theory of freedom also "requires us to consider the 'why' of availability".¹³⁹ The historical context of choice has to be considered in order to see how a choice comes to be a choice, and for what reasons. As Hirschmann maintains:

Not just women's actual choices and how they interpret them, but the conceptual parameters of what 'counts' as a choice, are constructed by and through language, cultural norms and patriarchal assumptions about what it means to be an individual and a person.¹⁴⁰

There is a fundamental need to take context seriously. The historical development of choices will not only shed light on the socialisation process, but might also reveal how apparently inegalitarian choices can be reinterpreted and understood in ways that are not simple examples of victimhood. Meanings are constantly changed by the way people use practices and symbols, and it is crucial that a theory of autonomy be able to take these into consideration.

b. The Free Will versus Determinism Debate

So far we have seen that socialisation has deep effects on individuals' decisions and self-conceptions. But does accepting socialisation mean that no one is autonomous? That question has long been a concern in philosophy, known as the the determinism vs. free will debate.¹⁴¹ Historically, the debate has centred on the

¹³⁸ Hirschmann, *The Subject of Liberty*, p. 93.

¹³⁹ *Ibid.*, p. 94.

¹⁴⁰ *Ibid.*, p. 95.

¹⁴¹ See Peter Van Inwagen, "The Incompatibility of Free Will and Determinism", *Philosophical Studies*, Vol. 27, No. 3 (1975); Robert Young, "Autonomy and Socialisation", *Mind*, New Series, Vol. 89, No. 356 (1990), and "Compatibilism and Conditioning", *Noûs*, Vol. XIII (1979); Matthew Bernstein, "Socialisation and Autonomy", *Mind*, New Series, Vol. 92, No. 365 (1983); George Strawson, "The Impossibility of Moral Responsibility", *Philosophical Studies*, 75:1/2 (1994); Robert Kane, "Free Will: The Elusive Ideal", *Philosophical Studies* 75:1/2 (1994); Harry Frankfurt, "Alternate Possibilities and Moral Responsibility", *Journal of Philosophy* 66, 23 (1969); Michael Otsuka, "Incompatibilism and the Avoidability of Blame", *Ethics* 108 (1998); Gary Watson, "Free Agency", *Journal of Philosophy* LXXII (1975); Richard Taylor, "Freedom and Determinism", in *Introduction to Philosophy: Classical and Contemporary Readings*, ed. John Perry and Michael Bratman (Oxford, New York: Oxford University Press, 1999).

question of responsibility: how much responsibility do agents truly have if the claims of determinism are true? The specifics of this debate are outside the scope of this thesis. Nonetheless, as will become apparent, I hold a compatibilist position in so far as I believe it possible to uphold the existence of autonomy whilst maintaining that many of the choices we make are at least partially informed by the social world in which we live.

Compatibilists claim that it is possible to believe in the existence of free will whilst simultaneously admitting that the social norms and laws under which we live influence what we choose and the way we choose it. This is reminiscent of Karl Marx's claim that

Men make their own history, but they do not make it as they please; they do not make it under circumstances of their own choosing, but under circumstances existing already, given and transmitted from the past.¹⁴²

Consider this by analogy to the natural sciences. It is determined, we might say, that a plant grows in a particular way, requires water, is a certain colour. The plant does not choose to be green and pink, or green and blue – this is a matter of evolution. As Richard Taylor argues, human beings are also somewhat determined, or at least limited, because of evolutionary development. Our genetic makeup and bone structure mean that we can only bend our index fingers in particular ways. The movement of our fingers has been causally determined by an evolutionary process. However, whether or not we choose to bend our fingers, or attempt to train our index finger in order to make it move outside the realm of 'normal' movement is a different matter.¹⁴³ For autonomy too, it might indeed be true that we only have certain options to choose from, and that the way we choose is informed by the social structures and norms that surround us. However, in making these decisions there is still a deliberative process, there is the possibility of doing (or not doing) something instead of something else. The particular choice is not determined – there is an element of choice that remains.

¹⁴² Karl Marx, *Eighteenth Brumaire of Louis Bonaparte* (Moscow: Progress Publishers, 1983), p. 12.

¹⁴³ Taylor, "Freedom and Determinism", p. 441.

Robert Young is a compatibilist philosopher. As he points out, even if the choices available are socially enabled, this does not mean that autonomy is non-existent; there is what he terms the difference between “a person’s life being his (hers) and it being made his own”.¹⁴⁴ For Young, socialisation means that autonomy needs to be considered as something we hold to various degrees, and we ought to distinguish between different constituent senses of the terms: short term uses and long term uses. Autonomy, for him, emerges as a continuous process rather than a given or singular characteristic. Thus, socialisation does not preclude its own existence. Indeed, for Young, awareness of the socialisation process is precisely a characteristic of autonomy: something that enables agents to *make* identifications their own, rather than merely *belonging to* the agent:

once our motivational structure and its origins are laid bare there is a real possibility that it may no longer direct us – the process of gaining evaluative self-awareness sometimes leads to active appropriation or rejection of hitherto effective desires.¹⁴⁵

Paul Benson has a similar idea when he claims that autonomy is *not* de facto negated by taking socialisation seriously:

But if I can act because I accept these reasons as adequate grounds for so acting, then these reasons must also be capable of figuring in the explanation of my action ... In short, because the reasons there are for an autonomous agent to act are reasons that she is capable of recognising and setting out to act upon, they must be capable of being her own reasons for acting.¹⁴⁶

In these arguments it is the evaluative capabilities that we exercise in thinking and making choices that signify the existence of autonomy. The point is to make choices our own, rather than claiming these choices are made in a vacuum.

¹⁴⁴ Young, “Autonomy and Socialisation”, p. 572.

¹⁴⁵ Ibid. p. 574.

¹⁴⁶ Paul Benson, “Autonomy and Oppressive Socialisation”, *Social Theory and Practice*, Vol. 17, No. 3 (1991), p. 402.

Socialisation, seen in this way, is a necessary condition of being (or even becoming) autonomous.

c. Unequal or Oppressive Socialisation

Though socialisation does not mean determinism, it can clearly involve limits, and these can be both unequal and oppressive in their effect. Factors such as the availability of options, levels of education and the bases of self-worth for different groups of individuals can affect the way decisions are reached. The way individuals are, or have been, socialised, will have consequences not only for the decisions they take, but also for how decisions are taken and the critical faculties used in order to reach them. Socialisation, moreover, affects not only the manner in which a decision is reached, but also the possible decisions or options available to the agent. Issues of socialisation thus point to the need to consider how many options are available: if only one modality of action can be envisaged is acting in such a way a choice *per se*?¹⁴⁷ Is it possible that the effects of socialisation affect women more than men?

Two separate issues arise. Firstly, whether or not women's autonomy is harmed by socialisation depends on the very definition of autonomy. If autonomy is defined in an exclusively masculine way most women will be considered non autonomous. Secondly, even if autonomy is not defined in a way that emphasises masculine characteristics, the question remains whether oppressive socialisation tends to be more beneficial to men, harming women's ability to exercise autonomous capacities.

¹⁴⁷ The question of whether one choice actually constitutes a choice could potentially throw up other questions. For instance, existentialists could claim that there are always at least two choices: one can to kill oneself or one can choose to follow the prescribed monolithic mode of action.

i. The Metaphysics of Being and Rationality

Traditional female socialisation has been documented to be different to that of males. Carol Gilligan's *In a Different Voice*, for instance, shows how boys and girls experience different paths of moral development, partly as a consequence of different socialisation patterns.¹⁴⁸ What is more, these differences seem to have major implications for the exercise of autonomy. Gilligan demonstrated that boys were encouraged to prize rational evaluative behaviour, whereas girls were encouraged to develop other virtues such as patience, attachment, nurturance and so forth. Boys are taught those skills that are widely thought to be crucial in order to practice autonomy. Girls' skills, by contrast, are thought to represent an emotional side that is in tension with notions of rational instrumentality:

The repeated finding of these studies is that the qualities deemed necessary for adulthood – the capacity for autonomous thinking, clear decision-making and responsible action – are those associated with masculinity and considered *undesirable* as attributes of the feminine self.¹⁴⁹

A similar point was made by Simone de Beauvoir, who argued that the difference between women's and men's socialisation led to women being considered as "the Other", i.e. a departure from "normality", which is modelled on the male. As she famously argued, "one is not born, but rather becomes, a woman. No biological, psychological, or economic fate determines the figure that the human female presents in society."¹⁵⁰ Biology does not determine the position of women, but it is society, with its norms, social expectations and educational processes, that

¹⁴⁸ Gilligan's work was devised in response to Lawrence Kohlberg's prior analysis that claimed that boys reached a higher level of moral development, whereas Gilligan's work suggested that it was not a matter of levels of moral development but rather a question of *differential* development. See Lawrence Kohlberg, *The Development of Modes of Thinking and Choices in Years 10 to 16* (Ph. D. Dissertation, University of Chicago, 1958).

¹⁴⁹ Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge: Massachusetts and London: England: Harvard University Press, 2003), p. 17. The differential moral development, which can be said to explain different moral behaviours in adulthood has also been shown to be of interest for scholars of religious practice. See Susan Starr Sered's article "Ritual, Morality and Gender: The Religious Lives of Oriental Jewish Women in Jerusalem", in *Women in Israel*, ed. Yael Azmon and Dafna N. Izraeli (New Brunswick, New Jersey: Transaction Publishers, 2009).

¹⁵⁰ Simone De Beauvoir, *The Second Sex* (London: Vintage, 1997), p. 295.

forms not only the attitude of others, but women's own expectations of what is normatively preferable and expected.

Many feminists have objected to the concept of autonomy when it is defined as an exclusively rational process. As Catriona Mackenzie and Natalie Stoljar point out,

The charge is that the concept of autonomy is inherently masculinist, that it is inextricably bound with masculine character ideals, with assumptions about selfhood and agency that are metaphysically, epistemologically, and ethically problematic from a feminist perspective, and with political traditions that historically have been hostile to women's interests and freedom.¹⁵¹

Autonomy in this light seems to be the result of masculinist conceptions that do not take the experience of women seriously. Rationality seems to be the defining feature in conceptions of autonomy, thereby devaluing other aspects that characterise embodied lives, such as attachments, love and care.

According to Gilligan and de Beauvoir, the socialisation process can lead men towards autonomous thinking and women away from it. However, in much feminist literature this possibility is resisted by calling for the redefinition of autonomy. As Nedelsky points out:

Part of the critique is directed at the liberal vision of human beings as self-made and self-making men. ...The critics rightly insist that, of course, people are not self-made. We come into being in a social context that is literally constitutive of us. Some of our most essential characteristics, such as our capacity for language and the conceptual

¹⁵¹ Catriona Mackenzie and Natalie Stoljar, "Introduction: Autonomy Reconfigured", in *Relational Autonomy: Feminist Perspectives on Autonomy, Agency and the Social Self*, ed. Catriona Mackenzie and Natalie Stoljar (New York, Oxford; Oxford University Press, 2000), p. 3.

framework through which we see the world, are not made by us, but given to us (or developed in us) through interactions with others.¹⁵²

The idea is that autonomy defined as pre-eminently rational forgoes the reality of lived experience. It need not be defined solely in terms of rational, profit-maximising behaviour. As Gilligan notes, it could be that

looked at from a different perspective, these stereotypes reflect a conception of adulthood that is itself out of balance, favouring the separateness of the individual self over connection to others, and leaning more toward an autonomous life of work than toward the interdependence of love and care.¹⁵³

The notion of affection, as well as attachment and love also need to be included – autonomy cannot be just the consequence of rational decision-making. This viewpoint is also supported by Young, who claims that we need to

be wary of making autonomy too much of a philosopher's plaything by over emphasizing the role of rationality either by making logical calculation too big a part of the cognitive or by stressing the cognitive at the expense of the affective (or the volitional for that matter). People don't generally act in the manner of profit maximising firms, nor is it accurate to portray reason as locked in constant struggle with unruly emotion.¹⁵⁴

Socialisation ultimately affects women and men, boys and girls. Taking socialisation as a central consideration in theories of autonomy will result in a reconceptualisation of the self, rejecting atomistic ideas of individuals and giving meaning to the daily practices they follow. Thus, understanding the origin and normative significance of the social structures around us becomes a central enterprise in trying to understand what autonomy means. The self emerges as

¹⁵² Jennifer Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities", *Yale Journal of Law and Feminism*, Vol. 1, No. 7 (1989), p. 8.

¹⁵³ Gilligan, *In a Different Voice*, pg. 17.

¹⁵⁴ Young, "Autonomy and Socialisation", p. 567-8.

something which is partly the product of surrounding social forces, and not merely a disembodied soul, independent of the material world around it. Indeed:

We must develop and sustain the capacity for finding our own law, and the task is to understand what social forms, relationships and personal practices foster that capacity [since] the capacity to find one's own law can develop only in the context of relations with others (both intimate and more broadly social) that nurture this capacity, and second, that the 'content' of one's own law is comprehensible only with reference to shared social norms, values and concepts.¹⁵⁵

In order to understand where autonomy comes from, and in what ways it operates, it is necessary to understand the mechanisms that make it possible. This, as Benson maintains, enables us to avoid the narrow accounts that permeated literature on autonomy. The aim is to challenge "the assumptions about non-relationality, value-neutrality and hierarchical control that have governed nearly all theories of free agency".¹⁵⁶

Rationality might indeed play a part in autonomy, but it need not be the defining characteristic. An account of autonomy should "not demand the localisation of control in some particular region of the will (e.g. the most rational or most impartial or the most objective part). It [should be] open to the possibility that a free agent's normative competence may influence her motives by means of quite partial, personal feelings as easily as by impersonal judgements of principles. This also assists resistance to the patriarchal implications of control centred theories."¹⁵⁷

Indeed, by considering socialisation as a necessary and potentially problematic aspect of what it means to be autonomous, it might emerge that there are a variety of ways on which the deliberative process rests: there is the *affective* side

¹⁵⁵ Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities", p. 10 - 11.

¹⁵⁶ Paul Benson, "Feminist Second Thoughts about Free Agency", *Hypatia*, Vol. 5, No. 3 (1990), p. 51.

¹⁵⁷ *Ibid.*, p. 56.

but also the *rational* and perhaps also the *general*. Defining autonomy in a more plural way means that women are not considered de facto less autonomous.

The question is not simply an issue of redefinition – that is, redefining autonomy so as to ensure that it includes “feminine” characteristics. The point is an ontological one. Defining autonomy through traditional male characteristics, with an over-reliance on rationality as its defining *raison d’être* fails to account for what autonomy is and the ways in which it might be practised. It is an incomplete conception of autonomy. For Meyers, given the effects of socialisation,

it must be possible for people to act autonomously in isolated situations, and to adopt some projects and policies autonomously without having control over the basic direction of their lives.¹⁵⁸

An account of autonomy needs to be able to explain those instances in which agents make autonomous decisions on some aspects of their lives, but not in others. It must be able to consider the many ways in which human beings think about their own lives and the decisions they take. By over-emphasising the role of rationality, a conception of autonomy can fall into an essentialist trapping, subsuming a whole categorisation of people under the rubric of non-autonomous, rather than looking at all the characteristics of the process of autonomous deliberation. According to Diana Tietjens Meyers

The claim that feminine socialisation altogether excludes most women from the class of autonomous agents is both morally repugnant and factually unsubstantiated. What is needed is an account of personal autonomy which comprehends the experiences of traditional women but which also acknowledges the liabilities that curtail these individuals’ autonomy.¹⁵⁹

¹⁵⁸ Meyers, “Personal Autonomy and the Paradox of Feminine Socialization”, *The Journal of Philosophy*, Vol. 84, No. 11(1987), p. 624. Paul Benson holds a remarkably similar view “The claim that normal feminine socialisation affects some women’s attitudes toward themselves in a manner which inhibits the autonomy of some of their actions is compatible with the claim that these women are autonomously moved to do many of the other things they do.” See “Autonomy and Oppressive Socialisation”, pg. 390.

¹⁵⁹ Meyers, “Personal Autonomy and the Paradox of Feminine Socialization”, p. 621.

It is only by having a more plural understanding of what autonomy means that we can take seriously the effects of oppressive or unequal socialisation, allowing the conception of autonomy to better reflect the reality of lived experience for both women and men.

ii. Adaptive Preferences and Materiality

Even if we understand autonomy in a non-overly rationalist manner, taking socialisation seriously means acknowledging that not all choices will be freely chosen. Indeed, as Nussbaum points out

people's preferences for basic liberties can itself be manipulated by tradition and intimidation; thus a position that refuses to criticise entrenched desire, while sounding democratic on its face, may actually serve democratic institutions less well than one that takes a strong normative stand about such matters, to some extent independently of people's existing desires.¹⁶⁰

Socialisation can mean that women are less able to exercise their autonomous capacities. This can happen for two distinct reasons. The first is the material, the external. As oppressive forms of socialisation become materialised, that is, as they become real in peoples' lives, enshrined not only in customs and traditions, but possibly in law as well, the possibilities of action become severely restricted. Given the many instances whereby the status of women has been diminished through common laws and practices, feminists are right to restate the importance of considering the particularities of the material objective situations women find themselves in. In doing so they highlight the importance of the objective versus sole considerations of the subjective when thinking about autonomy.

¹⁶⁰ Martha Nussbaum, *Women and Human Development: the Capabilities Approach* (Cambridge: Cambridge University Press, 2000), p. 115.

Nussbaum has noted the interdependency of poverty and gender inequality.¹⁶¹ Amartya Sen has also noted how material circumstances, springing from social arrangements, have deep consequences in the outcome of events. Writing about the Bengal Famine of 1943, he noted that the tragedy was not so much a problem with food availability decline (FAD), but rather socially originated issues such as exchange entitlements that resulted in class-based destitution.¹⁶² It follows that a theory of autonomy must consider the material conditions under which a choice is made.

This is particularly important when thinking about women in minority groups. For example, a woman who chooses to undergo an arranged marriage, and does so by considering her options carefully and deciding that this is the best way to uphold her deepest values might be considered autonomous. Socialisation requires us to consider the material situation under which this decision was arrived at: if she faced strong pressures to do so, if her family demanded she did so, if she has been educated in such a way whereby any other decision would have been inconceivable, then the autonomy of her choice might be put into question.

There is a second way in which socialisation might harm individuals' capacities to be autonomous. This is the problem created by the phenomenon of adaptive preferences. Here the constraints are not external but internal. The agent, despite having a plurality of options available, might choose some that are harmful. As Nussbaum notes, "disadvantaged groups ...internalize their second-class status in ways that cause them to make choices that perpetuate that second-class status".¹⁶³ Gendered norms of appearance, for instance, have been the subject of much academic scholarship.¹⁶⁴ For Paul Benson

¹⁶¹ Nussbaum, *Women and Human Development: the Capabilities Approach*, p. 3.

¹⁶² Amartya Sen, *Poverty and Famines: an Essay on Entitlement and Deprivation* (Oxford, Clarendon Press, 1981).

¹⁶³ Nussbaum, *Women and Human Development: the Capabilities Approach*, p. 127.

¹⁶⁴ See Sandra Bartky, "Foucault, Femininity and the Modernisation of Patriarchal Power", in *Feminist Social Thought: A Reader*, ed. Diana Tietjens Meyers (London: Routledge, 1997); Pierre Bourdieu, *Masculine Domination* (Cambridge: Polity Press, 2001); Naomi Wolf, *The Beauty Myth* (London: Chatto & Windus, 1990); Nina Power, *One Dimensional Woman* (Winchester: Zed Books, 2009); Diane Tietjens Meyers, *Gender in the Mirror*, (Oxford: Oxford

“The socialisation of feminine appearance is oppressive not only because many women are motivated to comply due to coercive conditions, but also because it frequently yields compliance by systematically leading women to internalize false construals of their personal value and, in consequence, to misconstrue many of the reasons there are for them to act.”¹⁶⁵

Benson regards the normative content of many (feminine) social norms as unacceptable. The socialisation processes affect all individuals, but negatively affect women in particular since (some of) these norms typically prove more beneficial to men. For Benson, the problem is not that socialisation exists, but that its unequal and oppressive forms reduce women’s capacities for autonomy. In particular, oppressive socialisation can harm the individual’s sense of self. As a consequence, she might not value herself as an equal human being, deserving of equal respect. These are the kinds of instances where a conception of autonomy must question the effects of oppressive socialisation.

It is worth noting that the issue of adaptive preferences is indeed a constraining question in the study of autonomy. It is possible, given the pervasive inequality that women face, that women might be more affected by oppressive forms of socialisation, resulting in adaptive preferences. This is one of the issues that a conception of autonomy ought to be sensitive to. However, as we have seen, this does not mean that autonomy needs to be ruled out completely.

3. A Theoretical Example: Chambers

Clare Chambers’ recent work deals specifically with questions posed by taking socialisation seriously in a study of free agency. Her book is an analysis of the normative responses to cultural difference appropriate for liberal states. She sees

University Press, 2002); Natasha Walters, *Living Dolls: The Return of Sexism*, (London: Virago, 2010).

¹⁶⁵ Benson “Autonomy and Oppressive Socialisation”, p. 389.

social construction as a way of enabling “feminists to understand how patriarchy persists in liberal societies and despite formal equalities”.¹⁶⁶

Following Foucault, Chambers notes how power operates from both the outside and the inside. As women internalise gender norms these are then “transferred onto our bodies and our bodies in their new forms act out these social norms, perpetuating them by example”.¹⁶⁷ The social norms that regulate feminine appearance, for example, are not codified, yet most women undergo time consuming procedures (hair removal, hair styling, make-up and so on) in order to conform to these norms. While it can be argued that these norms of appearance affect men as well, they are “more exacting and expensive (in both time and money) for women, [and] their effect is to cast women as inferior”.¹⁶⁸ What matters is the operating asymmetry: not conforming to these social norms can result in women being disadvantaged, yet conforming to them also makes women the object of ridicule or contempt.

Chambers’ depiction of social construction is informed by critical theory. However, she shares the liberal concern that post-modernism is liable to offer few normative solutions. For her, it is crucial to have a normative standpoint from which to criticise existing social practices. In her words:

The fact that culture is interwoven with practices means that, in choosing to perform a particular practice, an individual is participating in a social form. While not completely dominated or determined, the individual does not have control over the social form: she does not control its meanings and symbolizations. Moreover, she does not control her desire to participate in it.¹⁶⁹

In Chambers’ view, the process of social construction is depicted as one that has utmost importance: we cannot choose what social forms we participate in, nor

¹⁶⁶ Chambers, *Sex, Culture and Justice*, p. 7.

¹⁶⁷ *Ibid.*, p. 26.

¹⁶⁸ *Ibid.*, p. 29. Whether these social norms are indeed more expensive in terms of money is contestable, since after all male grooming products are more expensive than the female equivalents.

¹⁶⁹ *Ibid.*, pp. 38 - 9.

are we are able to affect these social forms through our own behaviour. She maintains that choice still exists, but argues that it does not “suffice to render an outcome just: there are circumstances in which a chosen practice remains unjust, and this is because practices are inherently social and thus do not depend on individuals’ choices”.¹⁷⁰ We do have choice, but our having chosen something does not require that this must be respected.

The argument for not respecting, or not necessarily respecting, choices rests on the extended effects of socialisation. Given the prominent position of social construction in forming our desires and wishes, she argues it is not clear that a choice is properly ours, and if the choices are normatively objectionable, for instance, if they disadvantage women, liberals have a duty to not respect them. According to Chambers, equality trumps autonomy, because it is not clear to what extent choices are ours, nor is it clear that we should ever tolerate practices that go against the liberal principle of equality.

This is one of the problematic aspects in Chambers’ argument. She claims that one of her guiding questions is whether the thesis of social construction rules out autonomy.¹⁷¹ However, despite her careful work analysing the implications of social construction, she does not adequately explain how autonomy exists. Chambers seems to regard autonomy as important for feminists because through it change is possible: if we deny agency, or make social construction the primordial ordering factor, the possibilities for change become severely limited. However, because of the effects of social construction, she does not seem to regard choice as carrying any normative value – at least not until unequal norms and expectations are eradicated.

Chambers sees MacKinnon’s work on consciousness-raising as a good way of avoiding the determinist trap of maintaining there is nothing that can be done,

¹⁷⁰ Ibid., p. 39.

¹⁷¹ Ibid., p. 7.

and that agents are unable to change the social structures around them.¹⁷²

Consciousness-raising focuses on the

minutiae of women's lives. ...As MacKinnon puts it, 'Extensive attention was paid to small situations and denigrated pursuits that made up the common life of women in terms of energy, time, intensity, and definition – prominently, house work and sexuality'. Attention was also paid to the habitualization of appearance and deportment norms.¹⁷³

The idea is to make the underlying norms and their modes of operation more explicit, and thus more amenable to change. However, for Chambers, although consciousness-raising is important, it alone cannot effect change. According to Chambers,

the most effective form of social change is the combination of an enforced, structural change together with active promotion of a new set of norms.¹⁷⁴

Chambers focuses on the role of the state in dealing with unequal social norms. In order to change the dominant systems of inequality, the state ought to promote laws that enshrine or protect equality. However, these laws need to be accompanied by efforts to change people's mentality through awareness-raising. An illustration of how this could work in practice would be the recent Spanish legislation to penalise violence towards women. Gender violence, especially in marriages, has been historically widespread throughout Spain.¹⁷⁵ A new law, formulated by feminist associations and advocacy groups rather than political parties, was passed in 2004. These kinds of organisations can be seen to be doing the advocacy-raising that Chambers claims is necessary: they are aware of the many ways in which gender violence is deployed and affects women. The government, following the specialists' recommendations, introduced a law which

¹⁷² Catharine MacKinnon, *Toward a Feminist Theory of the State* (Cambridge: Harvard University Press, 1989).

¹⁷³ Chambers, *Sex, Culture and Justice*, p. 59.

¹⁷⁴ *Ibid.*, p. 67.

¹⁷⁵ Ley Orgánica 1/2004, 28th of December 2004, de Medidas de Protección Integral Contra la Violencia de Género. Chambers does not speak of this law per se, but nonetheless it seems to embody the key elements of her proposal.

carried heavy penalties and where the burden of proof rested on the accused, in an attempt to facilitate the denouncing of violence within the household.¹⁷⁶ According to Chambers, changes in law need to be accompanied by “symbolic changes in social reasoning (such as consciousness raising, the feminist movement campaigning for women’s rights)”.¹⁷⁷ This is exactly what took place in Spain: the law’s introduction was coupled with an unprecedented level of public exposure through television, radio and written media in an attempt to engage with what Chambers would term the “symbolic normativity”, giving the newly formulated law wider support than would have otherwise been the case.¹⁷⁸

For Chambers, since “gender is transmitted throughout society, it must be countered by a coordinated program of change in such institutions and in wider social norms”.¹⁷⁹ In particular, it seems crucial that the state intervenes since “formal liberal freedoms embodied in state non-intervention do not truly emancipate”.¹⁸⁰ Chambers is aware that state action need not necessarily change social norms. Furthermore, she is conscious of the problems that state action can have in terms of power and its wrongful deployment. It is her commitment to ideal theory which leads her to believe that state action is still necessary, without being particularly concerned about the ways in which the state should act in order to ensure the success of such policies:

I am engaged with ideal theory at the level of state action: I propose paths that the state ought to take without specifying how to ensure that those paths are actually taken. The fact that the state may be an unwilling tool of feminism emphasizes rather than underdetermines the need to address and utilise it.¹⁸¹

¹⁷⁶ The law assumes that most perpetrators are men. Interestingly, the law is written in a gendered way, containing only two clauses that address the possibility of reverse violence, i.e. women being violent towards men.

¹⁷⁷ Chambers, *Sex, Culture and Justice*, p. 68.

¹⁷⁸ There has been no official qualitative or quantitative research yet on the success of the law in eradicating long-standing social customs through the combination of legal and symbolic change. It is expected that this kind of research will take place in the future when there is enough evidence to establish the grounds of the new patterns of behaviour.

¹⁷⁹ Chambers, *Sex, Culture and Justice*, p. 69

¹⁸⁰ Ibid., p. 72.

¹⁸¹ Ibid., p. 76

My contention with Chambers is a matter of nuance and focus. I am generally sympathetic to her arguments on the “need to recognise that individuals are strongly formed and constrained by their social circumstances and that this constraint increases the need for liberation”, and I agree that state action might indeed be necessary. However I also believe that autonomy can be useful in working against inequality. It is here where I believe Chambers and I have a different focus. Whereas she is concerned with appropriate normative responses, I am more concerned with what comes before this: the analysis of the practices in question. Chambers concedes that this step is important by mentioning that state action must be coupled with consciousness-raising. However, consciousness-raising is not the focus of Chambers’ work – it is briefly introduced so as to avoid the determinist trap. In some ways it is ideas such as consciousness-raising that a study of autonomy appeals to, in that thinking about the minutiae of women’s lives requires some analysis of how women themselves feel towards their choices and attachments.

My contention with Chambers’ account of social construction is one of nuance. I believe she may not be taking the effects of socialisation seriously enough. The challenges posed by socialisation are not adequately portrayed by claiming there is a dichotomous choice to be made about autonomy: either saying that people are heavily socialised and thus we cannot take their choices to be true reflections of their intentions, or claiming that socialisation is not that pervasive and thus we need to respect their choices. Thinking about socialisation requires the recognition that we affect social norms as well as being affected by them. Before state action takes place there must be careful consideration of the ways individuals think about their lives, of what they value. Autonomy matters because of socialisation – without these considerations it is possible that we might be too quick to assign particular meanings to practices without fully understanding the ways in which these are inhabited.

The first issue of contention has to do with the possibilities of existence. Practices and preferences are all possibilities of action, themselves defined through social norms. Intangible social norms are illustrated, reflected and materialised in practice. Yet we can only imagine those things that already exist.

For instance, it is *possible* to imagine human beings having blue skin, because we understand and know what blue looks like. Imagining human beings to be grue or bleen is more difficult because we do not know what these colours are: they are not notions we are familiar with or have knowledge – material or abstract – of. As Hans-Georg Gadamer claimed,

only the support of the familiar and common understanding makes possible the venture into the alien, the lifting up of something out of the alien, and thus the broadening and enrichment of our experience of the world.¹⁸²

If unequal gender norms are the only game in town, we cannot expect that a ban on female breast implants will alone make feminine socialisation any more egalitarian; it is likely that the unequal social norms that justify the practice will materialise in a different practice altogether. There needs to be real possibilities for changes to take place.

Secondly, I believe Chambers might be too optimistic about a government's capacity to "focus on freeing individuals from unjust social influence: that which harms or disadvantages them".¹⁸³ There seems to be a tension in Chambers' belief that it is almost impossible to "be completely free from social influence" and her thought that some, and not others, will be able to see where these harmful social norms operate.¹⁸⁴ Surely there is a possibility that the state will also follow social norms?

The third area of contention has to do with the importance of contextual understanding. Socialisation does indeed problematise the issue of choice, but attention to autonomy can help us to understand the plural meanings that single practices might have in different settings. As we saw in chapter I, a practice like wearing the hijab can have a variety of contextual meanings. We need to take seriously the meanings of embodied practices, and analyse their normative

¹⁸² Hans-Georg Gadamer, "The Universality of the Hermeneutical Problem", in *Philosophical Hermeneutics*, ed. David E. Linge (Berkeley, California: University of California Press, 2008), p. 15. See also Iris Murdoch, *Existentialists and Mystics* (London: Penguin Books, 1997).

¹⁸³ Chambers, *Sex, Culture and Justice*, p.113.

¹⁸⁴ Ibid.

content in plural ways.¹⁸⁵ What might appear in the first instance to be an example of inequality or oppression might also be considered an instance of emancipation – a change in the normative significance of practice, achieved via the reinterpretation of the mechanisms that exist in lived realities. If the objective of state action is to ensure that unequal choices are disallowed, we must be sure that those choices are experienced as unequal and damaging.

Ultimately, Chambers is not wrong in thinking that state intervention might be necessary. However, considering the possibilities of autonomy could be a prior and complimentary step to policy changes that seek to eradicate inequality and oppression. Taking contextual significance into account brings up the issue of plural meanings and attachments. This is a crucial step in deciding what practices cannot be tolerated. Through autonomy considerations it is also possible to be clear about what the possibilities of action are. Before a law takes effect that law must already be present, in some way, in people's minds. It cannot emerge from nothing – if a law is to work it must be understood by those who have to live with it. After all, social norms are not merely transmitted through society in an abstract sense – they are transmitted by the very individuals who live in those societies. It must be the individuals themselves who come to realise the potential problems in a given practice. Considering autonomy can open up new possibilities for action, leading the way for the discussion of more imaginative policies that could work in contexts of deep unequal socialisation. Autonomy can be a tool for working against inequality too.

4. Socialisation and Identity

So far we have seen some of the ways in which socialisation works, and its deep effect on individuals. We have also seen that although accepting the reality of socialisation need not mean that autonomy is de facto denied, there is still a problem caused by unequal forms of socialisation. Through a discussion of Chambers, autonomy has emerged as a useful consideration when working

¹⁸⁵ See Mahmood, *The Politics of Piety* for a complete elaboration of how this might be the case.

towards equality. However, before we look at how autonomy can be conceptualised we must consider how the social affects individual identities.

Individual identities are, in part, socially constituted. However, identities are not simply mere reproductions of socially learnt norms and behaviours. As Anthony Appiah points out, explaining identity formation through its constitution in the social world does not diminish, in any way, individuality. For him,

to value individuality properly just *is* to acknowledge the dependence of the good for each of us on relationships with others. Without these bonds, as I say, we could not come to be free selves, not least because we could not come to be selves at all.¹⁸⁶

In this account, the social is considered to be neither uniform nor single. Thinking about individual identity destabilises notions of homogeneity in favour of an idea of the social that is plural and constantly challenged.¹⁸⁷ But how do the social and the individual interact? In order to answer this it is useful to distinguish between two different types of identity: collective and personal.

Collective identities are a form of differentiation; a definition of a group of people that implies certain characteristics (also referred to as ascribed characteristics). The individuals in the group might or might not follow or agree to these in their totality. For example, the collective identity of a Muslim might include following certain practices. They might be expected to eat Hallal and not consume alcohol. Muslim individuals, however, might agree with these practices, or they might not, choosing to follow some or none of these. For Appiah, a collective identity is typified by the following three features. Firstly, it should allow for identification of those to whom it should/could be applied to: there should be available terms in public discourse that refer particularly to that group or collectivity.¹⁸⁸ Secondly, an “element of a social identity is the internalisation of those labels as parts of the individual identities of at least some of those who

¹⁸⁶ Kwame Anthony Appiah, *The Ethics of Identity* (Princeton: Princeton University Press, 2001), p. 21.

¹⁸⁷ See Gloria Anzaldúa, *Borderlands/La Frontera* (San Francisco: Aunt Lute Books, 2007).

¹⁸⁸ Appiah, *The Ethics of Identity*, p. 66-7.

bear the label”.¹⁸⁹ And lastly, a collective identity implies that there are particular patterns of behaviour. These behaviours can be of two types: there might be a certain pattern of behaviour towards those associated with the social group one is deemed to belong to, i.e. one is treated as a member or as an x, y or z. And it could also be that the individual herself acts in a certain way because she is an x, y or z.

The notion of collective identity could lead to ideas about authenticity, in the form of ‘a true’ way of being this or the other: there is a true way of being a Muslim, a true way of wearing the hijab. Claims of authenticity might assume that cultures are unchanging entities that follow certain patterns. Such rigidity in the conceptualisation of culture might preclude careful evaluations on how autonomy might work in each instance. In order to avoid claiming that certain cultural groups are a particular way, or are uniform for all their members, we must bring in ideas about multiple identities. Whereas socialisation seems to imply, or at least can logically imply, that agents will follow certain general behaviours because that is what they have been socialised into, consideration of personal identities points at how these social norms are individually interpreted by those who live within them. Let us not forget that my concern in this thesis is primarily with aspects of a collective identity that agents feel matter to them, that is, the collective identities that agents participate in, the summaries that will affect and give meaning to their own individual identities.

As Meyers points out, the process of socialisation is not simply homogenising: accepting that social norms operate and form individuals need not mean that all individuals are the same. Taking socialisation seriously also means analysing how individuals react to these processes. Social norms are internalised, but they are also simultaneously individualised.¹⁹⁰ Indeed, for Meyers, the socialisation process is also constitutive of identity. She takes issue with Okin’s dichotomy whereby

¹⁸⁹ Ibid., p. 68.

¹⁹⁰ Meyers, *Gender in the Mirror*, p. 4 – 5.

“either social positioning is constitutive of individual identity and all similar positioned individuals share a common identity, or else social positioning is external to individual identity, and no woman’s identity is gendered unless she decides to let gender in”.¹⁹¹

The dichotomy that Meyers eschews is that of socialisation creating a form of authenticity and homogeneity that all individuals identified by a social identity (be it religious, cultural or political) must share, or the notion that social norms do not influence our identity unless we specifically choose to let them, i.e. unless an individual specifically chooses to be something rather than something else. For Meyers, the reality is a combination of these two ideas, which is the possibility of individuals being gendered, but living differentially through that identification. In the words of Iris Young:

No woman will escape the markings of gender, but how gender marks her life is her own.¹⁹²

After all, if we accept that it is individuals who transmit and create social norms, it follows that cultures too are created from within. Thus speaking of cultural authenticity becomes oxymoronic: there might be commonalities in cultural identifications, but there can be no single and true way these exist. How agents individualise and live through their identities is the concern of literature on multiple identities.

Taking socialisation seriously means taking contextual variations seriously. This chapter has argued that social norms are all pervasive and affect all individuals, but their effect need not mean that autonomy is impossible. The experience of socialisation is crucial to enable the formation of collective identities, which are central to the development of individual identities. The social, in a way, enables individuals to understand the world in which they live. However, it is crucial to note that individuals will have very different experiences of the same social norms. They might also have more than one defining identity framework. How

¹⁹¹ Ibid. p. 7.

¹⁹² Iris M. Young, “Gender as Seriality: Thinking about Women as a Social Collective”, *Signs*, Vol. 19 (1994), p. 734.

they react and negotiate between these different attachments can enlightening for a theory of autonomy. As Benson points out,

Even under social, economic, and psychological oppression, women have realized considerable power as free agents in relation to normative standpoints which were accorded little social visibility.¹⁹³

Careful attention to the process of socialisation requires that individuals are not forgotten. As such, a conception of autonomy needs to be sensitive about how individuals view and interpret the significance and effects of social norms. However, because of the potential effects of oppressive forms of socialisation, a conception of autonomy must also carefully consider when choices are autonomous and when they are not.

Taking context seriously is crucial for a conception of autonomy. Understanding plural responses to the same social norms shows the difficulties of having a priori interpretations of what equality looks like. As Hirschmann points out, “women are important constructors of culture, and they constantly struggle to engage in this construction on their own terms”.¹⁹⁴ Paying attention to how individuals reinterpret social norms and practices can be a fruitful and imaginative way of thinking about how equality can be achieved in practical terms. The potential of these individualised negotiation strategies will be the object of study in the next chapter.

¹⁹³ Benson, “Feminist Second Thoughts about Free Agency”, p. 60.

¹⁹⁴ Hirschmann, “Western Feminism, Eastern Veiling, and the Question of Agency”, p. 349.

III. The Plural Self: Me, Myself, and I

1. What is meant by 'Multiple Identities'?

In this chapter I set out the case for the importance of the literature on multiple identities for political theorists, especially for those working on theories of autonomy and multiculturalism. Theories of multiculturalism have been accused of using notions of cultures or groups too rigidly.¹⁹⁵ Besides the question of whether this characterisation is actually correct, it is worth noting that literature on the paradox of multicultural vulnerability does indeed focus on the position of individuals in order to understand the problems that might arise from essentialist views of group or cultural rights.¹⁹⁶ In this chapter I argue that personal identity is a crucial aspect of thinking about cultural rights: it is one of the bases on which groups are formed.

Autonomy and identity are not unrelated ideas. Indeed, the notion of being 'one's own person' implies that one *is*, and that, to some extent, there is a procedure (let us call it autonomy) through which one reaffirms one's choices, choices that potentially reflect who one is. So why is using an intersectional approach to identity important? What can be gained? And what kind of attitudes will it preclude?

I will use the terms multiple identities and intersectional identities interchangeably. These concepts refer to "an array of diverse and sometimes contradictory identities that were formed in and through various and often

¹⁹⁵ See Barry's claim that Tully and Young essentialise the notion of group belonging. *Culture and Equality*, p. 11. Okin makes a similar point when she says that multiculturalists "tend to treat cultural groups as monoliths – to pay more attention to differences between and among groups than to differences within them". Okin, *Is Multiculturalism Bad for Women?*, p. 12. See also Phillips, *Multiculturalism without Culture*; Seyla Benhabib, *The Claims of Culture* (Princeton, NJ: Princeton University Press, 2002).

¹⁹⁶ See Squires' claim that Barry is indeed misrepresenting most multiculturalists. Judith Squires, "Culture, Equality and Diversity" in *Multiculturalism Reconsidered*, ed. Paul Kelly (Cambridge: Polity Press, 2002).

intersecting social dynamics".¹⁹⁷ As such, the name of the body of literature and the phenomenon it tries to describe is the same. The literature originally springs from work by black and mestiza feminists, that is, women who are mixed race (Indian/white), or have emigrated to or live between the US and Latin America.¹⁹⁸ Intersectionality focuses on the effects of plurality on identity. Although originating within a localised body of literature, none of the characteristics or subjects it deals with are exclusive to mestizaje or race politics. Most of the authors who have dealt with the notion of multiple identities are concerned to maintain a philosophical anti-essentialism that clearly has wider implications.¹⁹⁹ Multiple identities as a fact can be said to be true for most individuals, since most, if not all, human beings will have a variety of societal influences permeating their individual identities.

The central theme in the literature on intersectional identities is that individuals are not formed within single monolithic models of society. Within each social milieu there is a variety of cultures, broadly defined, that intersect and form priorities in different ways. These generate a multiplicity of life options that may not sit easily together, but might nonetheless coexist within the experiences of a single individual: we can call these the various identifications an agent might hold. For example, under the logic of multiple identities one could hold that being Spanish, British or French is neither a sufficient nor a correct portrayal of identity. A person might indeed be British, but might simultaneously be Hindu, a sceptical Labour voter, a feminist and bisexual. Identities are formed through a variety of life worlds, amongst which are class, ethnicity, gender, race, sexuality, nationality, region, religion, language communities, and subcultures formed around such matters as political beliefs, fashion and life choices.

¹⁹⁷ Edwina Barvosa Carter, "Mestiza Autonomy as Relational Autonomy: Ambivalence and the Social Character of Free Will", *The Journal of Political Philosophy*, Vol. 15, No. 1 (2007), p. 6.

¹⁹⁸ See Jennifer Nash, "Re-thinking Intersectionality", *Feminist Review*, Vol. 89, No. 1 (2008); Kimberlé Crenshaw, "Mapping the Margins: intersectionality, identity politics and violence against women of color", *Stanford Law Review*, Vol. 43, No. 6. (1991); Barvosa Carter, "Mestiza Autonomy as Relational Autonomy"; Anzaldúa, *Borderlands/La Frontera*; María Lugones, *Pilgrimages/Peregrinajes: Theorizing Coalition Against Multiple Oppressions*, (Maryland: Rowman & Littlefield, 2003).

¹⁹⁹ This is something Nash has emphasised in her work on intersectionality. Multiple identities, as a theorising strategy, must be careful to not reproduce the errors it seeks to criticise.

This much is relatively uncontentious, but apart from indicating the presence of a variety of societal models that have bearing on an individual's identity and choices, the notion of intersectionality highlights another issue central to the study of autonomy and multiculturalism. According to Maria Lugones, the experience of multiplicity also reflects a possible contradiction in the individual's experience of events: the possibility of being oppressed and, at the same time, resisting that oppression. Literature on intersectional identities allows for something to be experienced as both enriching, and constraining and limiting. As Meyers points out,

The notion of intersectional identity is paradoxical. Ties to groups are commonly experienced as emotionally gripping and integral to one's sense of self, yet these ties may be experienced as imposed and confining, even wounding. Likewise, the divergent demands entailed by ties to different groups can lead to estrangement from oneself and from others, yet they endow individuals with opportunities for agency, both for self-definition and for affiliation with others.²⁰⁰

It emerges that theories of intersectionality highlight the tensions that are created through identity. They reflect social processes not as static and homogenous, but portray reality in a more accurate way: lives are shown as constantly in flux, and identity forging relationships are shown as following a variety of axes. Individuals emerge as both creators and victims of their identities, portraying the creative potential of individuality and adding depth to identity politics.

According to Jennifer Nash, studies of intersectionality aim to challenge the following assumptions – all of which have important political consequences. Firstly, they “subvert race/gender binaries in the service of theorising identity in a more complex fashion”.²⁰¹ This enables the study of culture to be more nuanced, avoiding often harmful stereotypes and generalisations. Secondly, intersectionality challenges identity politics in its widest sense by highlighting

²⁰⁰ Diana T. Meyers, “Intersectional Identity and the Authentic Self? Opposites Attract!” in *Relational Autonomy*, ed. Catriona Mackenzie and Natalie Stoljar (Oxford: Oxford University Press, 2000), pp. 155-6.

²⁰¹ Nash, “Re-thinking Intersectionality”; Crenshaw, K. (1991), “Mapping the Margins”, pp. 2-3.

the importance of intra-group difference. Finally, intersectionality as an analytical strategy provides an alternative language to essentialism. According to Nash, this is due to the particular epistemological grounding of intersectional subjects. In contrast, I argue that since most, if not all, subjects are intersectional, intersectionality provides the normative framework from which to deal with essentialism. The epistemology of intersectionality is true for most human beings, but what matters in a normative sense is the realisation of its existence.

In this chapter I set out to see how intersectionality operates. In the first section I look at where identities spring from, and consider the importance of collective identities operational in social realms. I make a distinction between collective and personal identities in order to demonstrate that while the social is of great importance in the creation of identity, it is not the only operating variable. I also touch upon some of the essentialism that is potentially problematic in collective identities.

In the next section I consider identity from a personal point of view: the identity of the individual. I show that there are different levels to the constitution of identity: there are identifications, based on the collective identities agents feel apply to them, that is the life-worlds that are important to them, as well as the way individuals themselves think about these identities. These two are distinct: one relates to ascriptive group characteristics, and the other has to do with the individual's own consideration of her identity. I then go on to explain some of the ways in which these plural individual identifications can coexist, and how these are related to the different constituent parts of identity.

Finally, I argue that intersectionality is a useful analytical strategy for political theorists concerned with questions of equality, multiculturalism and autonomy. I demonstrate that by adopting intersectionality as an analytical tool, the analysis of multiculturalism can avoid some of its potential pitfalls, as well as showing how the constitution of identity has important implications for scholars of autonomy.

2. Multiple Identities and the Social

As we have seen in the previous chapter, identity is partly socially formed. Collective identities are central in enabling individuals to form their own personal sense of self, containing a variety of attachments and preferences. Appiah regards collective identities as similar to what Ian Hacking calls “kinds of persons” – an idea also akin to Max Weber’s ideal types.²⁰² A kind of person or an ideal type of collectivity could be considered as a sort of summary of what we expect the members of that collectivity to be like. For example, Weber defines the ideal type of German capitalistic entrepreneurs as follows:

He avoids ostentation and unnecessary expenditure, as well as conscious enjoyment of his power, and is embarrassed by the outward signs of the social recognition he receives. His manner of life is, in other words, often ...distinguished by a certain ascetic tendency. ...He gets nothing out of his wealth for himself, except the irrational sense of having done his job well.²⁰³

Analogously one could say that an ideal type could be, for example, that of a British Modern Orthodox Jew. We will have certain expectations of what she might be and behave like. If she is a woman from London, we expect that she might be highly educated, live around the Hendon/Golders Green area (and *not* Stamford Hill), wear fashionable clothes but not buy into particularly revealing fashions or styles. We expect she will eat kosher, and if not available, prefer vegetarian alternatives, she will keep the Mitzvot, keep shomer Shabbat but not necessarily frown upon after-work drinks and so forth.

It is worth noting that the content and level of detail of a collective identity ‘summary’ is variable. Individuals have different levels of knowledge about other collectivities. Some they might know well, either through personal experience or professional interest. In these cases they might be able to provide a

²⁰² Ian Hacking, “Making up People”, in *Reconstructing Individualism: Autonomy, Individuality and the Self in Western Thought*, eds. Thomas Heller, Morton Sosna and David E. Wellbery (Stanford: Stanford University Press, 2006).

²⁰³ Max Weber, *The Protestant Ethic and the Spirit of Capitalism* (London: Routledge, 2001), p. 33.

fairly specific (albeit not necessarily ‘true’) summary. The example above is a case of an informed summary. Individuals might know less about other cultures or groups, making the characterisation less specific. For example, someone with limited knowledge of Jews or Judaism might think that they can be defined by their ‘tight’ attitude to money, or their ability to perform well academically.

It should also be noted that the ascribed characteristics are not necessarily true and, that in both specific and more general cases, collective identities can be at risk of essentialism. As Phillips notes, essentialism can have various meanings, all of which can be applied to the use of collective identities.²⁰⁴ In the first case, it overstates the similarities between members of the group. This is problematic since the way individuals experience the same collective identity varies. Collective cultural identities are not static – they too are constantly challenged by the many sub-groups that constitute any collectivity: age, gender, education and socio-economic status all being examples of the many differences found in any collectivity.²⁰⁵ This is particularly important to remember when thinking about the paradox of multicultural vulnerability.²⁰⁶ As Shachar rightly points out, too much focus on identity politics can be a problem

when pro-identity group policies aimed at levelling the playing field between minority communities and the wider society unwittingly allow systematic maltreatment of individuals within the accommodated group.²⁰⁷

The paradox of multicultural vulnerability emphasises the power differentials that cross cut any social group. These are precisely the issues that collective identities, through their abstraction and ‘summarisation’ of what is to be expected, tend to ignore.

²⁰⁴ Anne Phillips, “What’s Wrong with Essentialism”, in *Gender and Culture* (Cambridge: Polity Press, 2010), Chapter V, pp. 69-82.

²⁰⁵ Phillips, *Multiculturalism without Culture*, p. 28.

²⁰⁶ See Shachar’s claim that this is part of the problem with Kukathas’ (or for that matter, any form of strong multiculturalism) take on minority rights. Shachar, *Multicultural Jurisdictions*, p. 70.

²⁰⁷ *Ibid*, p. 2.

Another way in which collective identities might be essentialist, despite their importance in forging individual identities, is in their potential to create reified categories of identity and cultural groups.²⁰⁸ What is meant by this is the fact that sometimes these ascribed characteristics are taken as natural, as the essence of what defines an individual. For example, it is because you are a Jew that you are a good student, not because your parents encouraged you to do well (for social, political, historical or religious reasons), or because you are personally interested in studying. The danger with this, as Phillips notes, is that it can imply biological determinism.

Related to the second understanding of essentialism is a third interpretation. Again, it is one that can be perpetrated by the misuse of collective identity summaries. According to Phillips, “the treatment of certain characteristics as the defining ones for anyone in the category, as characteristics that cannot be questioned or modified without thereby undermining one’s claim to belong to the group” is the most normative use of essentialist terms.²⁰⁹ This kind of essentialism can take the following form: you are not really a Jew if you criticise Israel; you are not really Zionist if you believe in a one state solution to the Israeli-Palestinian conflict. It is used by others to judge an individual’s belonging. As mentioned above, this thesis focuses on individuals’ own evaluations of their belongings and, as such, this type of essentialism, albeit problematic, is not one that will be dealt with in detail.

The precise make up of social groups or social identities is not what is particularly relevant for questions of autonomy. What matters is the way individuals *deal* with those identifications in personal ways. This is exactly the point at which the notion of multiple identities differs from ideas on socialisation and group identities. Personal identities are commonly forged *through* the collective ones: the collective terminology enables individuals to articulate those aspects of cultures with most meaning to them. Values only make sense when they resonate with others, making the social crucial in enabling the language, the

²⁰⁸ Benhabib, *The Claims of Culture*. See also Phillips, “What’s Wrong with Essentialism”, in *Gender and Culture*, Chapter V, pp. 69 – 82.

²⁰⁹ Phillips, “What’s Wrong with Essentialism”, p. 80.

discourse within which individuals can construct or explain their own personal story. As Appiah points out,

once labels are applied to people, ideas about people who fit the label come to have social and psychological effects. In particular, these ideas shape the ways people conceive of themselves and their projects. So the labels operate to mould what we may call *identification*, the process through which individuals shape their projects – including their plans for their own lives and their conceptions of the good life – by reference to available labels, available identities.²¹⁰

But these individual stories, these identities, are not circumscribed to follow only one aspect: there is no need, nor is it common practice, for an individual to define herself only as an x or a y, only as a woman or as a Jew. Collective identities enable agents to find their own identifications: those specific references that together constitute her identity. In other words, collective identities provide the language and knowledge necessary for the constitution of the individual self, of the person's identity.

Literature on intersectionality highlights the cross-cutting plurality of experience: "subjectivity or the person is shaped and decentred by multiple and cross-cutting forms of socialisation, including relations of group conflict and subordination."²¹¹ Collective identities are indeed *ideal* types, but the experience of the individual is *not* ideal, perfect, unified. It need not conform to all that is expected of a certain group, especially when we bear in mind that many of the social attachments that agents hold might conflict with others. The experience of black feminists is a good example of these conflicting attachments. As bell hooks pointed out whilst writing about suffrage,

Black women were placed in a double bind; to support women's suffrage would imply that they were allying themselves with white women activists who had publicly revealed their racism, but to support only

²¹⁰ Appiah, *The Ethics of Identity*, p. 66.

²¹¹ Barvosa Carter, "Mestiza Autonomy as Relational Autonomy", p.2. Benhabib makes a similar point in *The Claims of Culture*, p. 103.

black male suffrage was to endorse a patriarchal social order that would grant them no political voice.²¹²

This concern is echoed in Kimberlé Crenshaw's call for the consideration of intersectionality as a crucial aspect of thinking about inequality. According to Crenshaw,

the experiences of women of color are frequently the product of intersecting patterns of racism and sexism, and how these experiences tend not to be represented within the discourses of either feminism or anti-racism. Because of their intersectional identity as both women and of color within discourses that are shaped to respond to one or the other, women of color are marginalized within both.²¹³

Only through an intersectional approach would the theorising of identity become truer to the lived experience, and only through such conceptualisations would identity politics come to fruition in its emancipatory egalitarian aims.

Literature on intersectionality reinforces notions about the particularity of each agent's response to socialisation. Each individual might respond in a unique way; it is through these responses that autonomy is developed, and cultural (as well as other) identifications are reproduced, maintained and challenged. Indeed, what multiple identities explores is the frequent gap between the ascribed preferences of a group (for example, the Catholic faith is opposed to the use of contraception) and an individual's personal and private endorsements (a Catholic need not necessarily be opposed to the use of contraception, regardless of her religious beliefs).

Intersectionality also emerges as a way of looking at the problems caused by plural and cross-cutting forms of inequality and discrimination. As Meyers points out:

²¹² bell hooks, *Ain't I a Woman: Black Women and Feminism* (London: Pluto Press, 1993), p. 3.

²¹³ Crenshaw, "Mapping the Margins", pp. 1243-4.

The idea of intersectional identity is premised on the general philosophical thesis that who one is depends on one's social experience. However, the intersectional conception is specific to societies that exhibit certain kinds of social stratification, for it derives from a social-psychological view about how individuals internalise gender, sexual orientation, race, class and ethnicity in sexist, homophobic, racist, classist and xenophobic societies.²¹⁴

Its focus on the individual eschews the idea of homogenous groups, showing the plurality of experience that defines lives, emphasising the individual. This does not mean that intersectionality is only present, or only becomes apparent, when there are inequalities operating. I take it that intersectionality operates for all human beings: it is a fact of human life. Indeed, all individuals have a variety of identifications that might or might not conflict. The point is, however, that the study of intersectionality or consideration of the literature of multiple identities can help shed light on the many ways different inequalities can operate for different individuals. Because of the weight placed upon the unique experience of agents, these inequalities, and their varying and cross-cutting forms, become more apparent as opposed to being subsumed under a general rubric of discrimination.

As such, group uniformity is challenged; the individual comes to the forefront as the unit of analysis. Intersectionality stresses the individual's response to inequalities: the uniqueness that arises as a result of externalist classifications and the possibilities of negotiating one's identity in terms of what matters to one's self.

3. How does Intersectionality Operate?

So far we have dealt with the origins of the notion of multiple identities and some of the assumptions it is meant to dispute, but in order to fully understand how the idea challenges traditional theories of autonomy, it is necessary to sketch

²¹⁴ Meyers, "Intersectional Identity and the Authentic Self? Opposites Attract!", p. 153.

out how it functions and some of strategies people pursue when negotiating between conflicting demands. This section deals with intersectionality as experienced by individuals. It also looks at the different methods the literature on intersectionality identifies as typical in multiple identity negotiation.

The idea of personal individual identity employed here draws on Appiah's notion that our selves and identities are formed through discourse, and that collective identities provide the terms for identification. But these terms of identification are not accepted wholesale, and collective identities can conjure many challenges for personal identities. In particular, an individual might not agree with *all* the ascribed identity characteristics of a group, but nonetheless feel she belongs. On what level can this be the case? And what happens when different identifications, that is, different collective identities, conflict?

In terms of personal identity, it is useful to distinguish between the different constituent parts. I follow Appiah in thinking that social discourse provides the language for personal identity, but this is only part of the story. Kathleen Wallace points out two levels to identification, two constituent components that together form the individual identity of an agent.²¹⁵ The social works through each of these elements in different ways.

One element of individual identity is the 'me': "the self as the generalised other, that is, the self as a reflection of the whole community."²¹⁶ The 'me' refers to the way individuals, as single agents, respond to the demands placed on them through their various identifications and belongings. The 'me' is often not chosen in an autonomous way, although it could be. It refers to those groups the agent feels she belongs to: whether she has chosen to belong to them is a different matter. So, for example, a 'me' could refer to an agent's individual identification as a woman, a daughter, a wife, a Muslim, a left wing political activist, a feminist and a British national. Some of these identifications she might have not chosen -

²¹⁵ Wallace's analysis is heavily reliant on George Herbert Mead's work on the difference between the 'I' and the 'me'. See George H. Mead, *Mind, Self and Society* (Chicago: University of Chicago Press, 1934).

²¹⁶ Kathleen Wallace, "Autonomous 'I' of an Intersectional Self", *The Journal of Speculative Philosophy*, Vol. 17, No. 3 (2003), p. 177.

she has, for example, been born in Britain. Others, she might have chosen herself – such as being a feminist. Her ‘me’s’ are thus her various identifications. Based on Wallace’s ideal schema, we can see how these different identifications (the different ‘me’s’) operate.²¹⁷ The following diagram is based on an imaginary individual – an educated young female British Muslim. The identifications portrayed are by no means exhaustive: many other categories could also be included.²¹⁸ For the purposes of clarity, in order to shed some light on the examples that follow, I have chosen to use only six different identifications.

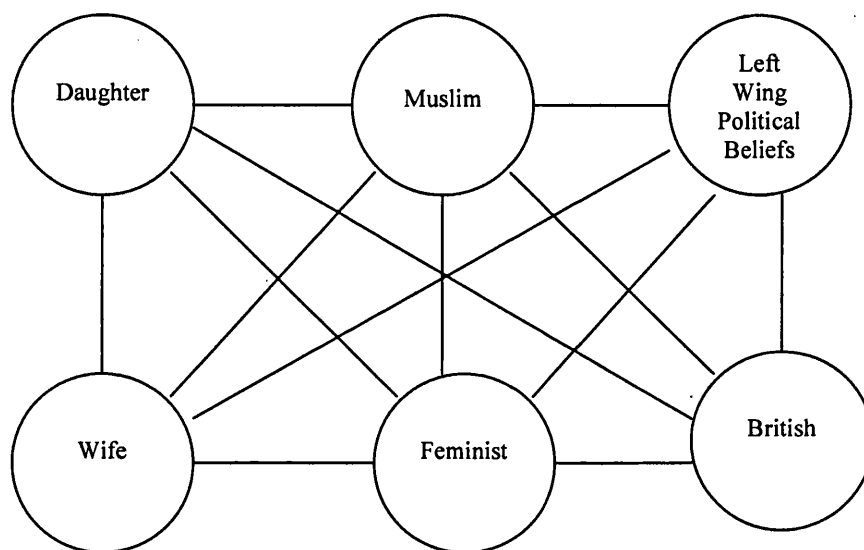


Figure 1 - Intersectional Model of Identification (me's)

These identifications need not conflict, but the connecting lines between them signify identifications that could potentially conflict due to an incompatibility in ascriptive characteristics. Whether they actually conflict or not cannot be established a priori; this will depend on the particular situation, time and agent.

The other level that comprises individual identity is the ‘I’, defined as “the response of the individual (organism) to the attitudes of others”.²¹⁹ The ‘I’ is in a sense deeper than the ‘me’. It employs the same identifications as the ‘me’, but

²¹⁷ Ibid., p. 185, figure 3. The diagram (and its contents) has been changed slightly, but the way it operates is very similar to Wallace’s model.

²¹⁸ Examples of other identifications that could plausibly be included are identification with her family’s country of origin, with her occupation, with a particular political party and so forth.

²¹⁹ Wallace, “Autonomous ‘I’ of an Intersectional Self”, p. 178.

analyses these in a different way: the focus is on how the agent sees them operating for her. 'I' involves a deeper level of consciousness than 'me', in so far as it involves considering the characteristics an agent chooses to endorse, or not endorse or remain ambivalent about. The 'I' refers to her particular and singularly unique way of being. It might not be possible to actively choose all the identifications that could constitute the 'me', for many are a matter of accident, dependent on place of birth, parents, socio-economic status and biology. But this is not to say there is no consciousness operating in personal identities. Agents typically consider some aspects of their identifications with more care than others, and do not necessarily accept the ascriptive characteristics bestowed on them without some degree of consideration of whether they are happy with these characterisations. The 'I' refers to that part of our identity wherein we consider our own positioning towards our 'me', where we evaluate those aspects we agree with, and those ones we do not.

The distinction proposed here is somewhat analogous to the one Seyla Benhabib makes between the "concrete other" and the "generalized other". For Benhabib, the universalism of liberal theory is severely weakened through its over-reliance on the notion of the generalised other. According to her, the notion of the generalised other requires us "to view each and every individual as a rational being entitled to the same rights and duties we would want to ascribe to ourselves. In assuming the standpoint, we abstract from the individuality and concrete identity of the other."²²⁰ My argument for the 'me', that is, the self as the generalised other, does not require such level of abstraction. It is merely a way of describing how individuals feel about certain attachments that are developed socially.

Even if my description of the 'me' could be said to be reminiscent of Benhabib's depiction, it is the 'I' that provides the standpoint of the concrete self. Through the I, the self becomes situated, allowing us to "view each and every rational being as an individual with a concrete history, identity and affective-emotional constitution. In assuming this standpoint, we abstract from what constitutes our

²²⁰ Seyla Benhabib, *Situating the Self* (Cambridge, Oxford: Polity Press 1992), pp. 158-9.

commonality and focus on individuality.”²²¹ The combination of the ‘I’ and the ‘me’ together make up the self – a more concrete and situated conception which, as Benhabib argues, is a better way from which to develop theory.

The following diagram illustrates a relationship between the ‘I’, ‘me’ and ‘myself’.

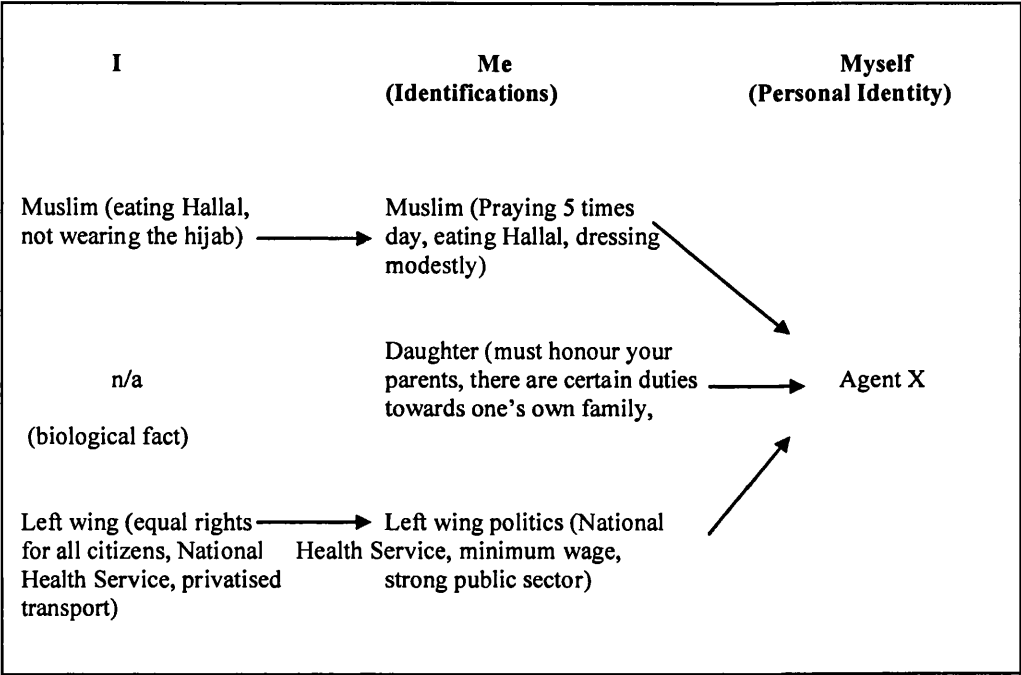


Figure 2 – I, Me, Myself

The identifications above are clearly not exhaustive – indeed, this is only a simplified snapshot of the way identities might operate. What is crucial to note here is that not all personal identifications (‘me’) need have an associated ‘I’. As mentioned earlier, some identifications (‘me’s’) might be chosen, others are an accident. Some might be deemed more important by the agent, making her evaluate more deeply what it means to be identified as *a* or *b*. In the above case, for example, the agent does not have a strong ‘I’ in terms of being a daughter. The identification is sufficient and she has not felt it necessary to think deeply about what it means for her to be a daughter. This is different for her identification with having left wing political beliefs. Here, the ‘me’ might associate left wing views with support for a strong public sector, and her ‘I’

²²¹ Ibid., p. 159.

might agree with the need for a National Health Service, but not think the state should regulate all industries. She might believe that privatised transport systems are best, even if this does not agree with the typically ascribed characteristics of a left wing voter. The collection of her 'I's' and 'me's' are what together constitute her unique and singular personal identity.

What is clear from this is that different identifications might or might not conflict with each other, and that whether they do depends on the particular situation of the agent. But what happens when they do? What strategies do individuals use to negotiate between what can be potentially conflicting ascribed characteristics? A number of negotiating strategies have been noted in the literature on multiple identities – they exemplify how intersectionality considers the self as being made up of experiences which are not uniform or homogeneous. In describing these mechanisms I seek to point out which elements of the self (the 'I' or the 'me') the alleged conflict is based on. In so doing it is easier to see whether agents need to resolve the alleged contradictions in order to be true to themselves.

The first thing to consider is whether the agent accepts the identifications as hers. As mentioned above, for collective identities there must be some degree of identification with the categorisation. But agents may not feel very strongly and one way in which intersectional identities can coexist is when the 'me's' do *not* have an associated 'I': when the self as a generalised other does not feel the need to adopt an explicit position. In some cases, agents will care deeply about aspects of their personal identities, in other cases they will not. In Figure 2, it could be said that the agent is ambivalent about being a daughter. This means that she is not particularly concerned about what it means, for her, to be one. She is a daughter, and she accepts her identification as one, but she remains ambivalent about what this identification might entail.²²² Her acceptance is not deeply considered, there are no deep levels of consciousness attached to her position as a daughter. At this point her identification, her 'me', will not come into conflict with her other identities.

²²² For example, she might be ambivalent about what daughters "ought" to do. Does being a daughter mean you have to respect your parents? Or is it a mere biological fact?

But tension between identities can indeed occur. One way of negotiating plural identifications is then through what Barvosa-Carter, following Anzaldúa's characterisation, calls "syncretising". This refers to:

The process of choosing and syncretically creating one's own set of outlooks from the variety of elements within one's array of social relations and identities. The result of these creative acts is a hybrid set of outlooks that include an array of elements adopted whole from socially given materials and others created syncretically by the subject from elements created from different social sources.²²³

The young woman in the above example might, for instance, consider herself a pious Muslim. However, there might be some customs she does not agree with at all as a consequence of being a feminist. She might think that raising your children to be good Muslims is a requirement for women in Islam.²²⁴ But as a feminist, she might not think this duty should be exclusive to her: she might believe that she and her husband share the responsibility to raise their children to be good Muslims. Her 'me' might accept the duty as one that pertains to her, but her 'I' does not accept it as something that she would choose to do by herself. She picks, or even creates, her own endorsements from among her various identifications. She need not agree with all the presumed characteristics of a collective identity, but will endorse those she agrees with, and that allow her to live with the plurality of her identifications. Her multiple identities "are not fragmented, but an interconnected multiplicity" that make sense to her.²²⁵ They need to mirror the collective identities that operate in the social world but in ways compatible with her personal identity.

The idea of syncretising can involve another form of negotiation, where the agent questions the particular characterisation of the 'me' through her 'I'. Here, she might think that a particular feature of the collective identity is nothing more than a stereotype. She repudiates the particular characteristic on the level of the 'I', for example, when a young Muslim woman believes the Qu'ran does

²²³ Barvosa Carter, "Mestiza Autonomy as Relational Autonomy", p. 7.

²²⁴ Mahmood, *Politics of Piety*, pp. 181 – 184.

²²⁵ Barvosa Carter, "Mestiza Autonomy as Relational Autonomy", p. 8.

indeed call for women (and men) to behave modestly, but does not think that the interpretation of modesty requires wearing the hijab. She is aware that other Muslims might disagree with her, but her 'I' disagrees with a particular interpretation of her 'me'.

This idea of forming one's own endorsements also shows the creative potential in multiple identities. The notion of creation is not a meta-philosophical one. It does not involve deep levels of self-consciousness in interrogating every aspect of one's life, for sometimes endorsements are produced by accident. A young woman, daughter to a Catholic and a Jew, might choose her endorsements (those things she takes from both faiths) almost by accident: she might maintain those things that she has seen throughout her childhood and eschew those her parents did not consider particularly important. Her theistic faith becomes a hybrid, a combination of various belief systems she knows and, to an extent, practices. But this has not been achieved through a process of deep reflection. It is more that her social background provided the reference points that she then considers important. The endorsement of certain characteristics and creation of hybrid identity implies a certain level of self-consciousness. This is self-consciousness at the level of the 'I', where the agent considers her own position in terms of those collective identities she either identifies with or is identified (by others) with. But agents might not be aware of "choosing" to be Muslim, British or feminists. But the way they then think about these identities is indeed a conscious process: it is perhaps at this level of identity where autonomy becomes most important.

Literature on multiple identities highlights identity change over time and not just depending on social circumstances. It recognises the fluidity of social relations and attachments that characterises lives. The young woman in my example might find that at different points in her life different identifications come into tension. For a long time, perhaps, being a feminist and being a daughter do not conflict. Her parents, although not necessarily espousing her beliefs, are happy to respect her decisions. But imagine that a few years later her parents tell her that it is no longer appropriate, now that she has young children, for her to pursue her career on a full time basis, that this is not the appropriate manner of behaviour. She

might find that then her two identifications, feminist and daughter, come into conflict: she wants to please her parents, but does not believe that staying at home caring for the children is what will give her most fulfilment. Intersectional identities can generate conflict at different times: they need not always be in opposition, but they can potentially be.

An alternative way of living through plural identities is through what Lugones terms “world travelling”, whereby “the agent shifts among her different identifications from one social setting to another. This method of negotiating the plurality of one’s identities involves different identity-related meanings, values and practices being utilized in different contexts”.²²⁶ For example, the woman in the example might find her commitments to Islam and feminism run into conflict, but on a changing context basis. Perhaps, when surrounded by Muslim friends and loved ones, she defends feminism, including some principles she is not fully convinced by. In the presence of feminist friends, she defends Islam against charges that it does not respect women. The alleged conflict between her Muslim and feminist identifications takes place at the level of her ‘me’, the identification as a member of these two groups, but based on their ascriptive characteristics. In this case, the contradiction is vis à vis others: it is not necessarily the way she herself thinks about these attachments. She is able to move between her different identifications, prioritising them in different ways at different times.

World travelling can be seen as an instance of ambivalence. Indeed, the case above seems to fit the standard definition: “the coexistence in one person of contradictory emotions or attitudes (as love and hatred) towards a person or thing.”²²⁷ Ambivalence can be taken as just a fact, a characteristic of certain moments where agents are torn by conflicting feelings. But does this mean the individual lacks autonomy at those moments? Intersectional theory would deny this. Indeed, as has been pointed out above, ambivalence in the world travelling sense can be a way of making sense of a variety of attachments in a variety of

²²⁶ Barvosa-Carter, “Mestiza Autonomy as Relational Autonomy”, p. 7.

²²⁷ Oxford English Dictionary Online, accessed on the 19/08/2010. http://dictionary.oed.com/cgi/entry/50006963?single=1&query_type=word&queryword=ambivalence&first=1&max_to_show=10.

social situations, one that operates at the level of ascriptive characteristics, not the agent's own interpretation of them. In this sense, ambivalence allows agents to portray their identities in a more plural fashion than strict conformity to ascriptive characteristics would allow.

World travelling allows agents to display the richness of attachments in a way that is crucial not just for the individuals themselves, but also as a form of questioning and challenging the ascriptive expectations of the collective identities. The above example is a good one: defending both Islam and feminism might raise awareness of the existence of Islamic feminisms, or at the very least dispel some myths about the alleged misogyny of Islam, while pointing to the possibility of interpreting scriptures in a variety of ways.²²⁸ World travelling helps raise consciousness and can dispel the static notions that can sometimes permeate identity politics.

But ambivalence can be said to have two further meanings: one is normative, the other not. The non-normative form of ambivalence relates to the idea of contradiction within the self, that is, uncertainty regarding the way an agent sees some of her identifications. She might, for example, be ambivalent, unsure, as to whether or not to consider herself a left wing voter. Some of her beliefs might fit well with the ascribed characteristics of a left wing voter, while others do not. She remains ambivalent about whether to term herself left wing at all – she is torn between some of her 'I' identifications and how to describe these vis à vis the 'me'. The conflict here is the opposite of the earlier example: there, the 'me' did not have a correlated 'I'; here, the 'I' does not fit a 'me' that the agent can see as representing her.

The final way ambivalence operates has to do with the way the 'me' and the 'I' are related, otherwise known as ambivalence as an enabling strategy. As already argued, literature on multiple identities challenges the idea that wholehearted espousal is a necessary characteristic of autonomy. Ambivalence enables agents to move between different identifications depending on the particularities of the

²²⁸ See Nash, "Re-thinking Intersectionality"; Crenshaw, "Mapping the Margins".

social situations they find themselves in. Ambivalence as an enabling strategy also assumes that “an agent need not endorse *all* aspects of her internalised identity frames”.²²⁹ There might be things she completely disagrees with but not espousing these does not mean rejecting the identification. In terms of world travelling, ambivalence works at the ‘me’ level, or the agent as part participant in a collective identity. Where there is opposition, it is between allegedly competing ‘me’s’ or identifications – external ascriptive characteristics.

Ambivalence as an enabling strategy becomes particularly important when dealing with negative stereotypes. Collective identities can have both positive and negative characteristics, and these often permeate through personal identifications. Amos Oz, in *A Tale of Love and Darkness*, speaks of his bewilderment at the ability of (Sabra) Jews to play sport: “...there were great sportsmen in Tel Aviv. And there was the sea, full of bronzed Jews who could swim. Who in Jerusalem could swim? Who had heard of swimming Jews? These were different genes. A mutation.”²³⁰

Meyers points out that ambivalence towards some of these (negative) characteristics might have a positive effect. Subordination can mean that individuals in a marginalised group are victimised by their very identities. But as well as harming them, these identities also provide an important resource. Thus, for Meyers,

only if individuals can disavow harmful group-linked attributes, while identifying with their position as members of a wrongfully subordinated

²²⁹ Barvosa-Carter, “Mestiza Autonomy as Relational Autonomy”, p. 11

²³⁰ Amos Oz, *A Tale of Love and Darkness* (London: Vintage Books, 2005), p.6. Indeed, at the time the book is based (1940s and 1950s), Jewish immigrants to Palestine (later Israel) throughout and after the Shoah were often portrayed as weak, frail and helpless – it was thought that the shtetl and ghetto experiences had deprived them of their ability to defend themselves in the face of unspeakable cruelty – something the nation-building school led by Eisenstadt was keen to avoid, rekindling the Jewish story of Masada and turning military figures like Moshe Dayan into the new exemplary figures of the nation. See Nurith Gertz, *Myths in Israeli Culture* (London: Vallentine Press, 2000); Robert Wistrich and David Ohana, *The Shaping of Israeli Identity: Myth, Memory and Trauma* (London: Frank Cass & Co., 1995); Joseph A. Massad, “Zionism’s Internal Others: Israel and the Oriental Jews”, *Journal of Palestine Studies*, Vol. XXV, No. 4 (1996); Michael Jansen, *Dissonance in Zion* (London: Zed Books, 1987). The first few pages of Chaim Potok’s *The Chosen* also have a similar theme – disbelief that a Hassidic boy would be able to play a very skilled (and almost violent) baseball game. See Chaim Potok, *The Chosen* (London: Penguin, 1981).

group and retaining their compassion for group members who have not succeeded in ridding themselves of disabling and disfiguring group-linked attributes, is the strategy of disidentification feasible for autonomous intersectional subjects. But since it is doubtful that one can decisively or wholeheartedly identify with being a victim without succumbing to self-pity or self-annihilation, it is doubtful that such identification could be integrated into an empowering and coherent hierarchy of desires and values. Indeed, ambivalence toward one's victimisation seems a better attitude to strike.²³¹

Ambivalence then emerges as a coping strategy, particularly useful in the case of subordination and victimisation. Identifications themselves are not the problem – the problem is not being an Ashkenazi Jew, Latino, or Black. The problem lies with some of the characteristics associated with the identities – for example, in the Ashkenazi case, as being weak, a klutz or a push-over. It is these characteristics which are harmful, and adopting an ambivalence strategy can be an effective way of preserving what is an important identification for an individual, without allowing the negative external ascriptive criteria to dominate. In cases of victimisation and subordination some of the specifics of 'me's' are best ignored.

Ambivalence as an enabling strategy can even be seen as a truer description of the way collective identifications work. As Crenshaw reminds us, the relation between the oppressive and the oppressed is more complicated than a mere dichotomy, since "subordinated people can and do participate, sometimes even subverting the naming process in empowering ways. One need only think about the historical subversion of the category 'Black' or the current transformation of 'queer' to understand that categorisation is not a one-way street."²³² Categorisations, if reconstructed, can have the potential to be empowering. It could even be said that ambivalence as a strategy can challenge misleading summaries of collective identities, thus helping dissipate the effects of essentialist understandings of culture and belonging.

²³¹ Meyers, "Intersectional Identity and the Authentic Self: Opposites Attract!", p. 170.

²³² Crenshaw, "Mapping the Margins", p. 1297.

Ambivalence also enables agents to hold onto their various identifications, without hurting the people they care about. As Barvosa Carter points out, if the

rejection of unwanted cultural principles is done in a manner that 'outlaws' – i.e. fully rejects – her social group's views, (she) risks denying or alienating the social relationships she cares most about. ...By maintaining ambivalence toward some disavowed principles in this way she can clear social space for acting autonomously upon her own syncretic endorsements without simultaneously devaluing 'abandoned' ways of life that are still meaningful and socially important to others with whom she is closely socially related.²³³

Take the woman who considers herself a pious Muslim, but does not think the demands of modesty mean the wearing of a chador. For her, head coverings are not necessitated by the demands of modesty. She might occasionally wear a hijab in order not to upset her parents (for example, when attending Mosque or visiting her parents' house), but she remains ambivalent about the necessity of this custom to her belief. But does this ambivalence mean that she is not truly her own person, that she is compromising or becoming inauthentic? Alternatively, does refusing to endorse the entire content of one's collective identities mean that one is not a member of these collectivities?

According to Barvosa Carter, this is not the case, since the social construction of membership in a community or in a collectivity requires two things: "1) To accept *at least some* of the meanings, values and practices that are used to define that particular social group and 2) to be willing to be judged by the prevailing moral values of the social group."²³⁴ This means that ambivalence "is toward aspects of her social identity group and is not the same as, and does not require, ambivalence toward her own self chosen endorsements".²³⁵ The ambivalence is, ultimately, towards certain aspects of her 'me', rather than her carefully considered 'I' preferences.

²³³ Barvosa-Carter, "Mestiza Autonomy as Relational Autonomy", p. 14.

²³⁴ Ibid., p. 17.

²³⁵ Ibid., p. 18.

Intersectional identities thus emerge as challenging the presumed homogeneity of lived experience. It is part of my argument in this thesis that theories of autonomy do not sufficiently take into consideration the idea that the self is not stable, easily defined or easy to correlate with particular social groups. Multiple identities stress the particularities of the dynamics experienced when living amongst a variety of attachments. It is thus a particularly fruitful way of shedding light on the situation of women within minorities, and the dynamics these relations give rise to.

4. The Implications of Multiple/Intersectional Identities

The implications for autonomy should already be becoming clear. One of the first issues to emerge from the intersectional literature is that, despite its rootedness in theories of difference, it makes a clear move away from the traditional multiculturalist stance. For many multiculturalists, group rights are deemed necessary in order to allow individuals to value their social attachments. For Margalit and Raz, for example, "...people's sense of their own identity is bound up with their sense of belonging to encompassing groups and that their self-respect is affected by the esteem in which these groups are held".²³⁶ From this perspective, it is argued that cultural groups should have special rights. Making sure that certain groups are not disadvantaged is said to be crucial in fashioning individuals with a strong sense of self; negative group stereotypes can be very damaging.

Intersectionality does not challenge this. Group or collective rights might indeed be necessary but while collective identities, as a sort of ideal type, may be useful and necessary, they should not become *the* defining feature of egalitarian politics. Appiah warns in *The Ethics of Identity*:

The politics of recognition, if pursued with excessive zeal, can seem to require that one's skin color, one's sexual body, should be politically

²³⁶ Margalit and Raz (2004), "National Self-Determination" in *The Rights of Minority Cultures*, ed. Will Kymlicka (Oxford: Oxford University Press, 2004), p. 87.

acknowledged in ways that make it hard for those who want to treat their skin and their sexual body as personal dimensions of the self. And personal, here, does not mean secret or ...wholly unscripted or innocent of social meanings; it means, rather, something that is not too tightly scripted, not too resistant to our individual vagaries.²³⁷

As pointed out earlier, collective identities can essentialise identity. Here, intersectionality as an analytical strategy can clearly help. Essentialism defined as the attribution of particular characteristics to all those identified by the collective identity, can be helped by studies of intersectionality through their insistence on highlighting the position of individuals. Although agents might accept some of the ascribed characteristics associated to a collective identity, the way they experience their identifications is highly variable. Not everyone will agree with all of the ascribed characteristics, nor will they feel the same about them. The “summaries” of collective identities, the categories, might indeed be useful, but they cannot be taken to be true for all people who feel identified by them.

Intersectionality as an analytical strategy can also help avoid the reification of the categories themselves. As pointed out in Chapter I, Susan Moller Okin was heavily criticised for her essay *Is Multiculturalism Bad for Women?*²³⁸ The claim was that her understanding of culture lends itself to static stereotypes, and her analysis failed to see the wealth of meaning inherent in various practices. Critics claimed that feminists must be sensitive to local contingencies and not assume that there are simple “truths” that can be done away with.²³⁹ As Yael Tamir warned, static representations of culture can result in

agents of social and cultural change ... portrayed as feeble-minded individuals who are tempted by the material affluence of the surrounding society. ...A great deal of paternalism is embedded in the assumption that while ‘we’ can survive change and innovation and

²³⁷ Appiah, *The Ethics of Identity*, p. 110.

²³⁸ Okin, *Is Multiculturalism Bad for Women?*, pp. 7 -24.

²³⁹ See especially Azizah Al-Hibri, “Is Western Patriarchal Feminism Good for Third World/Minority Women?”, in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, New Jersey: Princeton University Press, 1999).

endure the tensions created by modernity, 'they' cannot; that 'we' can repeatedly reinvent ourselves, our culture, our tradition, while 'they' must adhere to known cultural patterns. ...If however, culture and tradition are seen in a less static light, then reformers could be seen as contributing to the preservation of the communal identity no less than conservatives.²⁴⁰

Multiple identities reinforce all these ideas: agents are not portrayed simply as vessels of culture but as active carriers and challengers of the very ideas they hold. Culture and tradition are always matters of interpretation. Intersectionality, through its concern with the way individuals interpret and endorse their own identifications, reinforces the notion that cultures, groups and identities cannot be taken as static. Those who participate in them cannot be defined solely by reference to the ascribed characteristics that their collective identities might hold. This is not to say that the ascribed characteristics have no force. As Crenshaw points out, "categories have meaning and consequences".²⁴¹ Intersectionality as an analytical tool does not dismiss the importance of social categories. Instead it looks at what the effects of categories might be and the many ways in which individuals might deal with them.

Intersectionality also emphasises what is known as non-ethnocentric feminism, i.e. the idea that it must be women themselves who challenge those aspects they consider harmful or patriarchal from within their own cultures.²⁴² As Leti Volpp has pointed out, we must be wary of "the presumption [that] Western women's liberation depends upon the notion that immigrant and Third World communities are sites of aberrant violence".²⁴³ Inequality is more pervasive than this, present in developed and developing, rich and poor countries. The problem is that by creating stereotyped images of the Other, and thinking that some cultures, countries or religions simply are worse when it comes to treating women, we risk

²⁴⁰ Yael Tamir, "Siding with the Underdogs", in *Is Multiculturalism Bad for Women?*, ed. Susan M. Okin (Princeton, New Jersey: Princeton University Press, 1999), pp. 48 – 51.

²⁴¹ Crenshaw, "Mapping the Margins", p. 1297.

²⁴² Non-ethnocentric feminism does not claim that it must be *only* women, or women from minority cultures that challenge patriarchal practices. It could be men and women from a variety of backgrounds, however, the point is that it must be those who live within unequal norms that should be given a voice to express their own attitudes towards these practices.

²⁴³ Volpp, "Feminism versus Multiculturalism", p. 1186.

losing the ability to see the many ways in which inequality and patriarchy assume its forms:

We identify sexual violence in immigrants of color and Third World communities as cultural, while failing to recognise the cultural aspects of sexual violence affecting mainstream white women. This is related to the general failure to look at the behaviour of white persons as cultural, while always ascribing the label of culture of the behaviour of minority groups.²⁴⁴

What multiple identities stress is the need for more nuanced understandings, not only of the way collective identities or ascriptive criteria operate at an individual level, but also that the manner in which individuals respond to these is varied and plural. There might be acceptance of externalist criteria, or there might not be: we must not forget that groups, cultures, religions – any form of association – tend to exist because of their internal dynamics and that these often operate by being contested from within. Multiple identities stress the commonality of experience: as individuals we all have to negotiate in our daily lives, whilst simultaneously acknowledging the many ways in which practices are maintained or challenged – a likely way of guaranteeing change and reflection from within.

My argument here is that a better understanding of multiple identities has implications for autonomy. As we have seen, multiple identities challenge ideas about the homogeneity of individuals, especially when considering individuals as members of a variety of groups. In the first instance, intersectionality brings into question issues of authenticity. According to the *Oxford English Dictionary*, authenticity can refer to “being in accordance with fact, as being true in substance”.²⁴⁵ This would correspond with ideas of cultural or group authenticity. But the term can also refer to “being what it professes in origin or authorship, as

²⁴⁴ Ibid., p. 1189.

²⁴⁵ Oxford English Dictionary Online, accessed 19/08/2010. http://dictionary.oed.com.gate2.library.lse.ac.uk/cgi/entry/50015045?single=1&query_type=word&queryword=AUTHENTICITY&first=1&max_to_show=10.

being genuine; genuineness”²⁴⁶ i.e. autonomous. It emerges that authenticity can be of two different types: individual or cultural. But does having more than one identity framework mean that there is no personal authenticity? This need not be the case, since multiple identities stress that the self, if authentic, will be constantly evolving, relentlessly challenged:

If ignorance of one’s intersectional identity impairs autonomy, intersectional identity and hence the internalised norms of the groups to which one is assigned are attributes of the authentic self. But since intersectional identity is constituted in part through a process of self-definition, the authentic self is an evolving self that is not chained to conventional group norms.²⁴⁷

This, in turn, might indeed affect conceptions of autonomy: autonomy accounts will need to be sensitive to these variations. For example, it might mean that the idea of autonomy as an all or nothing matter is precluded, but it also might mean that individuals could be more autonomous in certain aspects of their life than in others.

The idea of differentiating between the ‘me’ and the ‘I’ emphasises the notion that autonomy will apply differently in different areas of the self. As has been mentioned, the idea of the ‘me’ does not necessarily assume a deep level of consciousness. It is a form of identification that is important to the agent, but not one that she need have considered in depth. The ‘I’, however, seems to imply a deeper level of reflection. Surely this means that autonomy might be differentially exercised in certain aspects, but it also might be of different kinds. The ‘me’ is of no less importance than the ‘I’ – especially when bearing in mind that the ‘me’, the definition of the self in terms of others and categories, is central to multicultural politics.

²⁴⁶ Oxford English Dictionary Online, accessed 10/08/2010. http://dictionary.oed.com.gate2.library.lse.ac.uk/cgi/entry/50015045?single=1&query_type=word&queryword=AUTHENTICITY&first=1&max_to_show=10.

²⁴⁷ Meyers, “Intersectional Identity and the Authentic Self: Opposites Attract!”, p. 153.

Through multiple identities we can perhaps avoid some of the pitfalls that have characterised the literature on multiculturalism: it may be possible to uphold multicultural policies without forgoing equality, and without essentialising cultural practices. The social retains its central position without being elevated into a static, unchangeable fact. This in turn can have important consequences for emancipatory politics. A feminist project is characterised by “a political and philosophical devotion to ending the oppression of people on the basis of gender and sex”.²⁴⁸ As Mahmood makes clear, there is always an emancipatory subtext in feminist analysis.²⁴⁹ Literature on multiple identities is not prescriptive: it is rather a descriptive methodology that will enable the studying of oppression to become more nuanced. Within that, it becomes clear that taking the intersectionality of identity seriously means that it will not be possible to condemn practices a priori: it is crucial that we analyse how an agent comes to view her particular attachments and how the negotiation of these will result in certain practices.

As we have seen, the consideration of intersectionality as intrinsic part of the lived experience will have important consequences for political theorists. It will help in the understanding of autonomy, the tool often used by political theorists to help elucidate the limits of liberal toleration. Not just in the case of minorities, intersectionality as an analytical strategy shows the limitations of the more formalistic versions of autonomy (often procedural and substantive), whilst retaining the centrality of the individual that is at the heart of the investigation. Only through seeing how individuals form their identities, and the different ways in which they negotiate these, will it be possible to have a successful setting for the study of minorities within minorities and equality at large.

²⁴⁸ Hirschmann, “Western Feminism, Eastern Veiling, and the Question of Free Agency”, p. 348.

²⁴⁹ Mahmood, *Politics of Piety*, pp. 9 -10.

IV. Procedural Theories of Autonomy

Autonomy has long been considered an important factor when evaluating the permissibility of certain cultural practices. However, what is meant by autonomy? Conceptions of autonomy are varied and highly distinctive. Some theorists regard autonomy as a process of decision-making, whereas others seem to imply that autonomy is something deeper than an internal process. For some, autonomy is a preference that requires no voicing, yet for others it is defined by action. Unless the particularities are spelled out, there is a danger of talking at cross-purposes. It follows that it is necessary to distinguish between the different kinds of autonomy that are most commonly used in the literature on multiculturalism.

This is the starting chapter of a theoretical bloc. There will be three chapters wherein three different theories of autonomy shall be examined. This first chapter will deal with procedural theories of autonomy, the second with explicitly relational accounts of autonomy, and the third chapter in the bloc will focus on autonomy as a substantive ideal. Each one will evaluate the different theories in order to understand how well they are able to accommodate the two concerns posed by socialisation and multiple identities.

How well do the different theories accommodate and explain autonomy in the presence of oppressive or unequal forms of socialisation? And how well do they reflect the identity dynamics that individuals with more than one identification might experience? Do the various theories of autonomy even allow for this multiplicity to exist?

1. Introduction

Autonomy considerations have been shown to be an important concern when deciding whether or not liberal states ought to tolerate certain minority practices.

However, as Chapter I argued, there is a danger that cultural defence might portray members of minority groups as less autonomous than those of majority groups. This is particularly true of minority women, where non-conformity to cultural stereotypes can mean that culture is no longer deemed relevant in defence cases. The case of Kiranjit Ahluwalia is of particular interest here.²⁵⁰ Ahluwalia was tried for the murder of her abusive husband. In the first instance she was convicted, and the fact she had a university degree was cited as evidence that she was aware of and responsible for the consequences of her actions.²⁵¹ The possible defence claim, that she came from an Asian community that holds women responsible for the family honour, seems to have been mitigated by her education.²⁵² As Phillips notes when discussing cultural defence, “‘cultural defence’ becomes available to female defendants only when they conform to prevailing images of the sub-servient non-Western wife. ...Cultural evidence only ‘works’ when it enables judges and juries to fit the defendant’s actions into a pattern already familiar through mainstream culture.”²⁵³

When women’s views comply with traditional values, no thought is given to their positions and thoughts on their preferences. Women are silenced; their actions hold no normative weight. Their actions are read as something devoid of intrinsic value and women themselves are seen as passive agents that require protection. Private decisions are not considered private; instead the private symbolises the public. Women themselves seem not to choose – their actions merely reflect elements of public patriarchy. Indeed, it seems that unless practices conform to pre-established normative beliefs, women are not considered autonomous. The private is private so long as it follows a certain pattern. This is problematic for two reasons. Firstly, this ignores how individuals themselves think about their preferences and commitments, which is crucial so as not to deny women as moral agents and decision makers:

²⁵⁰ R. v. Kiranjit Ahluwalia, unreported case, Lewes Crown Court, 6 and 7 December 1989 (transcript: Hibbit and Sanders) and R. v. Ahluwalia (1992) 4 All ER 889.

²⁵¹ The judgment was subsequently overturned on additional evidence that Ahluwalia was suffering from depression.

²⁵² Phillips, *Gender and Culture*, p. 96.

²⁵³ Ibid, pp. 97 -103.

A complete disregard for women's perspectives is demeaning and deeply disrespectful to women. On this view, either the woman would be regarded as somehow incapable of making generally worthwhile choices or the women would be regarded as irrelevant to moral community, as beings whose perspectives made no normative difference.²⁵⁴

The normative significance of the action is not what ought to matter in this case. The very preference itself ought to be respected as an axiom of agency. Agency ought not to have an a priori normative content: agency is rather the ability to make decisions and form preferences, and thus an instance of moral existence. Recognising the presence of agency, and its importance, is crucial in progressive politics. As Drucilla Cornell shows, respecting the constitution of the self, its valuations and preference formation, are crucial steps in overcoming what it means to be the degraded other. Cornell maintains her claims through the advocacy of a private domain where we can constitute ourselves as sexuate beings. Her point stands, however, when considering the importance of this space in constituting oneself more generally and making oneself the source of valuations:

because sex and intimate life are so important to us, we need to be recognised as the source of our own evaluations and representations of how we are to live out our sexuality.²⁵⁵

As we have seen, respecting an agent's self-understanding is crucial in analysing autonomy. How individuals live through their attachments will vary greatly, and an analysis of autonomy should allow the space for this individuality. Doing so ensures that the individual is respected as a moral agent. Furthermore, respecting individuals also necessitates allowing for a variety of options as possibilities of autonomous decision-making. As we saw in Chapter III, how individuals experience their attachments varies greatly, and thus a theory of autonomy must

²⁵⁴ Marilyn Friedman, *Autonomy, Gender, Politics* (Oxford: Oxford University Press, 2003), p. 199.

²⁵⁵ Drucilla Cornell, *At the Heart of Freedom: Feminism, Sex and Equality* (Princeton: New Jersey: Princeton University Press, 1998), p. 19.

ensure that these varied preferences can be understood as, at least in part, autonomously chosen.

Procedural theories seem to respect these two insights. They respect the individual by making her the source of valuations: it is up to the agent herself to judge whether or not she is autonomous. They respect plurality of choice by arguing that the content of a decision is of no relevance to the concept of autonomy. What matters is how a decision was arrived at. Key to such definitions is that “the state ...protects individual liberty without dictating the goals and purposes espoused by free people”.²⁵⁶ The object of procedural theories is partly that of respecting what it means to be a free and self-governing person: if I am free, then the aim of the state should be to protect me in my decision-making. Central to this conception is the structure of decisions, and the critical capacities used in order to reach them.

Procedural theories mainly vary according to the structure deemed necessary in order to consider a decision autonomous. This chapter will deal specifically with two: structural procedural theories and historical procedural theories. Structural procedural theories point at the need to look at agents’ motivational structure. What matters is the hierarchy of desires: certain desires will matter more than others, and a decision will be termed autonomous if the agent’s preferences conform to the hierarchy of principles that are considered more valuable by the agent herself. It is the ordering of desires that is the most characteristic feature of this account.

Historical procedural models of autonomy focus on the processes of reflection, which should be themselves procedurally independent. In this way, historical models are able to take into consideration some of the effects of socialisation, arguing that as long as the agent endorses these herself, the decision must be termed autonomous. The two types will be dealt with in turn since, to an extent, it is concerns about the former that give birth to the latter.

²⁵⁶ John Christman, “Liberalism and Individual Positive Freedom”, *Ethics*, Vol. 101, No. 2 (1991), p. 343.

2. Structural Procedural Theories of Autonomy

a. What the Theory Maintains

The main proponent of structural procedural theories of autonomy is thought to be Harry G. Frankfurt.²⁵⁷ According to Frankfurt, what we ought to study is the *structure* of an agent's will. It is this that distinguishes us from other animals. All animals have desires: dogs might desire to eat or sleep, puppies might desire to play. However, what distinguishes humans from animals is the fact that we can differentiate between these desires: a human might have a first desire of eating, but because she wants to lose weight (her second order desire) she might not pursue her first order desire. Indeed, this is the crux of the relationship between different desires:

someone has a first order desire when he wants to do or not to do such and such, and ...he has a second order desire when he wants to have or not to have a certain desire of the first order.²⁵⁸

The relationship between these two types of desires is hierarchical: second order desires are the ones that ought to direct or guide first order desires. There is a further level to the structure desires should take. It is not sufficient to have second order desires guiding or informing first order desires. We must also have another type of desires, which Frankfurt calls second order volitions or volitions of the second order.²⁵⁹ These are the desires that constitute the will, or desires we wished were our will. Second order volitions are thus a further level that guides second order desires, that in turn guide first order desires. To use the example above: an agent who desires to lose weight (and is not fulfilling her first order desire of eating) will have further reasons (second order volitions) that inform her second order desires, such as ideals of beauty that do not include being over-

²⁵⁷ See Harry G. Frankfurt, "Freedom of the Will and the Concept of a Person", *The Journal of Philosophy*, Vol. 68, No. 1. (1971); *The Importance of What We Care About: Philosophical Essays* (Cambridge: Cambridge University Press, 2006); *Necessity, Volition and Love* (Cambridge: Cambridge University Press, 1999).

²⁵⁸ Frankfurt, "Freedom of the Will and the Concept of a Person", p. 7.

²⁵⁹ Ibid., p. 10.

weight, or desires to be healthy, whereby being over-weight is clearly a problem for health reasons.

Frankfurt's hierarchy is conditional on reflexivity, that is, the agent's *own* consideration of her options:

The notion of reflexivity seems to me much more fundamental and indispensable, ...than that of a hierarchy. On the other hand, it is not clear to me that adequate provision can be made for reflexivity without resorting to the notion of a hierarchical ordering.²⁶⁰

The structure of the preferences is indeed important, but it is important in so far as these preferences are wholeheartedly espoused. This matters, according to Frankfurt, because human beings care about what they are. In order to espouse one's preferences wholeheartedly Frankfurt maintains that conflicts between desires need to be resolved.

There are two ways of resolving preference conflicts. Firstly, a conflict can occur when "desires compete for a priority or position in a preferential order; the issue is which desire to satisfy first".²⁶¹ Resolution of this type of conflict will take the shape of integrating preferences into a single ordering, in which each one has a specific place according to its importance. Secondly, conflicts can occur when a decision needs to be made on whether a desire should be there at all. In this instance, the conflict will be resolved through "a radical separation of the competing desires, one of which is not merely assigned a relatively less favoured position but extruded entirely as an outlaw".²⁶² Resolving these conflicts will result in a wholehearted espousal of preferences; not resolving them (for whatever reason) means that the preference is not really the agent's own.

It seems to follow, then, that second order volitions, if wholeheartedly espoused, will have more than one first order preference. For example, an important ethical second order volition will have ramifications into more than one area of conduct.

²⁶⁰ Frankfurt, *The Importance of What We Care About*, p. 165, footnote 7.

²⁶¹ Ibid., p. 170.

²⁶² Ibid.

Given that in order to be a person in command of her own will Frankfurt maintains that there should be a hierarchical ordering of preferences, it seems to be that this type ordering will lead to a well ordered life in which the will dictates the choices that the agent makes.

b. How the Theory Works in Practice: Examples

According to Frankfurt, what matters is the structure of the desires we hold dear. We must identify strongly with them in order to make these desires ours. Thus, for example, a woman who chooses to wear the hijab can be considered autonomous if she is doing it for what she considers the right reasons. Take the following preferences and volitions:

1st order desire: wearing the hijab

2nd order desire: wearing the hijab as a requirement of Islam

2nd order volition: the agent deems that Islam (religion) is important to her.

In this case the agent will be considered autonomous: her second order volition is wholeheartedly espoused by the agent, and thus her 1st and 2nd order desires are explained and indeed autonomously endorsed. It is plausible to assume that her 2nd order volition will also lead her to further 1st order desires that also reflect her commitment to Islam: she might pray five times a day, she might follow Ramadan, she might eat Hallal. Her volitions, that is, what she considers to be of utmost importance to her self, will indeed reflect themselves in a variety of different choices she might make.

It is apparent that although the structure of the desires is correctly ordered, and even wholeheartedly espoused, Frankfurt's schema will not go beyond structure. He does not question how those preferences came to be formed. It might be that the agent does not have any knowledge of alternative ways of practising Islam. It might be that her 2nd order desire (and the particular shape it takes) has been conditioned by the social entourage she has grown up in. She might have grown

up in a family that did not allow her to question the significance of religion. Although useful in restating the importance of the individual vis à vis societal pressures, and showing how the act of deciding is itself of much weight, Frankfurt's categorisation does not question either the normative content of the choices that surround agents, or the availability of different choices. Are volitions not socially conditioned too?

The plausibility of the schema is also called into question when considering the way he proposes agents resolve preference conflicts. According to Frankfurt, there are two possible ways of resolving a conflict: either the preferences are hierarchically ordered, or one of the preferences must be rejected. Setting aside for the moment considerations of socialisation, consider the following case, mirroring the hierarchical organisation of preferences. An agent believes that honouring your parents is a constitutive part of being a Muslim (her second order volition). Her parents demand that she goes through an arranged marriage. Simultaneously, the agent also believes her freedom (defined here as the possibility of making choices) to be important. Her ideal of freedom contradicts her own understanding of the requirements of Islam. In this case, the agent will have to make a choice and give lexical priority to one of her two volitions: she either puts her freedom to choose her partner first, putting the requirements of Islam in a secondary position, or she places the requirements of Islam as primary, granting her parents' wish for her to have an arranged marriage but perhaps exercising her freedom to choose in other aspects (education, choice of career, education of her future children, etc.). One of the two volitions will have priority when deciding how to act.

Consider a different case, where the conflicting volitions cannot be hierarchically ordered, and one needs to be rejected. Take the above agent again. She wholeheartedly espouses the importance of religion in her life. She deems this to be of importance to herself and a defining feature of her as a person. Simultaneously, she believes education to be of utmost importance. If she is a schoolgirl in France, however, she may not be permitted to wear the hijab in the

classroom.²⁶³ We find here a conflict of volitions that are not compatible, and the agent has to decide which is more important to her. If she chooses education as her most important volition, she will have to remove the hijab in the classroom. If she chooses religion as more important, she will be unable to continue her education in the same public school.

c. Evaluation of the Theory

Frankfurt's theory has been criticised on various grounds. In the first case, Gary Watson maintains that Frankfurt's theory is insufficient to explain autonomy and, in particular, why certain desires or preferences matter more than others. According to Watson,

Why does one necessarily care about one's higher order volitions? Since second order volitions are themselves simply desires, to add them to the context of conflict is just to increase the number of contenders; it is not to give a special place to any of those in contention. The agent may not care which of the second order desires wins out. The same possibly arises at each higher order.²⁶⁴

The problem is that of infinite regress. According to Watson, Frankfurt does not sufficiently explain why those higher order volitions are more important and will be decisive when resolving conflicts between preferences. For Watson, the difference is one that rests in distinguishing between desires, which are neutral and have no content, and values. Desires will have a valuational content through which humans can subsequently order their life and make their desires theirs. Merely arbitrarily identifying one type of desire as more important in the creation of the self is not sufficient.

²⁶³ This is true of all public schools and centres in France. Private schools (such as faith schools) will allow the wearing of the hijab or any other conspicuous symbol of religion.

²⁶⁴ Gary Watson, "Free Agency" in *The Inner Citadel*, ed. John Christman (Oxford: Oxford University Press, 1989), pp. 118-119.

Frankfurt's response to Watson is that the latter's own theory is no less artificial, and indeed seems to require a hierarchy in order to distinguish between desires and values. Frankfurt maintains that commitment to certain volitions will be enough to stop the infinite regress:

The fact that a commitment resounds endlessly *is* simply the fact that the commitment is *decisive*. For a commitment is decisive if and only if it is made without reservation, and making a commitment without reservation means that the person who makes it does so in the belief that no further accurate enquiry would require him to change his mind. It is therefore pointless to pursue the inquiry any further.²⁶⁵

Again, it is identification and complete and wholehearted espousal of one's volitions that seems to characterise the differences in Frankfurt's hierarchy of desires. But how are these different volitions to be distinguished? What makes a desire higher or lower? Is there some sort of normative differentiation that makes something more decisive than something else?

Aside from the question about how to normatively differentiate between higher and lower desires, Irving Thalberg raises further questions about why agents should properly identify with their higher order desires above their second order ones.²⁶⁶ In his critique of procedural theories, he notes that there seems to be an implicit ordering of desires, through which some are accorded ontological priority over others. This can point at a potential division between higher and lower selves, in which it is only the higher selves that reflect who the agent truly is. Such a division and ordering, he states, deeply contradicts Freudian psychological accounts of the self and the conflicting desires that permeate existence:

²⁶⁵ Frankfurt, *The Importance of What We Care About*, p. 169.

²⁶⁶ Which as Watson has pointed out, could be done by differentiating higher desires or volitions as something valuational, and distinguishing these from mere desires or preferences, which merely concern choosing one course of action over another. Frankfurt has subsequently mirrored this approach in his division between choosing and deciding: "This difference between deciding and choosing accounts for the fact that deciding to make a certain choice is not the same as actually making it (after all, the time or occasion for doing that may not yet have arrived), whereas deciding to make a particular decision (that is deciding to decide things a certain way) cannot be distinguished from making the decision itself." Frankfurt, *The Importance of What We Care About*, p. 172.

Watson arbitrarily narrows us down to a rationally valuing self. Like Dworkin, Frankfurt and Neely, he begs the question against Freudian and kindred personality theories, which depict us as conflict-prone systems of libidinal, destructive, morbid, self-preserving, sociable, conscientious, guilt-ridden, and other 'forces', 'principles' or mini-agencies. Perhaps we value our disposition toward 'cool and non-self-deceptive' moral thinking and like-planning more than we value our primitive urges and fantasies. But that is too circular to prove that the real self is the valuing self, that we 'most want' things we value. Even if our valuing self were our most priceless asset, nothing would follow about its ontological superiority, nor about the comparative reality of our values over workaday desires.²⁶⁷

Even if we were able to differentiate between a higher and a lower self, how can we know that it would be the higher self that we would identify with? And even if we did value the higher rational self more than the impulses or desires, why should they be given priority in ontological consideration? As we saw in Chapter III, identifications are not stable over time. It might be possible to identify with one area of the self more strongly at certain times rather than others. Selves are characterised by conflicting identifications and attachments, and expecting an agent to always value the higher self seems unduly demanding in a conception of autonomy.

A third criticism of Frankfurt's theory also stems from the literature on multiple identities. As already stated, ambivalence can potentially be considered both a characteristic of those that hold multiple identities, as well as a way of enabling identity conference in situations of conflicting desires or expectations. According to Meyers, Frankfurt's theory simultaneously accommodates some of these concerns, whilst negating the potential of ambivalence for fostering autonomy in certain cases.

In terms of the accommodation of intersectional identity concerns, Frankfurt's notion of integration can be useful. Meyers claims that "theories of intersectional

²⁶⁷ Irving Thalberg, "Hierarchical Analyses of Unfree Action", in *The Inner Citadel: Essays on Individual Autonomy*, ed. John Christman (Oxford: Oxford University Press, 1989), p. 135.

identity implicitly endorse one form of integration, for they stress the urgency of opening lines of communication between differently situated group members to prevent one segment of the group from undertaking political initiatives that would be detrimental to the other”.²⁶⁸ Frankfurt stresses the importance of negotiation between desires. This negotiation is also a feature of multiple identities. The second way in which Frankfurt’s theory is compatible with multiple identities is in the idea that identification with desires will allow agents who have been subordinated to disidentify with the harmful attributes that victimisation and subordination might carry.

This, however, leads to a potential problem. Returning to the idea about the usefulness of ambivalence (which Frankfurt can be said to reject through his commitment to the thorough and *wholehearted* identification an agent must undergo if her desires are to be considered truly her own), it seems that identification would not be so useful in the case of victimisation. As Meyers points out,

To disidentify wholeheartedly with one’s victimisation when one is in fact a victim of systemic injustice is to deny social reality and to foreclose resistance. Such disidentification may redouble the individual’s vulnerability to injustice, or it may draw individuals into complicity in their own subordination or the subordination of other group members.²⁶⁹

Ambivalence, in this case, is a more productive strategy. Barvosa Carter takes Meyers’ criticism further, pointing out that ambivalence might be useful in more situations than just those of victimisation. She points at the need to consider intersectional identity as something that is different in each agent’s case. Intersectional reasoning means that individuals negotiate and connect different identities. This leads to a personal and individual reasoning system through which attachments and their value make sense to the agent herself and only to herself by virtue of her own valuations and identity schemas.

²⁶⁸ Meyers, “Intersectional Identity and the Authentic Self”, p. 169.

²⁶⁹ Ibid., p. 170.

Barvosa Carter criticises Frankfurt's insistence on hierarchy and coherence of desires. Having a number of conflicting attachments or endorsements does not necessarily mean the agent is not autonomous, since she will be able to create a hybrid set of endorsements that make sense and are coherent *to her*. The hybridity of these different endorsements might indeed complicate their falling into an orderly hierarchical pattern, and might even preclude their hierarchisation, but they will still make sense to the agent herself. This is because

those with more highly diverse identities may sometimes forge syncretic endorsements that depart significantly from the norms and practices that prevail in some or all of the social groups in which they are strongly related and identified.²⁷⁰

Thus, what matters is how the agent feels about the endorsements vis à vis herself, and not necessarily how well they fit with the ascriptive characteristics of the particular identity-conferring group. According to Barvosa Carter,

the ambivalence and flexibility ruled out in Frankfurt's procedural autonomy could become useful assets for agents, assets that can help them observe their syncretic endorsements consistently in contexts of social or interpersonal conflict.²⁷¹

For example, take the earlier case of a girl who is Muslim and believes in the importance of education. Say that a few years later this girl, now a young woman, is married to a Muslim man who supports her in her decision to pursue further education.²⁷² Her parents-in-law do not approve of this decision, which they see as conflicting with her marital duties. This girl might choose to pursue further education whilst remaining ambivalent about the way this might conflict with her role as a Muslim wife. As was argued in Chapter III, by being ambivalent about certain group ascriptive endorsements, the agent will be able to maintain herself as a member of a social group, without necessarily giving

²⁷⁰ Ibid., p. 11.

²⁷¹ Ibid., p. 12.

²⁷² This example is based on Barvosa Carter's (2007) similar one about a Catholic Chicana college student.

priority to one of her endorsements over another. She might pursue further education but, in other aspects, her belief in Islam will lead her to espouse other commitments (such as food and prayer customs).

Not only does the possible use of ambivalence as a strategy mean that wholeheartedness might preclude the attaining of coherent autonomy, but it also can mean that a hierarchy of preferences might not be necessary or significant for autonomy. Frankfurt seems to demand a fair amount of coherence between the first and second order desires and the corresponding volition. However, as Barvosa Carter points out, attachments might not always be coherent with one another. This is especially the case when considering how agents decide to act on their self-chosen endorsements in different situations: there might be times when one preference will take priority over others, in a different situation another endorsement might be chosen to be acted on. This is the case when two endorsements might contradict each other strongly. Say that an agent is both a Catholic and a lesbian. One ascriptive characteristic of Catholicism is that it is usually considered to frown upon homosexuality. Some Catholics, however, are gay, lesbian or bisexual. Thus, it could be that a homosexual agent will choose to privilege different endorsements in different social contexts: she might defend the Catholic faith when in an homosexual social environment, and she might choose to defend homosexuality when surrounded by Catholics who think the two identifications are inconsistent.

Barvosa Carter does indeed admit that this latter case is problematic insofar as it might give the impression of inconsistency. However, as was shown in chapter III, this need not mean the agent is inconsistent in her identifications. What matters for autonomy is not so much whether ascriptive group preferences are in order and do not conflict, but whether the agent is able to negotiate between these in order to give sense and meaning to her life. The agent may choose different endorsements from within a value conferring identity schema, but need not endorse all of the given ascriptive characteristics. Thus,

It is possible to balance morally conflicting social identities though a consistent set of syncretic endorsements. This is possible, however, only

if the order of those endorsements is flexible enough to accommodate prioritizing endorsements contextually in response to varying demands or different social settings and relationships.²⁷³

The final criticism of Frankfurt's theory hinges on its ability to accommodate socialisation, in particular unequal or oppressive socialisation. As Marilyn Friedman notes,

Frankfurt's varying and widely influential accounts of autonomy, spanning more than three decades of work, ...are devoid of any reference to social dimensions or conditions of autonomy.²⁷⁴

Frankfurt does not stipulate that volitions or preferences must come only from the inside of the agent, but he does not comment on how socialisation influences or affects the critical processes or structures deemed necessary in order to consider a particular preference autonomous. By omitting to explore this area he can be seen to be perpetuating ideas about the self-made man and, more importantly, as failing to grasp the prominent influence social relationships have on the structure of autonomous agency.²⁷⁵

There even seems to be some sort of internal logical mechanism through which higher order volitions are considered to be outside of the agent; they are that which the agent arrives at after critical deliberation on her motives and, as such, are able to transcend socialisation or socially influenced preferences. This begs the question of where higher order volitions come from: is value not socially constructed and socially dependent too? Is it possible to evaluate and wholeheartedly espouse one preference over another individually, and without any influence from those identity conferring groups we belong to and value?

An agent raised in a practising Muslim family might indeed believe her second order volition to be that religion is important to her. The problem is that Frankfurt's account maintains that so long as she is happy with this preference,

²⁷³ Ibid., p. 18.

²⁷⁴ Friedman, *Autonomy, Gender, Politics*, p. 91.

²⁷⁵ Ibid., p. 103.

there is no need to consider how it came to be formed, nor whether there were other options available. Perhaps the agent did not have knowledge of any other belief system; perhaps the agent was surrounded by a social environment where religion was important to all and thus could not conceive of the world as anything but ordered by religion.

This is problematic because, as Stoljar points out, it fails to satisfy the feminist intuition, that “preferences influenced by oppressive norms of femininity cannot be autonomous”.²⁷⁶ Stoljar claims that given the reality of oppressive forms of socialisation, a conception of autonomy must have “restrictions on the contents of agents’ preferences”.²⁷⁷ Even when positing a less strong claim about how much substantivity is required, it seems that Frankfurt’s account gravely fails to question his autonomous agents as to the origin of their preferences. Thus, take the feminist intuition that female genital cutting is wrong and cannot be considered an autonomous choice – it is one deeply influenced by (harmful) societal norms regarding the regulation of women’s bodies and sexuality. Frankfurt’s case would allow us to consider adult women who had genital cutting as a first order desire, followed by a higher order volition that holds that cultural and regional practices are important for the life of that particular individual (with all the associated practices they might entail) to be deemed autonomous. The structure of the desire at any one time is what matters – yet it is hard to accept certain cases as truly autonomous.

From the socialisation point of view, there are two separate issues with Frankfurt’s work. The first is that he does not consider *how* volitions come to be formed. The process by which they are arrived at does not matter; what counts is the structure they take at any one time. The second issue is that the content of those volitions does not seem to matter at all. Content neutrality is foremost in Frankfurt’s account, yet this does not fare well in accommodating intuitions about what it would be autonomous to choose. Perhaps this latter question, involving the feminist intuition, hinges on the idea that autonomy is, or should

²⁷⁶ Natalie Stoljar, “Autonomy and the Feminist Intuition”, in *Relational Autonomy: Feminist Perspectives on Autonomy, Agency and the Social Self*, ed. Catriona Mackenzie and Natalie Stoljar (Oxford: Oxford University Press, 2000), p. 95.

²⁷⁷ Ibid.

be, laden with normative content – autonomy is often considered to be synonymous with choosing the good, being good. As I explore later, how much or what kind of substantivity is required in a conception of autonomy is a central question that determines its ability to accommodate the insights from socialisation.

3. Historic Procedural Theories of Autonomy

a. What the Theories Maintain

As we have seen, part of Frankfurt's failure to show how autonomy is achieved lies with his inability to successfully show *how* we come to form preferences, that is, the internal process that is required in order to deem a desire or preference autonomous. This is exactly what historic procedural models of autonomy try to achieve. By considering the structure of preference over a longer period, philosophers Gerald Dworkin and John Christman have tried to include, or at least give more consideration to, the phenomenon of socialisation and its impact on autonomy.²⁷⁸ They have devised a compatibilist theory that posits that socialisation is omnipresent and that autonomy itself is dependent on the critical reflection process that occurs over time.

Dworkin directly engages with the challenges socialisation might pose to a concept of autonomy. According to him,

Our dispositions, attitudes, values, wants are affected by the economic institutions, by the mass media, by the force of public opinion, by social class, and so forth. To a large extent these institutions are not chosen by us: we simply find ourselves faced with them.²⁷⁹

²⁷⁸ Frankfurt's account could be seen to apply in a particular moment in time – it is a static, time slice approach that hinges on the particular structure found in an instant.

²⁷⁹ Gerald Dworkin, *The Theory and Practice of Autonomy* (Cambridge: Cambridge University Press, 1997), p. 11.

The question is how we can consider autonomy and accommodate social construction as a fact of human life. Identification with preferences, on a second or first order, is not a sufficient condition. Identification itself is conditioned by forces that might not be the agent's own, and thus do not satisfactorily reflect what it means to be autonomous, to be one's own person.²⁸⁰ What matters then, "is the capacity to raise the question of whether I will identify with or reject the reasons for which I now act".²⁸¹ It is the rational capacity (defined as a second order capacity) to evaluate preferences that characterises autonomy. Thus,

Autonomy is conceived of as a second order capacity of persons to reflect critically upon their first order preferences, desires, wishes and so forth and the capacity to accept or attempt to change these in light of higher order preferences and values.²⁸²

John Christman holds a similar account, but claims that we must go beyond Dworkin's analysis. An account of autonomy ought not to focus on the structure of preference at all, which Dworkin could be said to have maintained by claiming that the evaluation of preferences is itself the higher order tier of autonomy. Instead it ought to focus on the *formation* of preferences. Autonomy, for Christman, is defined as follows:

Whatever forces or factors explain the generation of changes in a person's preference set, these factors must be ones that the agent was in a position to reflect upon and resist for the changes to have manifested the agent's autonomy. In addition, this reflection and possible resistance cannot have been the result of other factors which – as a matter of psychological fact – constrain self-reflection.²⁸³

In this account there is a definite link between autonomy and rationality. However, in order to maintain the content neutrality that characterises procedural theories, Christman differentiates two types of rationality. The first is externalist

²⁸⁰ Ibid., p. 18.

²⁸¹ Ibid., p. 15.

²⁸² Ibid., p. 20.

²⁸³ Christman, "Liberalism and Individual Positive Freedom", p. 346.

rationality, a substantive account that maintains that rationality should be of a particular kind, abiding by particular values and ideas. Christman's own account, in contrast, is regulated by an internalist rationality whereby "the property by which an action is considered rational for an agent bears only on those beliefs and desires actually 'internal' to the agent, not on the relation between those beliefs and the world".²⁸⁴ What matters is whether the agent's preferences are rational for the agent herself, and not for any other agents that may be tempted to judge her decisions. She must be considered autonomous if in choosing her preferences and being made aware of the way she came to choose these, she would not decide differently. Thus, for historical accounts what matters is the *way we come to choose*. Identification matters not; it is rather a question of whether an agent is aware of why she has chosen certain preferences and the way these preferences came to be formed, and whether, on consideration of such knowledge, she would make the same choices. In such a way, her life comes to be hers; she has chosen to act, value, be and prefer the kind of human being she is.

b. How the Theories Work in Practice: Examples

In Dworkin's account, an agent is autonomous if she is able to reflect critically on her preferences. Her critical reflection is the higher preference, or what is characteristic about autonomy. It is the procedure of deciding on a preference that matters. According to this schema it follows that an agent who chooses to wear the hijab will do so autonomously if she has rationally chosen to do so. The agent, very much like the agent in Frankfurt's case, will reflect on what matters to her and why these preferences matter. If the agent decides that wearing the hijab matters because she believes religion to be important to her, the decision cannot be considered in and of itself a sufficient condition to consider it autonomous. She must also evaluate how she came to believe religion to be important to her. If she decides that religion is important to her because that is the way she has been raised, but would not choose any other way had she had the

²⁸⁴ Ibid., p. 349.

choice, then her decision would be termed autonomous. If, however, when critically assessing the place of religion in her life she realises that she would not have chosen this had she experienced a different upbringing, then the decision will be termed non-autonomous.

Christman's theory leads to a slightly different scenario. Again, what matters is the formation of the preference. Rationality is not a higher order element, but rather that which is characteristic of an autonomous act. The agent must be able to assess critically how she came to form her preferences and through a rational framework that applies only to her. She should then assess whether she wants to continue to endorse her preference or, having been made aware of how she came to support such a thing, choose something else. What this means in practice is that the agent needs to be aware of all the processes throughout her life that have led her to endorse a particular decision. She must be self-transparent, and content with the objects of such transparency. Were the agent to be unhappy, she would be able to change her preferences in order to truly be a free agent. Thus, a woman who chooses to have genital surgery performed will be considered autonomous if she internally agrees with not only the procedure but also the reasons for having it done. Reasons might include that having genital surgery at a particular time in life, such as during the menopause or after her last child is born, signifies her end as a sexual woman, someone now worthy of respect according to her particular group's customs. The agent might be made aware that female genital cutting (in her case) is based on differential gender expectations and sexual regulation. As long as she knows and agrees with this, and would not choose for any other valuational scale to apply, her preference will be autonomous.

Society's norms and values are thus integrated into Frankfurt and Dworkin's accounts of autonomy. As long as the agent would not want to change the way she came to have certain preferences, she will be considered autonomous. Take the agent who decides to quit her career to have children. She does this because she thinks her value as a woman stems from her ability to be a mother. When rationally analysing her decision to quit full time paid employment, she realises that her decision hinges on a certain upbringing. Say her family was very religiously Catholic and believed (and told their daughters) that a woman's place

is to support her husband and raise his children in Christ. Say, also, that the agent is no longer a firm Catholic believer, but that her notion that her value stems from her role as a mother originates from her education. If, on rational revision, she wishes her upbringing had not been so influenced by certain religious, ethical and societal beliefs, her decision to quit her job can be deemed non-autonomous.

What we must now look at is whether this treatment of socialisation is satisfactory. Is there a possibility that, although logically consistent, historic procedural theories fall short of tackling the difficulties posed by socialisation and multiple identities? Can an agent ever be so self-transparent as to evaluate and rationally assess how she came to her preferences? To these questions we now turn.

c. Evaluation of the Theories

For the evaluation we shall focus on Christman's non hierarchical account. Christman's account has been considered by many to be the logical step from Dworkin's theory, and in the literature they are often evaluated as if they were substantially similar.

The first issue that is raised when analysing historic procedural theories is that of self-transparency. Christman's theory calls for a degree of self-transparency that can be said to be rather stringent. The more an agent considers how she came to espouse her preferences, and how these were formed, the more autonomous she will be considered to be. This in itself is a circular argument, made more dubious by Thalberg's question of why rationality ought to be considered the highest and most characteristic element of autonomy. As he points out,

Why can't I be, by my own admission in my rare moments of rationality, a generally irrational person? Why should it never be the case that when I am unamenable to reasoning, my desires still express

what I really want? This identification of rationality with authenticity seems to rule this out a priori.²⁸⁵

Not only is the argument circular, it also seems to imply a certain dualism: the true self is the rational, higher self and the rest is merely impulsive desire. This assumption is particularly problematic when we consider the second objection that has been posited against Christman's theory. Historic procedural theories of autonomy embrace socialisation as a necessary fact of life. However, as Christman himself notes, these theories might not be well suited to deal with cases of oppressive socialisation:

I am assuming here that this model of autonomy applies to adults whose childhoods have not been manipulative and autonomy-inhibiting. Admittedly, this is a highly artificial assumption.²⁸⁶

As pointed out earlier, the more self-transparent we are, the more autonomous we shall be considered. However, this self-transparency is something that agents can achieve only when they have the necessary tools to do so. There will be certain people who have grown up in oppressive atmospheres who will be unable to reach such levels of self-reflection. Exactly how problematic is this?

As Benson points out,

A woman who oppressively conceives of her identity in terms of the male interests she seeks to gratify may not revise her identification with her desire to look femininely attractive upon becoming aware that this identification is primarily the product of social training which implicitly functions to enhance men's power over women. She has become accustomed to thinking of herself from an internalized male point of view, so she may be unaffected by the knowledge that her endorsement of her desire to have a feminine appearance was the product of socialisation in a male-dominated society.²⁸⁷

²⁸⁵ Thalberg, "Hierarchical Analyses of Unfree Action", p. 133.

²⁸⁶ Christman "Liberalism and Individual Positive Freedom", p. 348.

²⁸⁷ Benson, "Autonomy and Oppressive Socialisation", p. 394.

The agent is able to critically assess her endorsements but, when arriving at the knowledge of her preferences and their formation, might be so thoroughly socialised into them that she will be unable to disidentify with them or even conceive of a situation where she did not have them. It is possible that the agent does not have information of other valuational scales, or that her only experiences lead her to think she ought not to revise her preferences. Alternatively, she might disagree with some of these preferences, but her belonging to a cultural group still leads her to espouse them in order to remain a member.

It seems that Christman's theory is unable to accommodate successfully cases of oppressive socialisation. Because the theory is wholly dependent on subjective (or internalist) evaluations of preference, the material realities and inequalities that persist do not affect or challenge the so called autonomy of the agent. This is particularly troubling because it implies that most agents are born into autonomy enhancing backgrounds. Christman's theory ignores the material and social inequalities that persist in everyday life: it is difficult to imagine that all women have been socialised into equal positions and roles. The inequalities that currently exist affect not only minority cases but all sectors of society, ranging from different expectations and arrangements concerning childcare and household duties through to unequal employment practices.

What does this mean in terms of intersectional or multiple identities? Albeit more accommodating than Frankfurt's theory, it seems that Christman's account might be problematic when thinking about the reasons agents might choose different preferences. Christman maintains that as long as the process through which preferences are chosen is itself procedurally independent it then follows that we are autonomous. If the agent disagrees with the way she came to form her preference, then the autonomous act would be to reject that preference. However, this obscures the reasons why agents with multiple or intersectional identities might abide by certain practices, or choose to do one thing over another. An agent might disagree with the unequal gender roles that permeate her nomos group. Although realising that she has come to acquire these through the socialisation process, and that they cannot be considered to be truly her own

(because she does not espouse them), she might decide to maintain them in an attempt to maintain her membership of the group. She might not approve of a preference, she might object both to its content and to the way she came to acquire it, but she nonetheless will not reject it because doing so will call into question other relationships that are important to her. As mentioned earlier, the ambivalence that might characterise her reaction could be a way of negotiating this without rejecting her different identities. Again, there is a question about whether we can ever truly reject those things we have been socialised into, those things that we hold dear and on which social relationships that matter have been formed, even when we might (rationally) disagree with their normative implications.

4. Strengths and Weaknesses of the Procedural Model

Philosophers have long had an expression to label the realm of inviolable sanctuary most of us sense in our own beings. That term is *personal autonomy*. The word 'autonomy' is obviously derived from the Greek stems for 'self' and 'law' or 'rule', and means literally 'the having or making of one's own laws'. Its sense therefore can be rendered at least approximately by such terms as 'self-rule', 'self-determination', 'self-government', and 'independence'.²⁸⁸

On an intuitive level, autonomy means to be one's own person. Procedural accounts seem to honour this intuition by espousing content neutrality in regard to the "metaphysical status of the processes that constitute autonomy".²⁸⁹ Content neutrality is useful because it allows us to understand the subject from her own perspective, or, as Mahmood puts it, locate the meanings of actions in particular contingencies. It is necessary that we

²⁸⁸ Joel Feinberg, "Autonomy", in *The Inner Citadel: Essays on Individual Autonomy*, ed. John Christman (Oxford: Oxford University Press, 1989), p. 27.

²⁸⁹ John Christman, "Introduction", in *The Inner Citadel*, ed. John Christman (Oxford: Oxford University Press, 1989), p. 14.

think about the variety of ways in which norms are lived and inhabited, aspired to, reached for, and consummated. ...This in turn requires that we explore the relationship between the immanent form a normative act takes, the model of subjectivity it presupposes (specific articulations of volition, emotion, reason, and bodily expression), and the kinds of authority upon which such an act relies.²⁹⁰

There is a great deal to be said in favour of agency being content neutral. Firstly, it allows for many options to be considered as possible autonomous choices. This is particularly important in multicultural societies, where the definition and embodiment of “the good” will take many different forms, many of which might be unfamiliar to the majority. Content neutrality does not privilege one understanding of the good over any other: so long as the procedure of decision-making follows a certain structure, the preference will be considered autonomous. In turn, this allows us to better understand the meanings and values of the particular preferences that agents might hold. This is particularly necessary when thinking about minorities within minorities, where inequalities might be experienced in different ways by individuals.

Procedural theories also do well in respecting the individual, private character of autonomy. Content neutrality can allow for a variety of different preferences to be considered autonomous, as long as the individual herself is aware of how she came to have them. The judgement is an internal one: what matters is how the agent feels about herself and her attachments. What others think does not matter. In procedural theories the individual is a moral agent by virtue of her ability to see what her preferences are and how she came to have them.

The importance of considering agency as a distinct but related part of autonomy becomes clear when we examine a preference such as attending the mikveh (Jewish ritual bath or immersion). According to scripture, both Jewish men and women need to enter the mikveh if they are impure. Impurity can be of two types: ritual and bodily. During menstruation, women are considered to suffer from both. During the seven days of menstruation and the seven after, women

²⁹⁰ Mahmood, *The Politics of Piety*, p. 23.

cannot touch or have sexual relations with their husbands. The laws of family purity have been thought to be unequal towards women, in so far as they rest on the notion of women as impure and liable to pass on the impurity to the “pure male”.²⁹¹ Varda Polak-Sahm cites the case of two very different women who attended an orthodox mikveh in Israel. One young Ultra-Orthodox married woman attended the mikveh because it was a commandment: it was law that she should attend the mikveh in order to preserve the laws of family purity. Whether or not she actually wanted to attend was, for her, irrelevant. It was law, and as such, she would not question it. A different woman is cited as attending the same establishment. From the description of the clothes this woman was wearing it is evident that, albeit perhaps observant, she was not Ultra-Orthodox. Her reason for attending the mikveh had little to do with religious observance. For her, it was a way of creating and maintaining sexual tension with her husband. Her husband did not agree with her keeping the laws of niddah, and from the description it is not clear that religion had anything to do with it all: it was a personal decision that she had arrived at.²⁹²

Polak-Sahms’ investigation shows how the same ritual can have extremely different meanings for different individuals. This in turn shows how autonomy needs to be carefully considered from an individual’s point of view, and cannot simply be judged a priori, dependent exclusively on the alleged normative content of a decision.

Autonomy cannot be considered something that has to be by definition emancipatory. The laws of family purity are misogynistic and unequal towards women (the burden of abstinence is carried by the woman, not the man). However, as Sahm-Polak’s example shows, this does not mean that the reasons for choosing to follow these laws are themselves non-autonomous. If indeed personal and private life is so important for human beings, then surely these will reflect themselves in preferences advocated. The young Ultra-Orthodox woman could potentially be considered as less autonomous, since her own desires were irrelevant to her. However, according to procedural accounts, so long as she

²⁹¹ Varda Polak-Sahm, *The House of Secrets* (Boston: Beacon Press, 2009), pp. 68-71.

²⁹² Polak-Sahm, *The House of Secrets*, pp. 4-16.

understood and agreed with how she came to value orthodoxy, she is to be considered autonomous.

Agency, as Mahmood points out, need not be progressive or emancipatory. Agency can also be seen as regressive, but not for that it is non-agency. Choices can simultaneously be “both a marker of autonomy, individuality and identity and a marker of inequality and sexist oppression”.²⁹³ Choosing to attend or not attend the mikveh could both be considered to be instances of agency – however, not for that will they necessarily be deemed egalitarian. Agency need not be equated with equality – indeed, it may not have an emancipatory subtext at all, regardless of what we may wish to read into it:

The normative political subject of post-structuralist feminist theory often remains a liberatory one, whose agency is conceptualised on the binary model of subordination and subversion. In doing so, this scholarship elides dimensions of human action whose ethical and political status does not map onto the logic of repression and resistance.²⁹⁴

Indeed, looking at agency in a binary way will preclude us from understanding the significance of the practices espoused. We must remember that agency is a modality of action and it need not embody a norm. Without understanding its contextual significance, we will never comprehend how and in which ways it operates. Agency is plural. It is not in itself a sign of political emancipation, but something required for action. The way preferences are then normatively interpreted is a different matter. The various interpretations of mikveh attendance show that there is no single unified understanding that will deem the act of attending an autonomous one or not. Respecting the autonomous character of an act is crucial in so far as it makes the person “the morally and legally recognised source of narration and resymbolisation of what the meaning of sexual difference is”.²⁹⁵ It is the person herself who should evaluate the normative meaning of her preferences; it is this process of reflection that will enable women to overcome

²⁹³ Hirschmann, “Western Feminism, Eastern Veiling and the Question of Free Agency”, p. 352.

²⁹⁴ Mahmood, *The Politics of Piety*, p. 14.

²⁹⁵ Cornell, *At the Heart of Freedom*, p. 10.

injustice by considering their own position towards practices and norms that might, or might not, be deemed disadvantageous. Indeed, the very notion of considering a practice as a *prima facie* non-autonomous choice is reminiscent of old attitudes whereby “elite men have long been given the right to self-representation ...as essential to the recognition of who they are. ...Women, on the other hand, have for too long been judged capable only of passive imagination and the ability to mimic the persona deemed proper for women.”²⁹⁶

An appropriate understanding of autonomy needs to recognise agency, and thus requires some of the content neutrality that characterises procedural accounts. However, the conception remains problematic in other aspects, such as its inability to account for the effects of oppressive socialisation. As has been mentioned previously, these procedural accounts of autonomy are accounts of preference formation. Most certainly in Frankfurt’s case, but also in Christman’s, what matters are preferences at a particular time; it is the structure of a particular desire at a particular moment which is analysed. These accounts fall short of explaining how this rationality or critical faculties are achieved, or where the preferences actually come from. Thus, in their account, autonomy becomes a feature of a moment, an instance where the desires are the agents’ own.

Though this correctly captures some characteristics of autonomy, it is not sufficient to be the whole picture. The time slice approach and content neutrality seem more a feature of agency than autonomy *per se*. Agency refers to the moment of acting, which in this case would mean making a decision, deciding. Autonomy, intuitively, seems like something more than just a feature of a moment, dependent exclusively on the structure of the preferences held. Autonomy must also deal with the capacities it requires, as well as longer-standing attitudes to the self.

This is where procedural accounts fall short. We must not forget that practices, like the agency that leads to them, do not arise naturally. Practices, like beliefs, are not static. They evolve constantly and are partly determined by the material

²⁹⁶ Ibid., p. 11.

and structural conditions that define their embodiment. Thus, and for that reason, it is crucial that we consider the ways in which material conditions might interact and affect the exercise of agency. This might mean that although a certain practice could be considered an instance of agency, it could also simultaneously be considered a reflection of underlying inequalities.

We have seen that socialisation can have pernicious effects. Procedural accounts of autonomy do not pay any attention to the effects that socialisation can have on the formation of agents' preferences. This is problematic since as we have seen in Chapter II, socialisation can deeply affect agents' own self-conception and the esteem in which they hold their own selves. An account of autonomy must be sensitive to these affects without being prescriptive about the content of choices.

We have also seen that the procedural insistence on carefully ordered structure and resonance of desires is unable to fully account for the autonomy of individuals who have more than one identity framework. Intersectional identities show how individuals' experiences of practices and attachments is highly variable and changing. Procedural accounts might be able to explain autonomous preference formation at any one time, but they fail adequately to portray how multiple attachments can affect autonomy on a longer-term basis.

If we are to understand the importance and meaning of practices, the procedural formation of the desire will not be sufficient in order to have a full idea of autonomy. Agency and content neutrality emerge as crucial, but not sufficient, elements of what it means to be an autonomous person. The next chapter will deal with some of these issues. What kind of capacities do we need in order to exercise autonomy? How are these capacities developed? Are these capability theories sufficient in order to explain what autonomy is? And are they able to accommodate the insights provided by socialisation and intersectional identities?

V. Relational Theories of Autonomy

The previous chapter looked at strict procedural theories of autonomy. I showed that these theories are useful in portraying one of the possible meanings of autonomy: agency. Agency matters because it respects the individual and, the content neutrality of procedural theories allows for a vast range of options to be chosen as part of an autonomous decision, as long as this decision is taken in the appropriate procedural way. However, the chapter also showed that agency alone is not sufficient to describe what it means to be free. Indeed, the strict logical methodology used to judge who is considered to be autonomous poses problems for those interested in issues of socialisation and multiple identities. Procedural theories emerge as too rigid to be able to satisfactorily accommodate the cases of those who hold more than one identity framework within which they make decisions. They also appeared unable to explain satisfactorily the relation between the social and autonomous being.

This chapter deals with theories that can be considered an answer to procedural accounts of autonomy. Indeed, an important part of their concerns is to show that a purely procedural account cannot be a complete account of autonomy: there are other necessary factors that need to be brought in. In exploring these alternative theories, I show in which particular ways they are useful. One of these is their concern with the social, and an approach to autonomy as something which is socially developed. In relational theory it simply does not make sense to speak of autonomy as a skill without taking into consideration the way this skill comes to be developed. As such, these theories refuse to consider autonomy and socialisation as two opposed processes: the social becomes an intrinsic and necessary part of the development of autonomy.

Linked to this idea is the development of autonomy as something beyond a zero sum game. Autonomy becomes a matter of degree, a skill that can be more or less developed at different times and in different contexts. This in turn means that relational theorists of autonomy are able to deal more effectively with some of

the challenges posed by multiple identities. The self no longer appears as a static, homogenous entity that exists in a vacuum. It is possible to hold more than one identity framework through which to take decisions, and preferences might vary depending on the context or moment the agent finds herself in.

Relational theorists also address the issue of content neutrality. Both Marilyn Friedman and Diane Meyers strive to achieve theories that are neither as neutral as the previous accounts nor too rigidly substantive. As already argued, a complete onus on content neutrality proves inadequate when dealing with cases of unequal or oppressive socialisation. Friedman offers a form of proceduralism that contains the possibility of evaluating the social causes and effects of choices, while Meyers introduces a mild substantivism, intrinsic to the development of autonomous capacities. They position themselves some way between pure content neutrality and strong substantivism. Their accounts are broadly procedural but I argue that there are latent substantive concerns that permeate them.

In addressing these issues, I continue further with the questioning of the relationship between autonomy and emancipatory politics. I take emancipatory politics to mean a politics that aims to redress inequalities between persons. Here I pursue a line of thought introduced by Saba Mahmood: the idea that in feminist writings there is a worrying tendency to attach an emancipatory subtext to autonomy. Friedman and Meyers are both feminist theorists dealing with questions of autonomy and women, especially women within minority group, and both suggest that autonomy has emancipatory effects, that autonomy is a tool of change.

The question here is whether this suggested relation between autonomy and emancipatory politics forces Friedman and Meyers in a more substantive direction than they officially wish to go. I argue that the stances they adopt on respect for difference, and their commitment to revised proceduralist accounts combine to generate latent substantive commitments, which then signal a departure from strict content neutrality. How problematic is this? To what extent

can a descriptive term like autonomy be linked to a particular world view? In what ways might this be helpful and in what ways might it be harmful?

1. What do Theories of Relational Autonomy Try to Achieve?

The two theories dealt with in this chapter are generally considered procedural accounts of autonomy.²⁹⁷ However, they differ from other procedural accounts in so far as they fall under the theoretical umbrella of relational autonomy.²⁹⁸ Relational autonomy is a broad body of literature, containing a variety of approaches, but characterised by a number of shared assumptions. Generally speaking, the term refers to that body of theory that depends on

the conviction that persons are socially embedded and that agents' identities are formed within the context of social relationships and shaped by a complex of intersecting social determinants, such as race, class, gender, and ethnicity. Thus the focus of relational approaches is to analyse the implications of inter-subjective and social dimensions of selfhood and identity for conceptions of individual autonomy and moral and political agency.²⁹⁹

Jennifer Nedelsky, probably the first proponent of relational autonomy, argues for a reconceptualisation of the notion of autonomy. Autonomy, in its theoretical incarnation, needs to respect the experiences of women – which in Nedelsky's view, involves the rejection of the social atomism that characterises much liberal theory. Autonomy needs to

²⁹⁷ Mackenzie and Stoljar, "Introduction", pp. 14 – 18.

²⁹⁸ See Jennifer Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities"; "Law, Boundaries and the Bounded Self", *Representations*, Vol. 30 (1990); "Meditations on Embodied Autonomy", *Graven Images*, Vol. 2 (1995); Marina Oshana, "Personal Autonomy and Society", *Journal of Social Philosophy*, Vol. 29, No. 1 (1998). See also Mackenzie and Stoljar, *Relational Autonomy*, for a number of different perspectives of relational autonomy.

²⁹⁹ Mackenzie and Stoljar, "Introduction", p. 4.

incorporate our experience of embeddedness in relations, both the inherent, underlying reality of such embeddedness and the oppressiveness of its current social forms.³⁰⁰

In Nedelsky's argument, the social matters in two distinct ways. One, because it is through social relationships we develop the capacity to be autonomous, and two, because the content of autonomy depends on the social structures around us. The process of autonomy is rendered intelligible; its content is valuable *because* it is valued socially. Autonomy appears as a process and as dependent on human relations.

Relational theory also tends to be characterised by a distrust of binary classifications in ways that resonate with my earlier argument about autonomy *not* being in opposition to socialisation. For Nedelsky,

the dichotomies of state-individual, public-private, politics-market, legislation-common law were always illusory. The central part of the illusion was the association of freedom with the second term of each dichotomy and coercion with the first. It is not simply that things have changed so much that the categories no longer make sense. Rather, the dichotomies from the beginning served to mask the role of state power in the second set of terms.³⁰¹

The binary oppositions that characterise traditional accounts of autonomy are mistaken: they misconceive the individual by representing autonomy as contrary to social influences, and misconstrue how the private and the public are, in fact, intrinsically linked.³⁰² Nedelsky makes a point reminiscent of Okin here, arguing that these distinctions help conceal the extent to which current structures are oppressive. Relational autonomy seeks to do exactly the opposite: by decentring and calling into question these very structures, and interrogating the processes that depend on them, it becomes possible to arrive at a better understanding of

³⁰⁰ Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities", p. 10.

³⁰¹ Ibid., p. 18.

³⁰² For a discussion on how the private is in fact created by the public in its limits and manifestations, and the way the private works to maintain the public see Okin, *Justice, Gender and the Family*, pp.124-133.

what it means to be autonomous. What is necessary is “to combine the claim of the constitutiveness of social relations with the value of self-determination”.³⁰³

Beyond these (rather general) shared assumptions, relational autonomy is a varied field, as evidenced by the plurality of approaches in the collection edited by Catriona Mackenzie and Natalie Stoljar, *Relational Autonomy*. Some theorists, like Friedman, believe in the compatibility of procedural content-neutral accounts with relational accounts of autonomy. Others, like Stoljar, argue that only a substantive conception of autonomy can deal effectively with oppressive or unequal socialisation. The central shared concern is the emphasis on the relationship of the social to the self, how this is formed, and the idea that autonomy is best characterised as a process.

2. Friedman’s Integration Model

a. What the Theory Maintains

Friedman’s account of autonomy is a revised structural account. Like other procedural theorists, Friedman also abides by the ‘time slice’ approach. For her,

according to our everyday usage, the conditions which matter most for the realisation of autonomy are conditions involved in the immediate situation in which a choice is being made.³⁰⁴

She argues that the historical constitution of preferences is not crucial: it is not a matter of revising the way we come to form preferences over time. Her account does not call for a hierarchical structure of desires. Instead, Friedman argues that we must be aware of the social conditions in which choices are made. For her, as is the case with historical proceduralists, it is crucial to interrogate “what is *behind* the choices [the agent] makes”.³⁰⁵

³⁰³ Nedelsky, “Reconceiving Autonomy: Sources, Thoughts and Possibilities”, p. 9.

³⁰⁴ Marilyn Friedman, “Autonomy and the Split Level Self”, *Southern Journal of Philosophy*, Vol. 24, No. 1 (1986), p. 20.

³⁰⁵ Ibid., p. 20 [emphasis mine].

Friedman's original proposal emerges from a concern with the 'split-level self'. According to Friedman, both historico-procedural and structural procedural theories of autonomy emphasise the role of critical reflection as autonomy conferring. Frankfurt identifies second order volitions as those that are necessary in making a decision autonomous. The highest part of the self is represented by these generalised volitions. The lower self is characterised by the first and second order desires, which seem to be of less importance. Central to this is the agent's ability to critically distinguish between the different kinds of desires, being able to explain the lower ones by reference to higher, more general ones. Christman takes critical evaluation of preferences to be central to autonomy. Without critical evaluation, preferences cannot be considered autonomous. Thus, it seems that it is this critical ability that is most characteristic of autonomy and of "higher selves". This is problematic because these theorists do not provide sufficient justification for according critical reflection this special ontological status. Why is critical reflection thought to reveal the only true or real self? Furthermore, does not critical reflection itself develop from the very social relationships in which the agent finds herself? For Friedman,

the self must become autonomous in respect to her critical assessment in some way other than that of critical assessment in accord with a higher principle – at least this must be true for one's highest principles.³⁰⁶

Why is critical reflection autonomous? The problem lies in that

...split-level self theorists are challenged to defend the notion that critical assessment in accord with higher principles is uniquely privileged to constitute the basis of autonomy and is the manifestation of self more 'true' than the lowest of a person's motivations.³⁰⁷

How does critical reflection become autonomy conferring, especially when bearing in mind that the ability to reason critically is also socially acquired? For Friedman this question could be avoided if

³⁰⁶ Ibid., p. 26.

³⁰⁷ Ibid., p. 32.

critical assessment did not require principles at a higher level than that which was being assessed. Only if critical reflection must be exclusively a 'top-down' affair is there no room at the top for autonomy.³⁰⁸

Friedman rejects the idea of critical reflection as synonymous with autonomy – indeed it is this she seems to consider the main issue distinguishing her approach from traditional procedural accounts.³⁰⁹ Her integration model calls instead for a bottom-up approach, closer to Freudian personality theories. According to Freud, higher principles are those that are not truly our own: they are the ones acquired through habituation and living in society. It is the libidinal self that is most truly characteristic of humans: the impulses that are biologically driven are those that are truly constitutive of our selves. Friedman claims to be respecting the insights from psychological theories by maintaining that

autonomy is achieved in virtue of a two-way process of integration within a person's hierarchy of motivations, immediate standards and values and highest principles. Only if a person's highest principles have been subjected to assessment in accord with her intermediate standards and her motivations, would it be appropriate to consider them her 'own' principles. Thus, her highest principles are 'highest' in a logical, not an ontological way.³¹⁰

All the principles the agent holds must be integrated. Those that are higher principles are not so randomly: they are merely broader or more general principles through which agents can justify their choices. But not for that are they of more importance than those mid or low level preferences. Indeed, for Friedman, it is important to note that higher principles are often socially created and maintained. As such these principles cannot logically represent who the agent truly is since they

³⁰⁸ Ibid., p. 30.

³⁰⁹ Friedman's account differs from procedural theories in more ways than just a focus on integration. Array and competency development are also crucial parts of her account. She however points at integration as being the most salient difference, and names her theory after that condition.

³¹⁰ Friedman, "Autonomy and the Split Level Self", p. 32.

might well manifest culturally prevalent ideals of personhood which she has unreflectively absorbed. For a self-concept to become a person's own self-concept, it must have been assessed by her for fitness with whatever else already motivates and guides her.³¹¹

Friedman's 1986 model was revised and expanded in her *Autonomy, Gender, and Politics*.³¹² This later work addresses different questions to those posed in her earlier article. The aim is not simply to provide a critique of existing structural procedural theories, but moves on to offer a positive defence of the concept of autonomy. *Autonomy, Gender, and Politics* provides us with a more developed account, where she supports autonomy by appealing to the importance of individuality and content neutrality. As we saw in Chapter IV, content neutrality is useful in the analysis of cross cultural issues of autonomy – something Friedman was increasingly concerned with. For Friedman, content neutrality matters because it is that which will allow the necessary importance to the individual as an agent. Content neutrality respects what she calls 'perspectival identity', an intrinsic part of what characterises autonomy, defined as "the particular person she can be constituted by her perspective, her deeper beliefs, desires, values".³¹³ This is contrasted with 'trait-based identity' which is defined as the "human categories used to describe" agents.³¹⁴ Perspectival identity is important to Friedman because of the significance of the first person position. According to her,

an ideal of personal autonomy is based on the presumption that there is value in a life lived in accord with the perspective of one who lives it. The way to appreciate that value is to start with a first-person perspective.³¹⁵

Indeed, for Friedman, the value in respecting one's own preferences should lead on to ideals of reciprocity, whereby everyone should respect other people's

³¹¹ Ibid., p. 32.

³¹² Friedman, *Autonomy, Gender, and Politics*.

³¹³ Ibid., p. 10.

³¹⁴ Ibid.

³¹⁵ Ibid., p. 56.

preferences in respect to their lives. First person perspectives will emphasise the notion of mutual respect, something she takes to be a central liberal concern.

The first person perspective is also important because of its ability to encourage critical reflection on oppressive socialisation or coercive norms. Autonomy as personal, individual and content neutral will encourage (or indeed supposes that) agents will exercise their critical capacities, and, in so doing, be able to realise their own positions towards these practices and their effects:

Women benefit from autonomous, critical reflection on social norms and practices both as potential subjects or victims of those practices and as potential agents engaged in perpetrating or sustaining those practices. As victims or subjects of customary wrongs, women would be more likely, if autonomous, to recognise the injustices perpetrated against them by wrongful norms.³¹⁶

For Friedman, it is this critical capacity which can lead to freedom from domination; it is autonomy that will enable us to fight against oppression and injustice. The key to equality lies in being able to be an individual, to be one's own person and, from that, able to assess the legitimacy of those norms from within which we are formed.

Friedman's account is explicitly relational in so far as she takes the social to be a causal factor for the emergence of autonomy:

persons are fundamentally social beings who develop the competency for autonomy through social interaction with other persons. These developments take place in a context of values, meanings, and modes of self-reflection that cannot exist except as constituted by social practices.³¹⁷

The social matters and it can either hinder autonomy or enable it. Autonomy, in Friedman's conceptualisation, is a tool for change; by valuing individuality,

³¹⁶ Ibid., p. 62.

³¹⁷ Ibid., p. 104.

independence can be achieved, leading eventually to the overcoming of subordination. It is a revolutionary value but one that might not develop where certain conditions are not met. Autonomy “requires both certain personal competencies and certain ‘external’ conditions among which those competencies can develop and manifest themselves”.³¹⁸

If autonomy competency requires the development of certain tools like independent thought and capacity to evaluate options, then some forms of socialisation might be less favourable to this development than others. In those cases, Friedman maintains, liberal societies have no duty to respect the choice of women. Content neutral autonomy must fulfil two characteristics if it is to be considered a reliable indicator of whether to accept choices or not:

First, women’s choices would have to be made under conditions that promoted the general reliability of their choices. This would require that women be able to choose among a *significant and morally acceptable array of alternatives* and that they be able to make their choices relatively free of coercion, manipulation and deception. Secondly, women must have been able to develop, earlier in life, the capacities needed to reflect on their situations and make decisions about them. The *right sorts of opportunities and guidance* must have occurred in order for women to have developed these general skills of practical reflection.³¹⁹

According to Friedman, the conditions for content neutral autonomy can be met more easily than those of substantive versions of autonomy. However, the above specifications are quite substantively laden. Importantly, she gives no indication of how exactly societies are to encourage the development of these critical skills, who decides exactly how these are to be identified, or when the “right sorts of opportunities and guidance” have been achieved. To this point we shall return.

One of Friedman’s interesting arguments is that autonomy can, sometimes, be a problem for it is potentially disruptive of social relationships:

³¹⁸ Ibid., p. 189.

³¹⁹ Ibid., p. 188 [emphasis mine].

although autonomy is not inherently anti-ethical to social relationships, nevertheless in practice, autonomy may contingently disrupt particular social bonds. ...I link [this] tendency to a potential for promoting social nonconformity and, thereby, resistance to possibly oppressive social norms and practices.³²⁰

The importance of this rests in conceding to (certain critical) feminists that autonomy can, at least in the short term, be harmful for women and what matters to them. However, she is careful to point out that

it is not autonomy (as a dispositional capacity) that disrupts social relationships; it is people who disrupt social relationships.³²¹

The primacy of the individual is again restated: individuals can disrupt social relationships and their reasons for doing so might well be justified. As should be clear from this, there is a strong normative characterisation of autonomy underlying Friedman's account. Autonomy emerges as a double sword: potentially useful for women, but also and sometimes simultaneously, dangerous for those things or people they care about.

b. How the Theory Works in Practice: Examples

What makes someone autonomous according to Friedman? Autonomy is based on the integration of preferences. There are no ontologically higher and lower levels: the only reference to gradations is merely for explanatory or justificatory purposes. Thus, 'higher' preferences have no priority over 'lower' ones. Take the preferences mentioned in the previous chapter:

1st order desire: wearing the hijab

2nd order desire: wearing the hijab as a requirement of Islam

³²⁰ Ibid., p. 105.

³²¹ Ibid., p. 106.

2nd order volition: the agent deems that Islam (religion) is important to her.

The second order volition is important to the agent because it is a way of explaining her behaviour. However, it is not for that more important than wearing the hijab per se. What stands out in Friedman's account is the fact that these preferences need to be integrated. As long as the above preferences make sense together, as long as they have coherence, the agent will be deemed autonomous. This means that preferences need to be consistent with each other: wearing the veil might also lead to other preferences, such as eating Hallal, praying five times a day and following any other customs that the agent believes to be coherent with her other endorsements. Rationality is not awarded a more important place than those things that actually matter to agents; those things she has chosen herself.

Apart from the fact that preferences need to fit in with one another, Friedman argues that they will only be considered autonomous if the agent has had enough choices (significant and morally acceptable) and has been allowed (and encouraged) to develop her capacity for autonomy. It is here that the examples become more complicated. What do morally acceptable and significant options mean?

Take a young woman who has been given the choice to wear the hijab, the niqab or the burqa.³²² Are these sufficient and morally acceptable choices? Do they need to be acceptable to the agent herself, or to those who evaluate whether or not she is autonomous? As already noted, bans on religious headwear often follow judgements about whether the persons wearing them are autonomous or not. Who judges is therefore important, since the answer may influence the outcomes of legislation that directly affect the individuals themselves. Who evaluates what is considered an acceptable choice is also important because

³²² Whether there is a normative significance between the hijab, niqab and burqa was part of the debate in the 1993-4 conversation between Anna Galeotti and Norma Moruzzi. See Galeotti, "Citizenship and Equality: The Place for Toleration" and "A Problem with Theory: A Rejoinder to Moruzzi"; Moruzzi, "A Problem with Headscarves: Contemporary Complexities of Political and Social Identity", and "A Response to Galeotti".

Friedman's discussion takes place against a background of what to do when women choose apparently illiberal practices, and what to do from the standpoint of a liberal state. It seems that if the agent considers the choices of different headwear to be morally significant (which they can easily be, given that each of those garments signifies a different commitment level and different interpretation of the demands of piety and modesty, as well as cultural and local differences) her choice to wear any of them will be deemed autonomous.

Women must have choices, Friedman states. The available options must, moreover, be of the 'right sort' in order to be able to develop the capacity for autonomy. Once again, what is the right sort of choice? Perhaps that an agent is given the choice to wear any form of covering she pleases, though not the choice to wear none. Perhaps that she be allowed to interpret the requirements of the Qu'ran by herself and decide individually how to apply these to her life. In these cases, we might say that her critical capacities are developed; she is made to consider what she wants to do and why she wants to do it.

But would this be sufficient for Friedman? As noted, Friedman believes strongly in the revolutionary power of the capacity for autonomy. By questioning and interrogating practices, we become able to challenge oppression. So perhaps the kind of options that Friedman is considering are rather different: instead of a choice between different forms of covering, she is perhaps referring to the opportunity to interrogate her attachments from more than one point of view. She may have been given the option to wear a niqab, a hijab or a burqa, but this is not sufficient. In order to develop her critical capacities, and make her choices really her own, perhaps she needs to have been exposed to radically different world views that do not award the same importance to modesty and piety. Perhaps she should have been exposed to egalitarian theories on the equality of women and men, or to ideas about the importance of women's emancipation. Moreover, as well as being exposed to radically different choices, she must have been guided, throughout her early years, whilst making her choices.³²³

³²³ See Friedman's comments on the matter. Friedman, *Autonomy, Gender, Politics*, p. 188.

Friedman does not say to whom the choices should seem worthwhile, although one can infer she means to the individual agent. But this is potentially circular, given that what she tries to do is show why we should consider choices themselves to be important. As long as all the desires are integrated, there are no divisions between higher and lower selves, and these selves are created out of an array of options, it would seem that Friedman's individuals are always autonomous in a content neutral way. But is this really the case? Do her conditions for acceptance of content neutrality not provide a stronger substantive basis that circumscribes her neutrality?

c. Issues To Consider

Benson argues that Friedman's account of integration, albeit avoiding some of the problems created by hierarchical accounts, is unable to provide a satisfactory response to how oppressive socialisation works. For him, "an integration view detects threats to autonomy only when the total internalisation of autonomy-inhibiting socialisation fails to take hold or begins to break down".³²⁴ This is particularly problematic because of the way autonomy-inhibiting socialisation is likely to work. It influences not only lower order desires, but also higher ones. So, if the socialisation process has been effective, the agent will indeed have integrated desires, but she will be unable to see why she has such desires. The only time she will be able to notice the hold her identifications and socialisation patterns have on her, that is, the only time she will be able to be effectively critical about her desires and her reasons for holding them, is if the oppressive socialisation process has, in some way, failed to take complete hold.³²⁵

Linked to this is the fact that Friedman, like other structural procedural theorists, takes a time slice approach. Again, what matters is that the desires are in

³²⁴ Benson, "Autonomy and Oppressive Socialisation", p. 395.

³²⁵ Benson's criticism must be considered with the following proviso: Benson is considered to be a proponent of a substantive conception of autonomy, both in its weak and strong incarnations. If Friedman was to acknowledge the pervasiveness of oppressive socialisation and its omnipresence if successful, she would have to forgo her attachment to content neutrality, which for her is pivotal in acknowledging the moral agency of individuals (and her associated belief in the emancipatory consequences of individual critical capacities).

agreement at any one moment in time. The time slice approach matters for Friedman for the same reasons it is important to thinkers like Frankfurt and Dworkin. It is the instance of decision-making, the act of deciding, that is characteristic of moral agency, which in turn is linked to political agency as a force of change. However, this approach can be problematic when considering that identity building and socialisation are both processes that occur over the course of time. If we ignore how an agent comes to acquire certain preferences, or the way these might have been introduced into her psyche, it becomes more difficult to evaluate the extent to which an agent can truly be said to be choosing them.

The time slice view therefore further problematises the integration approach, for it need not take into account that some preferences might have been coercively learned. Time slice approaches seem to preclude the possibility of seeing how autonomy operates. No importance is given to the way preferences might change: they might sometimes be integrated, sometimes not. The way preferences change, and why, does not seem to be of importance for Friedman.

In her assessment of Friedman, Catriona Mackenzie argues that there is a

tension within her approach between her minimal interpretation of the requirements for content neutral autonomy and her claim that autonomy is valuable in providing a normative standpoint from which to criticise oppressive social institutions, practices and relationships.³²⁶

The tension seems to be between content neutrality and what constitutes a choice. At first glance, it seems that Friedman allows for oppressive socialisation to be the grounds for a preference. She maintains that liberals have a duty to respect these preferences:

A liberal culture should respect and tolerate the practices of cultural minorities in its midst even when those practices violate the rights of

³²⁶ Catriona Mackenzie, "Autonomy, Gender and Politics", review of *Autonomy Gender and Politics* by Marilyn Friedman, Notre Dame Philosophical Reviews, June 12, 2003. Found at <http://ndpr.nd.edu/review.cfm?id=1295>.

females in those minority groups, but only so long as the females themselves choose to participate in those practices.³²⁷

This is because autonomous choices are “those that mirror wants or values that an acting person has reflectively reaffirmed and that are important to her”.³²⁸ This definition seems quite permissive. Indeed, it seems that most people will fall under the definition of what it means to be autonomous and thus will be able to be the rational critics that Friedman ascribes autonomous agents to be.

However, let’s not forget a second thing. As previously mentioned, Friedman’s discussion also has some rather more restrictive qualifications to the definition of who is to be considered autonomous. An agent has to have a set of preferences that are truly hers, desires that matter to her person. Despite Friedman’s claim to respect content neutrality, these preferences might not be as varied as their abstract enunciation might lead us to think. As mentioned before, Friedman says that these preferences need to come from a “*significant and morally acceptable* array of alternatives” and that these need to be of the “right sort”.³²⁹ What does she mean by right sort? How does one distinguish between a significant and a non significant option? And, more importantly, is moral acceptability in itself not a product of the social in which an agent lives? Are value and acceptability not socially constituted and maintained? The notion that some options are more valuable than others suggests that Friedman’s content neutrality is perhaps more limited than she believes it is; autonomy is not as easy to achieve for all as a first reading of her thesis might suggest.

³²⁷ Friedman, *Autonomy, Gender, Politics*, p. 201.

³²⁸ This is a summarised version of Friedman latest full definition of what it means to be autonomous. The full definition reads as such: “Choices and actions can be autonomous only if they are self-reflective in two senses and meet at least two other conditions. First, they must be self-reflective in being partly caused by the actors’ reflective consideration of her own wants and values, where reflective consideration may be cognitive in a narrow sense or also affective or volitional and cognitive in a broad sense. Second, they must be self-reflective in mirroring those of her wants and values that she has reflectively endorsed. Third, the underlying wants or values must be important to the actor. Fourth, her choice or behaviour must be relatively unimpeded by conditions, such as coercion, deception, and manipulation that can prevent self-reflection from leading to behaviour that mirrors the values and commitments a person reaffirmed.” (Friedman, *Autonomy, Gender and Politics*, p. 14).

³²⁹ Ibid., p. 188 [emphasis mine].

Furthermore, the conditions for choosing are also heavily limited. Choices must be made

under conditions that facilitate autonomy. These conditions must include the presence of genuine alternatives for the woman's choosing, the absence of coercive and manipulative interferences with the women's reflections on their cultural practices, and socialisation that is capable of developing in the women real autonomy competency.³³⁰

It seems that Friedman is aware of the potentially negative impact of unequal socialisation. Her allegedly neutral account is limited, in so far as women's choices must be respected only if they are made in the right circumstances, and these are predefined in advance. Oppressive socialisation (and certain lifeworlds it appears) can hamper autonomy and, as such, should not be allowed. But how easy is it to find these autonomy enhancing backgrounds?

Friedman seems to think that autonomy will lead to certain consequences – an increased willingness to criticise traditional practices, for instance. According to her,

autonomy promotes in individuals a greater degree of critical reflection on traditional norms and customary practices, and ...this reflection gives individuals greater opportunity to recognise norms that are harmful to them.³³¹

Not only is the practice of reflection given quite a substantive meaning, but there is also a certain dualism implied in the account. On first reading, it seems Friedman is saying that those who are autonomous will reject anything traditional and will live an emancipated life. Those who live by traditional or local customs, on the other hand will not, finding themselves unable to live a fulfilling life that is truly their own. This is troubling because, as Volpp points out, the characterisation of minority cultures as sites of violence and aberrant behaviour is often used in the discourse as a way of neutralising and avoiding

³³⁰ Ibid., p. 201.

³³¹ Ibid., p. 70.

further thought on the situation of those women in majority cultural groups.³³²

There is an assumption that the west is free and the rest lives in chains:

those with power appear to have no culture; those without power are culturally endowed. Western subjects are defined by their abilities to make choices, in contrast to Third World subjects, who are defined by their group based determinism.³³³

Though Friedman explicitly argues that oppression pervades all realms – minority and majority – autonomy and critical reflection still emerge as the liberators of those who live in particularly unequal realms. Autonomy is de facto emancipatory. Friedman attaches strong substantive values, despite her insistence on the neutrality of the account. The notion that rational thinking is a tool for emancipatory politics, and that it will lead to the challenging of oppression and inequality by those who are submitted to it, seems to imply that autonomy is a value that will lead to particular, pre-determined consequences. This becomes particularly clear if we remember the dualism present in her thinking of autonomy as something that will challenge the traditional and customary. Friedman claims to be finding a middle way between liberalism and cultural minorities, but it seems her answer prioritises a liberal understanding of what matters, which in itself is a substantive, non-neutral evaluation of what it means to be one's own person.³³⁴

This point resonates with Mahmood's claim that feminism (in general) works as a strategy that is diagnostic but also prescriptive.³³⁵ Resistance and autonomy are different, they do not necessarily reflect the same aim. Autonomy has to do with the constitution of the self, whereas resistance means a struggle against oppression. They are conceptually different. It seems that despite her best efforts, Friedman returns to a version of the split-level self she set out to differentiate herself from: critical capacities become the most important element in autonomous decision-making. In making a positive defence of why it is

³³² Volpp, "Feminism versus Multiculturalism", p. 1186.

³³³ Ibid., p. 1192.

³³⁴ Friedman, *Autonomy, Gender, Politics*, p. 195.

³³⁵ Mahmood, *The Politics of Piety*, pg. 10.

important to be autonomous, Friedman forgoes some of her initial premises in making autonomy a valuable tool for women.

Friedman's approach seems promising in its consideration of multiple identities. As already argued, an agent attached to more than one normative framework may act in different ways depending on social context, and may deal with the potential conflicts through what Barvosa Carter describes as syncretisation.³³⁶ This could be seen to resonate with Friedman's notion of integration. Friedman's idea that desires should be consistent with one another and should reciprocally resonate in order to be somewhat coherent could be viewed as a recognition of the existence of multiple identities. Moreover, the primacy of the first person perspective highlights the undeniable particularity of the person with multiple identities, something that theorists who work on multiple identities are also keen to emphasise.

Friedman's integration requirement works best in cases where the preferences can indeed be integrated. A woman who is both a Jain and an animal rights advocate has little difficulty, since Jainism mandates vegetarianism. However, not all cases are as straightforward. The idea of consistency could be taken to mean that certain desires will give rise to other associated preferences. So, a young woman who deems Judaism to be important to her and who follows the laws of Kashrut (dietary laws) and Tzniut (modesty), will also be expected to follow other commandments of Judaism, such as honouring your parents and following their wishes. Let's imagine her parents do not wish her to be educated outside a Beis Yaakov institution.³³⁷ If she chooses to disobey them and opts to attend a secular educational centre, it could be taken as a sign that her conflicting preferences (being an observant Jew and valuing secular education) are not integrated. Indeed they are not being checked by other related preferences that would show the agent is an autonomous one.

³³⁶ Barvosa Carter, "Mestiza Autonomy as Relational Autonomy", p. 7.

³³⁷ Beis Yaakov educational centres are Ultra-Orthodox schools for girls. How much secular education is available varies between centres. Generally it can be said that in Israel they tend to de-prioritise secular education, whereas in Europe and North America secular studies are often included in the programme. This however varies between schools. Some Haredi schools in Ultra-Orthodox areas like Stamford Hill in London and Borough Park in Brooklyn, New York de-emphasise secular education.

Moreover, while integration is one method of navigating a variety of endorsements and life worlds, it is not the only one. If ambivalence is, as I have argued, an alternative mode, then this means precisely not integrating. Ambivalence as a strategy means choosing to remain equidistant between different choices whose conflicting and incommensurable natures make them impossible to merge.

It appears that Friedman's account, although able to accommodate some of the manifestations of multiple identities, cannot deal with some of its more difficult characterisations. Furthermore, the stipulation that the choices available need to be morally acceptable is also contentious. This prompts questions about which options are to be considered conducive to autonomy and which ones are not. Ultimately, Friedman's account does not differ substantially from other procedural theories, but introduces new complications in the form of an underlying normative evaluation of what is to be considered valuable. This trumps her own preference for a content-neutral form of autonomy.

3. Meyers and Autonomy Competency

a. What the Theory Maintains

Diane Meyers, like Friedman, is widely considered a relational theorist. For her, social relationships are crucial in order to develop the capacities that make the exercise of autonomy possible. She pays particular attention to the situation of women within minority groups. Indeed, one of the driving forces of her position is the following:

the reality I propose to inject into my discussion of autonomy is the fact that enormous numbers of people are assigned to social groups that are systematically subordinated. The wonder is that despite this

subordination, some of these individuals are exemplars of autonomy, and few of them altogether lack autonomy.³³⁸

The aim is to explain how, despite oppressive socialisation, autonomy might still be present and if so, in what ways. Her account is sensitive to the challenge not only of socialisation but also to that of multiple identities. Central to her theory is the idea is that autonomy is a competency,

a way of living in harmony with one's true self. Conceived as the exercise of a competency comprising diverse self-reading and self-actualising skills, I shall urge, personal autonomy is not only compatible with the civilising influences of socialisation, but it depends on socialisation to cultivate the requisite skills.³³⁹

Autonomy competency is particularly relevant in the areas of self-discovery, self-definition and self-direction. In order to achieve personal autonomy,

one must know what one is like, one must be able to establish one's own standards and modify one's qualities to meet them, and one must express one's personality in action.³⁴⁰

Some of these qualities are indeed socially created, or at least, socially developed. Simultaneously, these qualities will also allow agents to bypass the harmful effects of oppressive socialisation so as to truly reflect, in their decisions, their authentic self. For Meyers, "the self of the person who exercises autonomy competency, then, is an authentic self – a self-chosen identity rooted in the individual's most abiding feelings and firmest convictions, yet subject to the critical perspective autonomy competency affords".³⁴¹ The authentic self is who the person truly is, when her desires are her own and not the product of tradition or oppressive socialisation: it is "a self that is shaped by social experience as well

³³⁸ Meyers, "Intersectional Identity and the Authentic Self? Opposites Attract!", p. 152.

³³⁹ Diana T. Meyers, *Self, Society and Personal Choice* (Columbia: Columbia University Press, 1989), p. 20.

³⁴⁰ Ibid.

³⁴¹ Ibid., p. 61.

as individual choice”.³⁴² The authentic self need not be static, nor is it always reflected in decisions taken. However, for Meyers, it is the touchstone of autonomy, that which allows agents to gain control over their selves despite the problems associated to oppressive socialisation.

The social thus emerges as central in Meyers’ account. It can harm as much as it can enable the development of the capacities characteristic of autonomy. As Mackenzie and Stoljar point out, in Meyers’ account social relations are important to autonomy in three different ways. Firstly, autonomy does not mean doing all the things an agent might be interested in doing; it is doing the things that most matter to the agent herself and her idea of who she is (her self-conception). It follows that since “different social environments encourage or foster the development of different potentialities in any individual, the agent’s social environment is crucial to the agent’s ability to recognise and develop her important potentialities”.³⁴³ Oppressive social environments might encourage agents to develop qualities that perhaps are not central to who the agent truly is.³⁴⁴

Secondly, and very much related to the first way in which socialisation affects the process of autonomy development, is the fact that certain social environments might thwart the development of the authentic self. Different values are often attached to certain preferences and choices in different social environments. Agents who are socialised into a particular environment will, more often than not, incorporate these preferences into their conceptions of their own self, regardless of whether these actually matter and are indeed present in the person’s own life plan. This idea echoes Benson’s notion that successful oppressive socialisation creates preferences at all levels, which problematises (in Friedman’s account) the possibility of individuals critically assessing the values and preferences they are able to choose and are surrounded by.

³⁴² Ibid., p. 96.

³⁴³ Mackenzie and Stoljar, “Introduction”, p. 17.

³⁴⁴ This point is made very clearly in Diana T. Meyers, “Feminism and Women’s Autonomy: the Challenge of Female Genital Cutting”, *Metaphilosophy*, Vol. 31, No. 5 (2000).

The third way in which socialisation has an effect on autonomy competency hinges on the fact that competency is *itself* developed through social processes:

To understand autonomy as the exercise of a competency is to acknowledge that autonomy is impossible without socialisation. People are born with the potential to become competent in various ways, but it is only through education that these potentialities are realised.³⁴⁵

This point is particularly important for Meyers because socialisation has often affected women and men in different ways:

socialisation does not foster the same capacity for autonomy in men and women alike, at least not in the dominant cultures of Western industrialised nations. Indeed, it is almost a platitude of the socialisation literature that men are encouraged to act more autonomously than women. Men are taught to be more independent and to exert greater control over situations.³⁴⁶

So the question becomes how to think of autonomy when we consider that women might not undergo the same education, that expectations are different and that some social environments simply do not allow for autonomy competency to be developed.

Meyers' way of answering this plays on the idea of autonomy being a matter of degree. She distinguishes between two types of autonomy: episodic and programmatic.

I shall argue that viewing personal autonomy as an all or nothing phenomenon is misguided in several respects. Specifically, I shall urge that the scope of programmatic autonomy compasses narrow as well as global issues, that episodic autonomy is intelligible without

³⁴⁵ Meyers, *Self, Society and Personal Choice*, p. 135.

³⁴⁶ Ibid., p. 136.

programmatic autonomy, and that a measure of personal autonomy can be gained through partial insight into one's authentic self.³⁴⁷

Programmatic autonomy has to do with following one's life plan. A life plan can be general or specific (narrowly programmatic). It deals with questions such as 'how do I want to live my life?'. More specifically, it will lead to agents' consideration "of what qualities they want to have, what sorts of interpersonal relationships they want to be involved in, what talents they want to develop, what interests they want to pursue, what goals they want to achieve and so forth".³⁴⁸ Life plans are constantly changing. As such, someone who exhibits programmatic autonomy will be able to ask herself questions on the ways in which her life desires are changing and the significance of these changes, as well as effecting alterations on the way the individual acts.

Narrowly programmatic autonomy is similar in so far as it is also a partial insight into the authentic self whereby similar questions are asked. However, what is different is that the scope of the questions is limited to a particular area of life, as distinct from other areas (e.g. education versus choice of partner).

The last type of autonomy is that of episodic autonomy. As the name indicates, episodic autonomy is limited to certain episodes, or moments, in an individual's life and is not dependent on the presence of programmatic autonomy. Meyers defines it as follows:

Autonomous episodic self-direction occurs when a person confronts a situation, asks what he or she can do with respect to it – the options may include withdrawing from it, as well as participating in various ways – and what he or she really wants to do with respect to it, and then executes the decision this deliberation yields.³⁴⁹

Episodic autonomy is similar to the procedural accounts we saw earlier. For Meyers, they too constitute a form of autonomy, albeit one that is significantly

³⁴⁷ Meyers, "Personal Autonomy and the Paradox of Feminine Socialisation", p. 624.

³⁴⁸ Meyers, *Self, Society and Personal Choice*, p. 48.

³⁴⁹ Ibid.

different from programmatic types. Meyers' differentiation of three distinct types of autonomy is a crucial and significant part of her theory. It contains an assumption that seems intuitively true – that being autonomous might affect individuals in different ways. Making a choice at a particular moment in time does indeed seem different to the idea of making life plans and thinking of how to enact these. It also seems plausible to think that autonomy is not a zero-sum game: it might be the case that certain individuals will be more able to act autonomously in certain areas than in others. Indeed, this would also be supported by thinking about the impact of socialisation, for an individual might have experienced particularly unequal social norms in one aspect (norms of feminine appearance, for instance), but not others (education).

A further issue arises in relation to Meyers' account of autonomy. As has already been said, autonomy is achieved through a cluster of skills, namely self-discovery, self-definition and self-direction. Desires are not always autonomously chosen – they are only so if the way an individual arrives at them is through the exercise of these particular skills. It is the exercise of these critical capacities that reflects the authentic self. It follows then that not all desires are to be given the same credence or weight – not all will truly reflect the authentic self.

It is also important to note the idea of self-direction. For Meyers, autonomy competency is not merely an intellectual exercise. Autonomy involves the changing of one's responses, the alteration of preferences to suit or better fit the revision of life-plans. To an extent, autonomy is an ideal of action. It is not merely the decision to do something but also the possibility of *being able* to do it that counts. Not surprisingly, her recommendation for the improvement of autonomy developing skills takes the following form:

socialisation practices aimed at awakening and cultivating autonomy competency must be *coupled with a social and economic climate* that supports the exercise of this competency.³⁵⁰

³⁵⁰ Ibid., p. 188 [emphasis mine].

The material and the social conditions matter because autonomy depends on its exercise. It is not sufficient, according to Meyers, to evaluate what autonomy is; there is also a duty to improve the social conditions so that these are geared to the development of these capabilities. The material then becomes an intrinsic part of Meyers' analysis.³⁵¹

b. How the Theory Works in Practice: Examples

Meyers gives examples throughout her work of what it means to be autonomous, in its episodic, narrowly programmatic or programmatic forms. Before we go on to see how these forms of autonomy fare in practice, let us see how, in her analysis, socialisation affects (or enables) autonomy.

Socialisation, Meyers thinks, can lead agents to develop potentialities that are not truly part of their authentic selves. The pressure of external societal values can lead individuals to appreciate those things that are valued in their society, those things that are conventional. Thus, a woman might face a number of options in composing her life-plan. If she decides to live her life according to conventions, without questioning these through self-discovery, self-definition and self-direction, she cannot be considered autonomous. Take the example of a young woman raised in a deeply religious Muslim family. She believes, because of the way she has been educated and how she has seen her female family members behave, that she ought to value family over education, that she ought to put her husband's and children's needs first. If she arrives at this conclusion because she merely has accepted all that is around her, and has not questioned the meaning of these preferences or whether they are truly her own, she cannot be considered autonomous in a programmatic way. She is merely responding to the social norms around her, rather than defining herself through a variety of options.

³⁵¹ This was particularly evident in her article on female genital cutting and her consideration of education as a crucial element in the development of autonomous capacities. See Meyers, "Feminism and Women's Autonomy: The Challenge of Female Genital Cutting". The point is also reminiscent of Nancy Fraser's call for an integration of identity politics and redistributive justice. See Nancy Fraser, "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age", *New Left Review*, No. 1/212 (1995).

On the other hand, take another young woman, raised in a secular environment, albeit originally of Christian heritage. Over the course of her studies she begins reading about the Qu'ran and finds that she agrees with a lot of what she takes to be its meaning. She starts revising her world-views, eating Hallal, praying, dressing according to the norms of modesty and begins to attend Islam conversion courses at her local Mosque. As long as she keeps reconsidering her own position vis à vis her life and the way she wants to live it, and then acts and changes according to these beliefs, the woman is to be considered autonomous.

Meyers' stress on the importance of the procedural conditions of autonomy becomes obvious in this case. What matters is how individuals come to the conclusion that this is the way they want to live their life, and that they act accordingly. This is not the full story regarding autonomy however, because of the second way in which socialisation affects autonomy, through the learning of those skills necessary to make autonomous decisions. Meyers draws on Simone de Beauvoir's work to show how differing female and male socialisation processes mean that men and women, boys and girls, are differently equipped to develop the necessary capabilities for the exercise of autonomy. Women, she says, are better at self-discovery.³⁵² This is because women are more introspective, more responsive to criticism, more insecure in their persons and thus more questioning about their persons.

However, girls' socialisation fares badly in the other two qualities necessary for the development of autonomy competencies. Self-definition favours men's socialisation, since women are often thought of (and expected to be) more altruistic than men, caring for others rather than acting in a self-regarding manner. Self-direction also involves pro-action and thus is not as well developed in women if they are taught that they should not be boisterous or rash, that they should ask for permission to speak or wait until they are asked before replying.

A programmatically autonomous person is someone who evaluates her life-plans as they change over the course of time. The earlier convert to Islam can be

³⁵² De Beauvoir, *The Second Sex*.

considered programmatically autonomous. She revises her life plans according to the changes she sees in herself and those things she values; she changes the way she defines herself vis à vis others and acts on her identifications in order to get closer to her ideal life plan.

A narrowly programmatic autonomous person might be someone raised under Jewish orthodox social norms. Judaism is important to her but she also thinks that education is vital to her development and to her person. She might not be as autonomous in certain areas. For example, she might allow her parents to arrange her marriage without evaluating other possible ways of reflecting her commitment to Judaism.³⁵³ She might not question why she eats kosher or why she fasts during Yom Kippur either. She might not be autonomous in those aspects; they are the consequences of her socialisation as a young Jewish woman. On the other hand, she might think deeply about her decision to be educated. She might devote time to considering which career path to pursue or what degree would be most suitable and might devise different ways of studying that will help her achieve better grades. She revises, defines and constantly questions those aspects of education that are important to her. In this aspect, she is autonomous.

Finally, let us consider an example of episodic autonomy. Take the above example of a young orthodox Jewish woman. This woman is narrowly programmatically autonomous in certain aspects, such as her decision to pursue further education. She could also be episodically autonomous in others. Upon marrying, for example, she faces the choice of covering her hair with a snood, a tichel or a sheitel.³⁵⁴ She has considered why she is to cover – it is a demand of Tzeniut, the norms of modesty.³⁵⁵ She must cover her hair – this she does not question. What she does question is the way she wishes to cover. All available forms of covering will imply different things about her orthodoxy. If she chooses

³⁵³ Arranged marriages are by no means exclusive to Judaism. They are part of the cultural imaginary that surrounds belief, but not necessarily intrinsic to it. Most of the examples used here are by no means exclusive to the faith or belief mentioned in their depiction – countless examples could be found in many other religions and cultures.

³⁵⁴ A snood is a close fitting net fitted over hair; a tichel is a headscarf, worn to cover all hair. The word comes from Yiddish, which means 'kerchief'; a sheitel is a wig.

³⁵⁵ See Talmud Tractate Yevamot 79a; Babylonian Talmud, Rabbi Elazar Bar Tzadok, Tractate Sukkah 49b.

to wear a sheitel merely because that is what she has always seen, and does not consider the merits of snoods or tichels, then she cannot be considered episodically autonomous. However, if she evaluates all the available options and decides that she would prefer to wear a snood as a way of keeping with the current 'boho-chic' fashions, this could be considered to be an episodically autonomous decision. Indeed, she might decide to wear a tichel or another form of covering at some other point.³⁵⁶ As has been seen, episodic, narrowly programmatic and broadly programmatic forms of autonomy can coexist: the difference lies between the moment of deciding (episodic) and longer ranging forms of autonomy (long range plans, such as educational aims).

c. Issues to Consider

Although Meyers' theory pays a lot of attention to the challenges of socialisation and multiple identities, and her account of autonomy could even be said to spring from the analysis of these, there are still a number of problematic aspects to her work.

The first issue is her claim that it is important for desires to be developed until they are finished or, rather, until the desire has been satisfied:

when competing desires cannot be satisfied to an acceptable degree, the person who has them cannot ever do all that he or she really wants. ...People who have them have authentic selves that can never be adequately expressed. As a result, these people cannot be autonomous.³⁵⁷

She later qualifies this, noting that it might be social circumstances that do not allow an individual to fully pursue her autonomously chosen desires, at which

³⁵⁶ This is an extremely simplified case: the choices upon marrying are not restricted to what sort of hair covering to wear: there is also the choice of shaving one's head or not. This will depend on the agent's interpretation of the norms of Tzeniut.

³⁵⁷ Meyers, *Self, Society and Personal Choice*, p. 65.

point only a partial satisfaction ensues.³⁵⁸ Although there is a clear link between the process of autonomous reflection and subsequent action, I am unsure whether these two aspects ought to be considered the same process. If this were the case, it seems most human beings are only partly autonomous. Not all individuals are able to pursue their life-plans due to a variety of constraints: economic, social, political, familial and even personal. To say that these people are not fully autonomous because of their inability to put in action *all* they desire might be a little far-fetched. Indeed, the very characterisation of autonomy, previously described as a process of introspection and practiced as a cluster of skills, as something that requires action-fulfilment seems to miss a logical step: there is a move from internality to externality that is neither required nor implied by the very conditions the process necessitates.

An associated issue with Meyers' competency theory is her claim that autonomous integration means

to be satisfied – whether explicitly or implicitly – with one's traits and the ways these traits find satisfaction in action.³⁵⁹

Essentially, in Meyers' characterisation, action and decision are closely related: action completion results in happiness, or at least, satisfaction. She also adds that

unhappiness with one's self is incompatible with autonomy. For such unhappiness stems either from one's failure to become the sort of person one wants to be (failure with respect to self-definition) or from one's failure to act in accordance with one's authentic self (failure with respect to self-direction).³⁶⁰

Although she maintains that it is not necessary to be happy if you are autonomous, Meyers still seems to hold that felicity is a common characteristic of the optimal exercise of the capabilities for autonomy. This characterisation seems rather gratuitous. As Friedman notes, autonomous thinking can potentially disrupt

³⁵⁸ Ibid., p. 111.

³⁵⁹ Ibid., p. 73.

³⁶⁰ Ibid., p. 74.

social relations agents hold dear. Albeit autonomous, there is no reason to believe that such disruption should end in increased levels of happiness. Furthermore, it is not clear that self-discovery ought to lead to increased happiness. As the Socratic paradox maintains, 'the more you know, the more (you realise) you do not know'. If self-discovery is indeed a part of autonomous thinking surely, even according to Meyers, it is never complete? The same applies to self-definition and self-direction: such processes are never finalised. As people go on with their autonomous lives, surely autonomy-completion based happiness is in itself an oxymoron?

A further problem could be seen to spring from Meyers' characterisation of the differential socialisation processes boys and girls undergo. As has been seen, Meyers seems to believe that female socialisation is itself non-conducive to autonomy competency. However, this view relies heavily on an evaluation of what is femininity and masculinity, and the associated traits developed through socialisation processes. As a lot of feminist literature points out, the valuation of certain character traits as more or less valuable fails to recognise the intrinsic value, albeit perhaps differential, that female socialisation holds. Is this a return to male-focused forms of autonomy?³⁶¹

Meyers' interest in the "authentic self" could be seen to be problematic. Although she does not stipulate what exactly the authenticity should consist of, she is clear that it requires that the agent exercise the competencies of self-discovery, self-definition and self-direction in deciding what matters to her. The very language used is problematic in so far as it is reminiscent of ideas about the split-level self. As Mackenzie and Stoljar question:

does the notion of autonomy competency implicitly rely on a more normative and substantive view of what is required for women to flourish or achieve full autonomy?³⁶²

³⁶¹ See Nancy Chodrow, *The Reproduction of Mothering* (Berkeley: University of California Press 1978); "Gender, Relation and Difference in Psychoanalytic Perspective" in *The Future of Difference*, eds. Hester Eisenstein and Alice Jardine (N.J.; Rutgers University Press, 1985); Virginia Held, *Feminist Morality* (Chicago: University of Chicago Press, 1993).

³⁶² Mackenzie and Stoljar, "Introduction", p. 19

Though Meyers' notion is content neutral in so far as the substance of the desires chosen is concerned, there is definitely a strong onus posed on the importance of self-discovery, self-definition and self-direction. In themselves, these capabilities are not neutral – the system through which one deems an individual autonomous is not free from normative evaluations of what it means to be one's own person and pursue one's own life. Meyers' competencies seem to prioritise rational critical reflection over other factors that might also play a part in the evaluation of choices. As was pointed out in Chapter II, critical reflection might well play a part in what it means to be autonomous, but it should not be thought to be the defining characteristic. Other factors, like emotion and attachment, might also have a role to play in agents' evaluations of their choices.

Meyers relies on the universability of the criteria of self-definition, self-discovery and self-direction, assuming that any individual would abide by them. However, the notion that one chooses one's own life might be not easily agreed to by religious people or indeed by anyone who believes there are other factors besides the self that influence decisions, such as a dedicated reader of astrology. Take, for instance, the narrowly programmatic idea of choosing one's own spouse. Orthodox Jews would deny that this is a choice at all – it is *Bashert*. According to Jewish mythology, people are paired up (in couples who will complement each other) before they are born, and even before they are conceived. It is God who chooses their spouse, which is essentially the same as their destiny.³⁶³ Thus the notion that people self-define and self-direct themselves according to their choices might be something that in itself already contains substantive content about what is to be privileged, which abilities or capacities are of more importance than others when defining if one is indeed living the life one wants or not. As Kukathas has pointed out, the examined life might be worthwhile living, but neither is it as common as we might think nor is it necessarily a good one.³⁶⁴ Indeed, the very focus on examination is reminiscent of the difference between orthodoxy and orthopraxis in religion. Whereas

³⁶³ *Bashert* means destiny in Yiddish. References to this belief cannot be found in the Torah, but they can be traced, through the Talmud, to Rav Dovid Cohen, who says that 40 days before a male child is conceived, a voice from heaven announces whose daughter he will marry. (Sotah 2a.) See Ronald Eisenberg, *Jewish Traditions* (Philadelphia, The Jewish Publication Society, 2008), p. 46.

³⁶⁴ Chandran Kukathas, "Passing the Unexamined Life", *Quadrant Magazine* (July 2001).

orthodox religions prioritise belief, orthopraxis based faiths give precedence to action. According to Kukathas, living the examined life could take time away from action, thus possibly resulting in a failure to fulfil one's religious duties – depending on what is prioritised in one's world-view.

How does Meyers' capability approach deal with the challenge of multiple identities? As we saw in Chapter III, Meyers deals with this explicitly. She seems to believe that having intersectional identities can be both productive and autonomy fostering at the same time as it can be harmful. According to her

In reconnecting people to all of their group-identity determinants, intersectional identity works as an antidote to shame, self-contempt, and self-limitation and therefore as a support for personal autonomy.³⁶⁵

Belonging to more than one group means that one will be forced to be more critical, bringing about the social analysis necessary to overthrow the unequal material and social structures that characterise modern societies. This might be true, but it somewhat resembles Friedman's perception of autonomy as a tool to overcome oppression; the idea that autonomy is a way of being critical about those things you are most immersed in. It is in this stronger claim the problem lies: intersectionality might indeed foster critical abilities but these abilities need not be determined to pursue certain normative goals.

Meyers also sees the strategy of ambivalence as a useful one to hold – particularly in the case of oppressed groups. Non-identification with oppressed groups when one is a member is harmful, in so far as it is an instance of “deny[ing] social reality and foreclose[ing] resistance”.³⁶⁶ Identification with the oppressed group is also suspect, however, since identifying as a victim can be harmful for autonomous development. Ambivalence becomes a way of negotiating these identifications without internalising their more dangerous characteristics.

³⁶⁵ Meyers, “Intersectional Identity and the Authentic Self? Opposites Attract!”, p. 161.

³⁶⁶ Ibid., p. 170.

Ambivalence emerges as a useful tool for political autonomy. However, it can also be harmful to agents, since it might mean that individuals need not react to certain things they care deeply about. Ambivalence means *not* acting. It can also mean that the agent is neither happy nor unhappy about her identification. It seems as if Meyers' claims about the positive effects of ambivalence are somewhat contradicted by her characterisation of autonomy as requiring action and resulting in increased happiness.

Barvosa Carter has criticised Meyers' analysis of the tensions that might exist when holding multiple identities. She claims, for instance, that

For African-American women, commitment to antiracist politics may entail tolerating sexism, and commitment to feminist politics may entail tolerating racism. As a result, intersectional identities often leave individuals torn by conflicting self-understandings and conflicting social and political loyalties.³⁶⁷

Meyers seems to be centring her analysis on ascriptive group characteristics, i.e. what others believe the group to be and act like. According to Barvosa Carter, Meyers does not differentiate sufficiently between internal and external group characteristics:

It is important to draw a distinction between perceptions of inconsistency that arise from the ascriptive elements of group identities and an agent's active and demonstrable betrayal of her own endorsements.³⁶⁸

Conflicts might be true in terms of general characteristics but we must not forget that multiple identities focus on the reaction of the individual to those things she cares about. Therefore, what might be a conflict in nominal terms might not be felt as one by the agent. There is nothing to say that a black feminist anti-racist politician cannot see the two allegiances to be parallel and even linked.

³⁶⁷ Ibid., pp. 157-8.

³⁶⁸ Barvosa Carter, "Mestiza Autonomy as Relational Autonomy", p. 5.

Even if there was to be a conflict, this might only appear when in the presence of distinct groups. Having an intersectional identity might mean that the individual privileges different aspects at different times: the woman might argue strongly for anti-racist policies when in the presence of conservative politicians, or might defend feminist policies in the presence of chauvinist males. There is nothing in the idea of multiple identities that means that an agent must act similarly at all times. Thus, the principle of action can still be maintained in ambivalent or multiple identity scenarios. The principle of happiness might be more difficult to justify – perhaps the agent is happy acting in different ways at different times, or perhaps she might feel that it is not a true representation of who she is and what she cares about. As mentioned above, the idea that happiness is intrinsic to autonomy seems rather gratuitous, and ultimately something that only the agent herself can decide.

Meyers' account is sensitive to the challenges posed by socialisation and multiple identities. This is partly due to her ability to distinguish between different types of autonomy that operate at different times and in different ways. Her claim that we ought to distinguish between different kinds of decisions, that represent different levels of importance and time-frames, seems intuitively plausible. However, Meyers seems to return to a certain conception of the split-level self in so far as she argues for the discovery of an "authentic self". Despite the neutrality in the different options that might be espoused, it seems that the authentic self could be interpreted to be a rather substantive, particularistic understanding of what autonomy is. This substantivity is particularly clear when considering the primacy of ideas of self-realisation, self-knowledge and self-direction. These are what constitute a person's autonomy competency, but in themselves are highly substantively laden in so far as they seem to prize critical evaluation over any other factor. The idea that intersectionality is something that can bring about progressive effects also demonstrates the thought that there must be a good out there, that there must be a way of doing things that is better than the current one in existence. Does this mean that an idea of autonomy perhaps needs, in order to effectively accommodate feminist intuitions, a stronger substantive content? Is the idea of programmatic autonomy, with its focus on life plans, sufficient?

4. Conclusions

In this chapter we have looked at two different relational theories of autonomy. What issues do they bring to light? In the previous chapter I argued for the value of respecting autonomy as a content neutral exemplifier of moral agency. It is necessary to respect agency because it signifies the ability of a woman to make a decision. It is her life and her choice. These choices need not be emancipatory though they could be considered signifiers of the structural inequalities that permeate society. Friedman and Meyers do well in showing that some of these choices are indeed heavily socially conditioned: they are shaped by practices, laws and customs that are unequal towards women. It is here that Friedman and Meyers become most interesting. How is a relational theory of autonomy, a socially sensitive take on what it means to have the skills necessary to be one's own person, able to deal with these inequalities without necessarily bringing in a particularistic normative project?

The first key thing to emerge from their accounts is that autonomy can be a matter of degree. Unlike the procedural theories seen earlier, Meyers and Friedman reject the overly rigid idea of autonomy as something happening at a particular moment and following a particular structure. Their accounts are more flexible and thus more amenable to describing the realities, the material grounding where autonomy happens. They are also better able to accommodate the position of those who might find themselves within a variety of identity-conferring frameworks, and might react differently to each of these. As such, they are better suited to explain or characterise the position of women within minorities.

Two different aspects emerge in relation to autonomy as a variable skill. On the one hand, autonomy can be a matter of degree, in the sense that an individual might have developed more (or less) of the capacities necessary to make an autonomous decision. A second way in which autonomy as a matter of degree can emerge is particularly salient in Meyers' account. She develops a conceptual distinction between the different timeframes of autonomy: episodic, programmatic and narrowly programmatic decisions. Episodic autonomy is

similar in its content to the forms of agency we explored in chapter IV. It is short term, applies only to one moment and is defined by whether or not the individual has carefully considered the reasons for doing something. Programmatic autonomy is more long term. It is characterised by life plans, that which the individual wants to do, be, feel, try over the course of her lifetime. In this sense, autonomy takes a deeper meaning. And finally, there is the narrow programmatic autonomy – the idea that autonomy might apply differently in different areas. An agent might have programmatic autonomy in a particular aspect of her life, such as political views, but be episodically autonomous in another, such as her education. It is the idea of different areas of autonomy for which I am most indebted to Meyers.

These two points about autonomy as a matter of degree are not mutually exclusive. There seems to be something intuitively true about the possibility of an individual being more autonomous in certain areas than others. Noting that we are not equally developed in all areas also seems to be true; most people would not argue against the idea that different individuals might be more or less developed in certain aspects. A person might be very intellectually mature, but that same person might not be very affectively mature. It seems natural that individuals might consider certain areas of their lives more carefully than they think about others. They might have more available options, they might have been less affected by oppressive socialisation, or the social norms they have learnt regarding that particular aspect might be less rigid. For a variety of reasons, it is plausible to think that people consider various aspects of their life differently and, as such, might be more or less autonomous in these.

Relational theories do not dismiss the importance of socialisation – indeed they heavily rely on it. Socialisation is not taken to be an external influence that harms the individual's "true self". Rather it is conceived of as a process through which all individuals develop a number of important skills, amongst which are the capacities to be an autonomous person. Socialisation is ever present and a fact of human life; whether its effects are positive or negative is a different matter. Socialisation can help as well as harm.

Both Meyers and Friedman claim to be able to provide a neutral conception of what it means to be free. They reject the total neutrality of strict proceduralism in an attempt to investigate the effects of oppressive socialisation. Both accounts require a certain degree of substantivity if they are to make their claims. Friedman returns to the idea of critical thinking, but also to the evaluation of options as morally acceptable and sufficient. The question remains: acceptable and sufficient to whom? There is certainly evaluation occurring in the account, and it seems that one cannot talk about both structural inequality in the form of differential socialisation and autonomy without having some notion of what is good and what is not. What one considers to be a problem, what one considers to be unequal, and therefore harmful, also depends on normative evaluations. Meyers' account also seems dependent on substantive claims. Allegedly procedural in its outset, her theory claims that there is an "authentic self" that can be discovered through the exercise of *particular* characteristics. If these are rightly exercised then autonomy can be deemed to be present. These capabilities could be considered to be universal but might easily not be. After all, the onus placed on self reflection and critical engagement with one's own self seems to be the product of a particular philosophical tradition.

Although both Meyers and Friedman explicitly address the relationship between autonomy and socialisation, it remains unclear whether their characterisation is enough. According to Benson, this is the problem with procedural theories: they are unable to see the extent to which oppressive socialisation affects *all* levels of an individual's self-conception. In order to avoid this, he claims, a more substantive conception of autonomy is necessary. Meyers maintains that "autonomy must dwell in the process of deciding, not in the nature of the action decided upon".³⁶⁹ The substantive element is centred on the process of decision-making. But is even this enough? As Benson points out, and as was argued in Chapter II, oppressive socialisation will have deeper effects than merely affecting how individuals make decisions. Oppressive or harmful forms of socialisation will affect the agent's self-conception, that is, her sense of self. This is a deeper substantive concern than looking at how decisions are reached. But

³⁶⁹ Meyers, "Feminism and Women's Autonomy: The Challenge of Female Genital Cutting", p. 470.

how can this necessary substantivity be part of a conception of autonomy that is respectful of cultural differences?

Meyers' and Friedman's theories seem to regard autonomy as inherently emancipatory. Friedman's account, in particular, affirms this view. Meyers' position is less clear: she thinks autonomy can lead to progressive consequences but does not seem to regard autonomy as the sole source of these.³⁷⁰ Emancipation, or the fight against oppression, seems to be a pretty substantive aim. This is especially the case when we consider that Friedman and Meyers do not leave the content of oppression open – what counts as oppression and what emancipation should achieve is pre-determined according to a schema of evaluation that determines what the good life is. But is such a level of specificity necessary when thinking about emancipatory politics?

As has been argued, the same processes of socialisation might affect individuals rather differently. This requires that emancipatory politics (and policies) that are not predefined in their outcomes. The particularities of the local must be taken into account, and individuals' attitudes and responses to these considered. This is what we must be wary of when thinking of autonomy as a necessarily emancipatory process. Indeed, autonomy might help with some kinds of oppressions but it cannot, by itself lead to particularised consequences.

But then how can autonomy be a normative, worthwhile project that does not lead to pre-determined social and material consequences? I have maintained in this chapter that relational approaches provide more sensitive and nuanced accounts of how to lead an autonomous life. They are a significant improvement on mere proceduralism, but still do not manage to satisfy all intuitions about what it means to be free. The substantivity criteria in Meyers' and Friedman's positions remains too close to the rational actor tradition, prioritising rationality over other factors that might also be important when making decisions. Yet having a substantive underpinning in a conception of autonomy seems a useful

³⁷⁰ According to Meyers, education is crucial in order to develop autonomy competency. It is through this that oppressive practices can be renegotiated. See *ibid.*, p. 483, in particular footnote 6.

way of tackling some of the problems posed by unequal socialisation. However, what kind of substantivity is required? Can substantive versions of autonomy provide a more intuitively plausible way of understanding freedom without importing unacceptable normative prescriptions that fail to address cultural difference? To these questions we now turn.

VI. Substantive Theories of Autonomy

Traditionally, substantive theories have linked autonomy with morality – autonomy depends on choosing the right things.³⁷¹ This approach to autonomy has been strongly criticised by feminists for its failure to take into account the effects of the social, and presuming the existence of atomistic individuals whose inner self is prior to the material world they inhabit. This chapter focuses on theories that have emerged directly from feminist concerns about what autonomy means. For feminist substantive theorists, it is important to take into account the effects of the social. As Susan Wolf, a strong substantivist says,

there is no ultrareal or superdeep self, independent of all external influences, arising from nothing; and even if there were, it is hard to see why a being with such a self would be any more responsible than a being without it.³⁷²

These substantivists do not focus on the idea of autonomy as something deeper than everyday existence. Their challenge is a different one: to show that proceduralism is not enough and explain what is missing from these accounts. According to them, abiding by content neutrality denies the possibility of truly and deeply engaging with the effects of oppressive or unequal forms of socialisation. Conceptions of autonomy, therefore, should always carry a substantive, normative echo. I have argued that relational theories, like those of Meyers and Friedman, are, despite their claim to respect content neutrality, dependent on rather substantive underpinnings. This substantivity focuses too much on the procedure of decision-making and, as such, is not able to adequately capture how oppressive socialisation can harm agents' own sense of self.

³⁷¹ Robert Young, "Autonomy and the Inner Self" in *The Inner Citadel*, ed. John Christman (Oxford: Oxford University Press, 1989).

³⁷² Susan Wolf, "Freedom Within Reason", in *Personal Autonomy: New Essays on Personal Autonomy and its Role in Contemporary Moral Philosophy*, ed. James Stacey Taylor (Cambridge: Cambridge University Press, 2005), p. 269.

So the question is, if agency and capability based forms of autonomy are not able to portray fully what we mean by autonomy, what is missing? What else would be required in a full conception of autonomy to render the process and experience intelligible?

Substantive theorists can be split into two different categories. Strong substantive theories, such as those proposed by Paul Benson and Natalie Stoljar maintain a strong antipathy towards content neutrality. For them, the choices decided upon must correspond to certain values. Weak substantive theorists are no less strict in their rejection of content neutrality. Instead of positing what content preferences have, they maintain that the preferences must be chosen with further substantive conditions, such as self-trust.³⁷³

1. Strong Substantive Theories of Autonomy

Strong substantive theories of autonomy emerge from concerns about procedural accounts. There are two separate and related ideas. Firstly, these theorists believe that a true account of autonomy needs to make reference to something more than mere capabilities or the structures that choices must follow. Autonomy is something intuitive, something positive, and the ontological basis of proceduralism and capability approaches means they are unable to justify fully the *value* of autonomy. For substantivists, autonomy is more than a characteristic of particular actions; it is a value, a form of good. Secondly, autonomy must be able to account for the intuition that some choices simply cannot be chosen autonomously, regardless of individuals possessing the right capacities and having their preferences structured in the right order.

Perhaps the strongest claim comes from Natalie Stoljar, who holds that only strong substantive theories are able to make sense of the *feminist intuition*. This is the idea that “preferences influenced by oppressive norms of femininity cannot

³⁷³ The distinction between strong and weak substantive theories of autonomy was penned by Mackenzie and Stoljar, “Introduction”, p. 19.

be autonomous”.³⁷⁴ For Stoljar, certain things cannot be chosen autonomously. The content of preferences is crucial in order to establish whether choices are autonomous, because oppressive forms of socialisation tend to privilege norms that are unequal towards women. The process of internalising norms means that the agents who are submitted to them are unable to see, rationally, that these norms are false. “Women who accept the norm that pregnancy and motherhood increase their worthiness accept something false. And because of the internalisation of the norm, they do not have the capacity to perceive it as false.”³⁷⁵ According to Stoljar, inequalities in socialisation are indicators of oppression. The question inevitably arises: who decides what equality is? What equality are we talking about? And even if something (a choice) is normatively preferable, does this necessarily make it desirable for the agent?³⁷⁶

In criticism of Stoljar, one might note that she reproduces binary classifications that have characterised much of the literature on multiculturalism. When talking about the incoherence in beliefs that might result from holding more than one identity framework, for example, she asserts a difference between oppressed and non oppressed individuals, characterising the latter as part of the “outside” world.³⁷⁷ What does Stoljar mean by “outside world”? Is this another instance of minorities being characterised as backward and illiberal – perhaps not even minorities, but all those groups and individuals she considers to be oppressed?

This concern is reinforced in the distinction she makes between “the pre liberated group, to whom the stereotypes of female sexual agency are applicable, and the post liberated group of active sexual agents in whom the difference between the sexes is not salient”.³⁷⁸ There seem to be strong echoes of a traditional/modern dichotomy in this, of the kind criticised by Leti Volpp. For Stoljar, those who live by unequal norms simply cannot be autonomous. What matters for autonomy is the very content of the choices: their emancipatory characteristics. What is not

³⁷⁴ Stoljar, “Autonomy and the Feminist Intuition”, p. 95.

³⁷⁵ Ibid., p. 109.

³⁷⁶ See Amartya Sen, *Commodities and Capabilities* (Amsterdam: North Holland, 1985); Thomas E. Hill, “Servility and Self-Respect”, *The Monist*, Vol. 57, No. 1, (1973); Marilyn Friedman, “Moral Integrity and the Deferential Wife”, *Philosophical Studies*, Vol. 47, (1985).

³⁷⁷ Stoljar, “Autonomy and the Feminist Intuition”, p. 104.

³⁷⁸ Ibid.

clear is how particular choices take on their strong normative component. The fact that something is considered good, valuable and worth pursuing, must, to an extent, be a subjective judgement depending on the social conventions of the time. Stoljar seems to attach no importance to the context within which a decision is taken: she assumes that all reasonable people who have not been subjected to oppressive norms will be able to see why certain emancipatory options are better than others. Is this really what emancipation is about? Is the content of choices not socially laden? And if this is the case, is it not true that the social is only *slowly and rarely* able to do away with long held prejudices?

For Stoljar, norms of femininity are inherently oppressive because of their unequal character, yet she seems to assume that there are people who are socialised into them and others who are not. But who decides who has been socialised into these norms? As Linda Duuits and Liesbet Van Zoonen point out, regulation in terms of female dress is not a phenomenon exclusive to “minorities”.³⁷⁹ Women’s appearances are indeed regulated, sometimes because they show too much skin (the porno chic debate), and sometimes because they show too little (the hijab debate). Stoljar is too quick to point her finger at those she considers to be oppressed, without giving thought to whether the majority populations really live in this paragon of freedom, autonomy and equality that she seems to champion, confident it exists.

Susan Wolf provides a similar but more carefully argued account. Although primarily concerned with autonomy and responsibility, she also argues that the contents of choices have a strong substantive grounding. Wolf considers socialisation central to the analysis of freedom, and her interest in autonomy and responsibility originates from questions about how to address “special cases”. For her

³⁷⁹ Linda Duuits, and Lisbet van Zoonen, “Headscarves and Porno-Chic: Disciplining Girls’ Bodies in the European Multicultural Society”, *European Journal of Women’s Studies*, Vol. 13, No. 2, (2006). A similar point is made by Sheila Jeffreys, who argues that western beauty practices have not become more empowering or even gender neutral over time, but rather are increasingly serving to harm women, placing them in a subservient role. Sheila Jeffreys, *Beauty and Misogyny: Harmful Cultural Practices in the West* (London: Routledge, 2005).

it is undeniable that many of our actions are governed by our selves – that is, they result from our own decisions and choices. ...But neither do our choices or decisions or selves arise spontaneously out of nothing. Though the factors that shape who we are and what we value, and consequently that shape how we respond to the circumstances that confront us, are rarely so easy to point to as they are in the examples of what I called ‘special circumstances’, it is plausible that such factors are always operative nonetheless, calling into doubt the assumption that even the strongest candidates for autonomous action really are as autonomous as they appear.³⁸⁰

The social affects special circumstances: oppressive or coercive socialisation being obvious examples. But, as Wolf argues, the factors that shape us do not operate only in the most difficult cases. Social structures and norms are always part of the picture, giving meaning to who we are and what we choose, and value to the things that matter most to us.

Wolf initially espoused what she called the “Sane Deep Self View”. In contrast to proceduralists, Wolf thought that autonomy required reference to something other than correct procedure or identification with a “Deep Self”. Autonomy required sanity, defined as “the ability to cognitively and normatively understand and appreciate the world for what it is”.³⁸¹ In this understanding, sanity takes a normative meaning that goes beyond its specialised sense.³⁸² Wolf then moved on to call her position the “Reason View”. The key issues in Wolf’s newest account remain very similar to those proposed in the Sane Deep Self View, and it is only the term “sanity” that is dropped from nomenclature. This move away from the term sanity seems a logical one, given the strong implications of the term for medical and policy issues. In this chapter I will focus mostly on Wolf’s Reason View given that it is representative of her latest position.

³⁸⁰ Wolf, “Freedom Within Reason”, p. 261.

³⁸¹ Susan Wolf, “Sanity and the Metaphysics of Responsibility”, in *The Inner Citadel*, ed. John Christman (Oxford: Oxford University Press, 1989), p. 150.

³⁸² For a full discussion of Wolf’s views on sanity as a necessary condition of autonomy see Iain Law, “Autonomy, Sanity and Moral Theory”, *Res Publica*, Vol. 9 (2003).

According to the Reason View, what matters when making a decision is its “goodness factor”. It is choosing the ‘good’ things, for the *right reasons*, that makes us responsible agents.

What matters ...is that the agent’s embrace of these good values be an expression of her understanding that they are good, of her appreciation, that is, of the reasons that make these values preferable to others. It is by being rationally persuaded that these values are the good ones that the agent makes them her own in a way for which she is responsible.³⁸³

A few different issues are central to Wolf’s account. Firstly, the agent needs to be reasonable – she needs to evaluate how her choices will fare with others. Choosing something good because one does not know any other way of acting is not sufficient: one must be able to see *why* the choice is a good one. Secondly, how her options fare is a socialised process, dependent on public perceptions of value. Agents must be aware, rationally, of the effects and values their beliefs carry:

our tendency to excuse those whom we think could not help but develop bad values or perverse ideals, then, is due to our seeing them as having been pushed blindly along a path that, through no fault of their own, they could not recognise as undesirable or wrong.³⁸⁴

For Wolf, it is crucial that we do not hold people responsible for determinants they have not chosen. She uses the example of Jojo, the son of an evil and sadistic dictator. Jojo strives to imitate his father: he believes that torture and violence are the best way to guarantee his power over the citizens of his (undeveloped) country. Jojo has not been shown that there are different ways of acting. His belief in cruelty has been developed over time, and his desire for sadism is truly representative of what he thinks is the best way of ruling. It is a reasoned desire that coincides with what he thinks is True and Good. However, according to Wolf, “in light of Jojo’s heritage and upbringing – both of which he was powerless to control – it is dubious at best that he should be regarded as

³⁸³ Wolf, “Freedom Within Reason”, p. 269.

³⁸⁴ Ibid, p. 270.

responsible for what he does".³⁸⁵ Jojo's socialisation is such that he is unable to see why his actions are wrong. This means that Jojo cannot be thought to be autonomous nor can he be considered responsible for the acts he might commit. This idea reinforces the crucial place of the social in the constitution of the self:

For we are dependent on the world, both on our biology and on our environment, for giving us both the abilities and the opportunities to transcend the status of lower animals and young children and become responsible agents.³⁸⁶

Wolf's account also contains an insight mentioned in Meyers' theory of the capacities necessary for the exercise of autonomy. Autonomy is not simply the ability to choose the right thing; it is also the possibility of acting in a certain way due to having particular skills that lead us to a particularised consequence. What matters for her is

the ability to appreciate the reasons why those values are bad. This stress on the ability to appreciate reasons – reasons why one set of values deserves affirmation, while another set ought to be reconsidered and revised – is all important. It is the possession or lack of this *ability*, *not the desirable or undesirable nature* of the acts or the values themselves that, on my account, makes the difference between responsible and non responsible agency.³⁸⁷

Thus, what emerges as the most important thing in Wolf's account is this ability, which is dependent on the world, on the social structures and relationships around us. What matters is being able to critically evaluate one's options. However, this reasonable evaluation is dependent on something else. For Wolf,

the freedom needed for responsibility involves the freedom to see things aright – the freedom, if you will, to appreciate the True and the Good.³⁸⁸

³⁸⁵ Wolf, "Sanity and the Metaphysics of Responsibility", p. 143.

³⁸⁶ Ibid.

³⁸⁷ Wolf, "Freedom within Reason", p. 272 [emphasis mine].

³⁸⁸ Ibid., p. 273.

This ability, however, is not a privileged one. According to her:

no one can pronounce whether or to what extent we have this freedom.
There can be no guarantee that one does, or that one can, see things
aright, that one has, as it were, mentally grasped the True and Good.³⁸⁹

Wolf tries to further define what is True and Good by appealing to empiricism. For her, what is True and Good is an almost empirical matter – there are things, such as scientific discoveries, that are simply true.

on this view, the Good just constitutes part of the True, for, if there are
evaluative facts, they are plainly a subset of all the facts.³⁹⁰

There are certain things which are right, others are not. But does this mean that Wolf claims there is a universal way of evaluating autonomy? Are the True and Good universally applicable? Not necessarily:

This position embraces the existence of non-arbitrary standards of correctness for value judgements, it need not assume that these standards determine a unique, universally applicable, complete, and optimal system of values and value judgements, nor need it assume the availability or even the intelligibility of a culture-independent point of view from which these standards are understood to have been generated.³⁹¹

What matters is that the agent be able to assess her motivations according to reason; that she be able to consider how and why certain options might be preferable to others. Again, and similarly to Friedman and Meyers, autonomy emerges as something that is not absolute but rather is a matter of degree. According to Wolf, how much reasoning is necessary in order to deem someone autonomous is something that will vary within different contexts.³⁹²

³⁸⁹ Ibid.

³⁹⁰ Susan Wolf, *Freedom within Reason* (Oxford: Oxford University Press, 1990), pp. 120-1.

³⁹¹ Ibid., pp. 124-5.

³⁹² Ibid., pp. 143-5.

It is difficult to assess exactly how much particularistic substantivity Wolf's notion of autonomy contains. On the one hand, there seems to be an assumption that certain things are True and Good. Indeed, the very capitalisation of these words seems to imply this, as does her claim that empirical facts are parallel to moral standards. Rational evaluation is central to being an autonomous agent, and rationality, in Wolf's reading, means being able to evaluate how options fare in their social contexts. Non-chosen determinants such as upbringing need not deny the possibility of autonomy so long as they

do not prevent me from a sufficiently open-minded and clear-headed assessment of my values to allow me to see whether they fall into the range of the reasonable, and as long as my blindness to some other reasonable alternatives *does not lead me to acts of intolerance or prejudice*, then it seems that, for most intents and purposes, I am free and responsible enough.³⁹³

Here it seems that Wolf is saying that intolerance and prejudice cannot constitute the True and the Good – a very strong substantive reading of what autonomy entails.

On the other hand, it could be argued that the capitalisation of True and Good is ironic, given that she does not think that these are universally accepted or understood. Wolf is careful to note that judgements of value depend on the interpretation of existing social norms and, as such, will vary from place to place. What matters is how agents evaluate their options, and whether in so doing, they are able to distinguish good reasons for their choice. Agents must hold the values they ought to, and they must appreciate the norms that surround these values. Correct reasoning is the crucial substantive standard, not any particular meta-ethical position.

Paul Benson claims that despite the substantivity in Wolf's account, her theory is unable to solve the tension between freedom and determinism. More interestingly for our own purposes, Benson also maintains that there is not

³⁹³ Ibid., p. 146 [emphasis mine].

enough explanation in Wolf's account of why her theory is about freedom per se. Benson believes, in my view rightly, that there is a logical mistake inherent in her account in that it cannot explain the place of *value* in making free decisions:

Apparently Wolf holds that freedom is sufficient for being either blameworthy or praiseworthy, and this is why not being praiseworthy or blameworthy demonstrates unfreedom. But why is this? The connection is usually thought to run in the other direction: desert of praise or blame is sufficient for freedom. What is conspicuously missing from Wolf's essay is any discussion of why specifically freedom involves the competent appreciation of value.³⁹⁴

It seems that, for Wolf, what matters is being able to control our actions, being able to appreciate why holding particular positions is important or why choosing one option over another is preferable. For her, the social matters greatly in constituting this control. Indeed it is through the social norms that surround us that we can appreciate the normative value of options and thus their desirability. For Benson, this is not enough because it does not explain why this control matters in the first place. Why should we want to define ourselves in relation to others, in relation to the social? What matters in a conception of freedom is the fact that we can explain ourselves to others: we want control so that we can hold our opinions vis à vis others. Merely doing the right thing because one has been socialised into doing so has no significance in terms of a person's freedom. Thus, in order to fully understand why control is important for autonomy, we must consider that

one's action is fully free only to the extent that one has the ability to appreciate the normative standards governing one's conduct and to make competent critical evaluations, in light of those norms, of open courses of action.³⁹⁵

Benson's concern springs from the fact that some "of the most widely shared intuitions about free agency concern the diminished freedom of certain socially

³⁹⁴ Paul Benson, "Freedom and Value", *Journal of Philosophy*, Vol. 84, No. 9, (1987), p. 474.

³⁹⁵ *Ibid.*, p. 475.

marginal people”.³⁹⁶ What is it about the situation of those who are socially marginalised that makes us believe they have less freedom than others? What is it about their situation that makes them particularly vulnerable? And how should a theory of autonomy deal with this fact?

According to Benson, oppressive socialisation works by altering the agent’s self-conception and self-worth. Successful oppressive socialisation permeates all levels of the self, rendering the agent unable to see how, for example, unequal gender norms are leading her to espouse beliefs and values that she might not otherwise hold. Her idea of who she is and why she is of value is skewed towards a socially acceptable norm that might not be true and, indeed, might be damaging. This idea is echoed in Susan Babbitt’s work, who claims that:

Individuals who are discriminated against in a society are sometimes not aware of discrimination, they may not be aware of the full extent to which discriminatory practices affect them. The effects of oppression might be such that people are psychologically damaged, possessing interests and desires that reflect their subservient social status.³⁹⁷

The idea of unequal social norms negatively affecting an individual’s self-conception and self-value has been much discussed in social theory, especially in considerations about the effects of racism and negative stereotyping.³⁹⁸ As Matthew Festenstein points out, “we may have only the most meagre and degrading stereotypes with which to describe your group, and this language may constitute the dominant discourse which you use to think about yourselves”.³⁹⁹ The effect of oppressive socialisation in harming the individual’s autonomy in certain aspects, namely those under which she has experienced oppression or

³⁹⁶ Benson “Feminist Second Thoughts about Free Agency”, p. 51.

³⁹⁷ Susan Babbitt, “Feminism and Objective Interests: The Role of Transformation Experiences in Rational Deliberation”, in *Feminist Epistemologies*, ed. Linda Alcoff and Elizabeth Potter (New York: Routledge, 1993).

³⁹⁸ Claude Steele and Joshua Aronson, “Stereotype threat and the intellectual test performance of African Americans”, *Journal of Personality and Social Psychology*. Vol. 69, No. 5 (1995). See also Fraser, *Justice Interruptus*; Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (London: Verso Books, 2003); Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Cambridge: Polity Press, 1995); Charles Taylor, *Philosophical Arguments* (Cambridge, Mass.: Harvard University Press, 1995); James Tully, “Struggles over Recognition and Redistribution”, *Constellations*, Vol. 7, (2000).

³⁹⁹ Festenstein *Negotiating Diversity*, p. 56.

unequal norms, does not mean the agent is unable to be autonomous in other aspects. It is merely that when it comes to those aspects of her unequal socialisation she is not as autonomous as she could be.

a. Strong Substantive Theories, Socialisation and Multiple Identities

Strong substantive theories signify an important departure from strict procedural theories and, albeit under the relational umbrella, they are still substantively different accounts to those provided by Friedman and Meyers. They reflect the intuition that autonomy could plausibly be more than the correct ordering of preferences or following the appropriate procedure in order to arrive at a decision. Autonomy emerges, in the above accounts, as something deeper, something over which intuitions are held on what it means to be free, what it means to be one's own person. Strong substantive theories of autonomy, maintaining that autonomy must mean particular sorts of lives, uphold a positive defence of the term. Autonomy per se is something of value, something that will ameliorate the lives of those who live according to its premises.

There seems to be something intuitively right about the notion of autonomy being more than mere procedure. But what remains to be seen is whether its value is based on the particular options that are decided upon its exercise. Need autonomy be particularised into discrete consequences in order to have substantive value?

A positive aspect that emerges from the strong substantive position is the inclusion of the relational idea that autonomy is something that can be held to different degrees in different aspects of one's life. As we saw in Chapter V, this notion is something that fares well when considering the position of women who might hold more than one identity framework. They might be very autonomous in some respects and less so in others: strong substantivists would say that this is because in some areas these women might have been subjected to unequal or oppressive norms that prevent them from correctly appreciating what they would truly need or want.

The strength of the strong substantive position is in the claim that autonomy is socially developed. The social emerges as something necessary in order to develop those capacities that allow agents to make autonomous decisions. Indeed, the focus on the importance of embodied experience shows that although these theorists do claim that there are choices that are simply better than others, it is important that people be *able* to experience and choose these. In order for something to be considered a choice it must be imagined and understood as a choice. Abstract enunciations of preferred normative standpoints are not sufficient: it is necessary that agents be able to understand and experience the options available. In this sense, the context and material reality within which choices are made is crucial and it must provide sufficient options of the “right” sort.

We have now seen the ways in which strong substantivity has some intuitively true axioms. But what are the main problems with it? And are these surmountable through the adoption of a weak substantive approach?

For Wolf, what matters is that people choose what is True and Good for the right reasons. These right reasons are not fully spelled out, as they will depend on the social norms of the time and, as such, will change over time and location. What matters is valuing certain things: the actual choices (and their content) matter not. This account is somewhat reminiscent of procedural accounts in so far as it allows for a certain degree of content neutrality. It differs from procedural accounts in that Wolf prioritises that agents choose for the right reasons, that they be able to assess the norms of a particular time and choose accordingly. It is not the procedure that matters, but the ability, as Wolf puts it, “to see the world as it really is”.

However, as Benson maintains, this does not show why autonomy is valuable in and of itself. Wolf’s account seems unable to fully cope with the consequences of oppressive socialisation. As was seen in Chapter II, oppressive socialisation harms the deepest level of the self, making agents internalise norms that are harmful to them. An agent that acts for the right reasons is autonomous,

according to Wolf. But what if this agent had internalised “right reasons” that were ultimately harmful to her? For instance, in Europe in the 17th century, a woman might have internalised that “right reason” was being considered a secondary class citizen, with no power to vote or change her options. Bearing in mind that this thinking was considered true in medical and philosophical terms at the time, it seems that this woman would be considered autonomous in Wolf’s account.

For other substantive theorists there are certain things that are not right, even if allegedly chosen freely. But how are these to be decided? Take the example of female genital cutting (FGC). Strong substantivists like Stoljar and Benson would maintain that FGC cannot be tolerated because it is a practice based on unequal gender norms that are particularly harmful for women. How to evaluate the egalitarian content of a decision is left somewhat under-defined. Stoljar and Benson do not explain exactly what is meant by equality or the forms it might take. Where is the threshold on which to deem a practice acceptable or not? Due to the weight placed by (early) Benson and Stoljar on the importance of current social norms in deciding on the normative value of a practice, it seems that this threshold would be decided partly by the social conventions of the time and the place.⁴⁰⁰ But this surely would mean that for some women FGC could plausibly be considered an acceptable choice to make. If undergoing surgery would enable the woman to have a higher social standing, securing her position within her kinship or nomos group, it could be said that albeit inegalitarian, FGC represented an acceptable normative choice.

This in turn seems suspect. Though allegedly taking socialisation seriously, it seems that the process of social change is left rather under-theorised. This becomes particularly obvious when considering intersectional identities. As was seen in Chapter III, intersectionality reinforces the idea that the social is not static and homogenous. Practices are socially developed because there are individuals who choose them, who practice them. These practices change when they are challenged from the inside, by those who uphold them or those who are most

⁴⁰⁰ Benson, “Autonomy and Oppressive Socialisation”.

touched by them. Strong substantivists seem to forgo the fact that 'oppressive' practices are the reflections of deeper beliefs. These deeper beliefs need themselves be challenged since otherwise they will find another way of coming to light. Unequal gender norms are indeed problematic for women. But saying that they cannot be autonomously chosen seems rather far-fetched. There is a need to understand how individuals see and live through these norms, what kind of meanings they attach to them and how they affect the agent's own sense of self.

Multiple identities show how a practice can be differentially upheld. It could be that for some attending the mikveh is indeed a sign of inequality: an oppressive practice that aims to forcibly regulate women's sexuality. But it is more than that. Ritual immersion can signify a wide variety of things. As MacLeod points out, a cultural practice "is a subtle and evocative symbol with multiple meanings that cultural participants articulate, read and manipulate".⁴⁰¹ As Polak-Sahm showed, attending the mikveh can happen for a variety of reasons. For some, attending is a symbol of commitment to a certain way of practicing belief. For others the mikveh symbolises a different space, dissociated from religious belief. Attending the mikveh could be a way of creating sexual tension between partners, or a way in which women get in touch with their femininity.⁴⁰² For others, attending the mikveh could read as a way of conforming to unequal gender norms. Nonetheless, individuals might still decide to attend, despite disagreeing with the basis of these unequal norms. Why is this?

As Barvosa Carter has shown, ambivalence is a strategy through which to negotiate conflicting demands. It allows agents to place themselves within a variety of different and allegedly conflicting commitments. In "feel[ing] both attachment and detachment to their group and interpersonal commitments", agents can create the space in which to act as they wish, without for that

⁴⁰¹ MacLeod, "Hegemonic Relations and Gender Resistance: The New Veiling as Accommodating Protest in Cairo", pp. 538-9.

⁴⁰² The reading of the mikveh as a place where women can enjoy their femininity is becoming increasingly popular, with a number of mikveh-spas opening in a number of cities. These modern mikvehs offer the traditional services as well as massage services, beauty treatments, reflexology, henna painting, yoga classes and meditation. Some are also used as centres for the celebration of bridal (hen), bat mitzvah, birthday parties and more.

renouncing their membership and position within the identity-conferring group.⁴⁰³ So, for example, someone who does not think the norms of family purity are central to her own beliefs might still autonomously choose to attend the mikveh. She might do so differentially: she will attend on her bat mitzvah, or on the eve of her wedding, but not after every menstrual cycle. She might attend but not abide by the laws that state that she is forbidden from touching her husband during the separation period. By attending at these key times, and remaining ambivalent about it (i.e. not deeming it the best option for her but still upholding it), she will not alienate those she cares about. More importantly, given that ritual immersion is a pre-requisite for an Orthodox marriage, attending whilst remaining ambivalent will enable her to marry under the rite she prefers. Attending the mikveh is not a practice the agent considers to be intrinsic to her sense of self, but she nonetheless upholds it because not doing so might have a higher price than remaining ambivalent about it.

Stoljar and Benson's substantive theories of autonomy seem to have an intrinsic feminist agenda. But theirs is the kind of feminism that places demands without considering the plurality of meanings a social practice can hold, and does not take the way the social operates seriously enough. Its demands are a priori, forgoing the fact that if feminism is to be a successful project, and if indeed the aim is to overcome subordination, it has to be those that are most affected that change these mores from within. Strong substantivity potentially reflects a form of ethno-centric feminism, whereby some (the more enlightened) tell others (the less enlightened) what they ought to do in order to achieve the elusive goal of equality.

However, this still does not explain what kind of normativity is required in a conception of autonomy that is able to account for the effects of oppressive socialisation. The effects of unequal socialisation go beyond the idea that women might choose things that are harmful to them. Oppressive socialisation affects the self at its deepest level: the self-conception and self-valuation an agent has of herself. It seems that a conception of autonomy must be more abstract in its

⁴⁰³ Edwina Barvosa Carter, *Wealth of Selves: Multiple Identities, Mestiza Consciousness and the Subject of Politics* (Texas: Texas A&M University Press, 2008), p 155.

normative stance, less particularistic about what cannot be tolerated. Such abstraction would enable theorists of autonomy to work in a variety of contexts, where practices are differently interpreted and lived through. But what kind of normative basis is required in a conception of autonomy? And is it possible to have normative content without being prescriptive about the contents of a choice? To these questions we now turn.

2. Weak Substantive Theories of Autonomy

Weak substantive theories spring from Paul Benson's move away from strong substantivity. In his revised theory of autonomy he claims that what is specific about autonomy is that free agents have "a certain sense of their own worthiness to act, or of their status as agents, which is not guaranteed by their abilities to act freely by reflectively authorising their wills and their actions".⁴⁰⁴ What truly matters is that agents respect themselves qua agents, not that they choose the right options, or follow what is considered to be the correct procedure. As we will see, weak substantive theories emerge as more ontologically self-regarding than the strong substantive theories we have looked at.⁴⁰⁵

For Benson, procedural theories are not enough. They cannot explain the importance of socialisation in crucial ways and the value of autonomy remains an exclusively instrumental affair. Through his various examples he elucidates how

agents can become dissociated from whatever regions of the will ...that content-neutral theories privilege as the ground of agents; genuine involvement in their conduct.⁴⁰⁶

Procedural theories might well describe part of what it means to be autonomous but they cannot show the full picture because they do not show the ways in

⁴⁰⁴ Paul Benson, "Free Agency and Self-Worth", *The Journal of Philosophy*, Vol. 91, No. 12, (1994), p. 650.

⁴⁰⁵ Although the literature has distinguished between self-worth, self-trust and self-respect, I shall, for the purposes of this thesis, be using them synonymously.

⁴⁰⁶ Benson, "Free Agency and Self-Worth", p. 657.

which autonomy is autonomy (and not merely a capacity for it). Thus, what really matters, what is intrinsic to a complete account of autonomy is a sense of worthiness to act.

Being able to regard oneself as worthy to make decisions matters because autonomy is central to explaining ourselves to others.⁴⁰⁷ Self-worth is important to autonomy because autonomy is about being oneself, about taking decisions that will reflect that self. If one does not believe the self to be of any worth then those decisions will be of no normative value.

So, for Benson, being a slave or being shamed are ways in which this ability is harmed. If the agent does not think herself capable of making those decisions, or seeing herself as a valuable source of reason and decision-making capabilities, her autonomy is impaired. In order to be autonomous one must regard oneself as being able, competently, to make autonomous decisions. And this, albeit a highly individualistic take on autonomy, still has a strong social component. This is because the

Sense of worthiness to act which is necessary for free agency involves regarding oneself as being competent to answer for one's conduct in light of normative demands that, from one's point of view, *others* might appropriately apply to one's action.⁴⁰⁸

Benson explains potential lack of self-worth with reference to oppressive socialisation and gives the example of people who have been born in hierarchical caste systems. The same, however, could be said of any oppressive system, such as the antique Catholic belief that women, albeit potentially possessing a soul, were unable to distinguish between good and evil, making them spiritually analogous to animals.⁴⁰⁹ People thus oppressed

⁴⁰⁷ See Paul Benson, "Feeling Crazy: Self-Worth and the Social Character of Responsibility", in *Relational Autonomy*, eds. Catriona Mackenzie and Natalie Stoljar (Oxford: Oxford University Press, 2000).

⁴⁰⁸ Benson, "Free Agency and Self-Worth", p. 660 [emphasis mine].

⁴⁰⁹ It must be noted that this 4th century belief is not dogma. It became widespread amongst believers in the Catholic Church after the Nicaea Concilium, and was not challenged until the Concilium Tridentinum (Trent Council) in the 16th century, where it was said that *some* women

will be given much reason to feel that it is not their place to answer for their conduct. This attitude will be one element of the broader lack of moral self-respect, the failure to recognise their fundamentally equal moral as persons, which they are like to suffer. ...But self-doubt may also affect these individuals in a further way ...: it may engender the attitude that they are not worthy of being moral interlocutors, of answering for their own actions in response to their betters' appraisals of them. This is an attitude about one's position or status as a moral agent in relationship to others, not merely about one's abilities as an individual to discern various reasons and modify one's choices accordingly.⁴¹⁰

Agents must consider themselves moral equals, and they must also feel that they can explain themselves to others. Despite the importance attached to social conditions, these substantive theories remain individualistic in one important aspect: it is not necessary for *others* to deem the agent worthy, what matters is whether the agent considers *herself* capable and worthy of making these appraisals. These need not agree with the social norms that govern their life-worlds – as Benson points out:

if they regard themselves as worthy of acting, then, as far as freedom is concerned, the level of their actual recognition or appreciating of the norms and practices that apply to them does not matter.⁴¹¹

Having self-worth is not a unified characteristic that need apply to all aspects of an agent's self. As Trudy Govier points out, self-trust is a matter of degree, always dependent on the context in which it is being applied.⁴¹² Given the plurality of identifications an agent might hold, and the fact that oppressive socialisation might result in an agent considering herself more able to decide in certain aspects than in others, it can be the case that "persons' sense of normative

were able to distinguish between good and evil: but by no means all [ref. Dr Paula Blanco, in private conversation].

⁴¹⁰ Benson, "Feeling Crazy: Self-Worth and the Social Character of Responsibility", p. 80.

⁴¹¹ Benson, "Free Agency and Self-Worth", p. 662.

⁴¹² Trudy Govier, "Self-trust, Autonomy and Self-Esteem", *Hypatia*, Vol. 8, No. 1 (1993), p. 106.

competence can vary depending on the normative domains in relation to which they assess their competence”.⁴¹³ How much self-worth an agent has will vary in different areas of the self.

Benson’s account does not fully negate the content neutrality of procedural or relational theories. His approach

remains neutral about the source and nature of reasons to act, thereby allowing action generated through mechanisms that are responsive to emotional considerations or considerations ground in physical need to count as responsible.⁴¹⁴

There is no higher self as such; there is no immaterial self prior to society. But the self-worth condition is not neutral in an important way “since holding certain attitudes would preclude the necessary sense of worth (psychologically, if not logically).”⁴¹⁵ If an agent thinks that only individuals who have certain abilities are able to answer for themselves, able to explain their preferences and actions to others, and she thinks she does not have these abilities, she cannot be considered autonomous. She will not think she is worthy to act and explain herself to those around her. This conception limits what kind of attitudes autonomous individuals can have towards themselves.

The proposed normativity points at the existence of a more substantive quality, a deeper feature to autonomy that does not hinge on the way decisions are made, or the exact ordering of the preferences an individual holds. What matters is the internal conception of the self, its own evaluation of its capacity as an equal moral being, as someone capable of making decisions and explaining these to others.

What makes the conception normative is that, in this view, the value of autonomy is no longer merely instrumental: autonomy is not just valuable because it allows people to pursue that which they care about. Autonomy also

⁴¹³ Benson, “Free Agency and Self-Worth”, p. 662.

⁴¹⁴ Benson, “Feeling Crazy: Self-Worth and the Social Character of Responsibility”, p. 83.

⁴¹⁵ Benson, “Free Agency and Self-Worth”, p. 664.

has an intrinsic normative value, and it has nothing to do with a perfectly harmonious self:

Sometimes we value freedom precisely because it does not allow us to attain systematic harmony in our wills.⁴¹⁶

This matters because individuals hold a variety of different, and at times conflicting, attachments. Agents value many things, and these change over time. A conception of autonomy needs to respect the idea that this itself matters: that individuals care about these attachments and do not need them to be ordered in either hierarchical or logically consistent ways. Autonomy is, to an extent, a process. Through this process individuals develop preferences and form their sense of self. A conception of autonomy must respect that these preferences will not necessarily 'fit in' logically with one another. This is why autonomy is ultimately something that is deeply individual: something that asserts the individuality and originality of each agent.

The value of autonomy relates directly to who the person considers herself to be, a deeper sense of self than merely doing what one wants to do. Robin Dillon agrees with Benson on this point. For an agent to have self-worth she must

understand herself as having worth and having it independently of any antecedent feelings, desires, or interests; and she values valuing herself appropriately – indeed, this is among her highest values as self-respecting. Thus, her self-conception is normative: she regards her self-worth as the ground of norms that govern self-valuing.⁴¹⁷

Unlike the strong substantivists, it is not the content of the choices or desires that is normative. What is normative is the way an agent considers herself, her own self-conception, her self-worth. The desires, preferences and choices are

⁴¹⁶ Ibid., p. 667.

⁴¹⁷ Robin Dillon, "What's a Woman Worth? What's Life Worth? Without Self-Respect!", in *Moral Psychology: Feminist Ethics and Social Theory*, ed. Peggy DesAutels, and Margaret Urban Walker (Lanham, Maryland: Rowman & Littlefield Publishers, 2004), p. 50.

secondary: they are reflections of who she is but, in order for these to have value to the agent, she must be able to regard herself as a being deserving of respect.

a. Weak Substantive Theories and Self-Worth

Are weak substantive theories merely a return to ideas about higher selves? Or can these approaches help in creating a picture of what autonomy means? Self-worth seems to be a rather vague concept. And is it really useful? According to Dillon, it can be, but before this it must be reconceived in terms of its object, its attitudes and the conduct expected out of respecting oneself. The idea of respecting the self has been criticised due to its abstraction when defining what the morally significant features of persons are and its ideas about unfettered selves, prior and independent to the realities within which they exist.⁴¹⁸ But the whole point of self-respect is *not* to be generic; it is to respect the self, the person, the particular. As Dillon maintains,

it is difficult to understand how regarding oneself in generic terms could constitute self-respect, or how appreciation for a capacity or the moral law could constitute respect for *myself*.⁴¹⁹

Indeed, as she continues,

To respect a person is to treat her not as a case of generic personhood but as the person she is. I believe a feminist conception of recognition self-respect would incorporate the idea of respect for individual 'me-ness'. Most central to having self-respect would be paying attention to

⁴¹⁸ See Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities" and "Law, Boundaries and the Bounded Self"; John Christman, "Feminism and Autonomy" in *Nagging Questions: Feminist Ethics and Everyday Life*, ed. Dana Bushnell (Lanham, Md.: Rowman and Littlefield, 1995); Lorraine Code, *What Can She Know? Feminist Theory and the Construction of Knowledge* (Ithaca, N.Y.: Cornell University Press, 1991); Annette Baier, *Postures of the Mind: Essays on Mind and Morals* (Minneapolis: University of Minnesota Press, 1985); Marilyn Friedman, "Autonomy and Social Relationships: Rethinking the Feminist Critique" in *Feminists Rethink the Self*, ed. Diana T. Meyers (Boulder: Colorado: Westview, 1997).

⁴¹⁹ Robin Dillon, "Toward a Feminist Conception of Self-Respect", *Hypatia*, Vol. 7, No. 7 (1992), p. 57.

myself in the fullness of my specific detail, valuing myself in my concrete particularity.⁴²⁰

The particular person should *not* be abstracted when thinking about the process of self-respect: it is these particularities which should be appreciated, respected and deemed worthy. One is of value because one is, not by virtue of how much one approximates an ideal. The point is to appreciate the self as a woman, as a Sikh, as a mother. The particularities of embodiment are crucial in order to have a form of self-worth that is not abstract in its conception.

A particularly interesting feature of self-respect is that it should be considered to be a process and one that is not pre-defined:

Respecting one-self is as much anticipation as review; it functions somewhat like a self-fulfilling prophecy: to respect something as x is to make it x or at least to contribute to its becoming x. And if we seek self-respect without understanding what we are after, then we risk losing more than our way.⁴²¹

This greatly resonates with ideas about non-ethnocentric feminism. The idea of autonomy as a necessarily emancipatory project has emerged as rather problematic. Indeed, this remains part of the problem with some strong substantive theories of autonomy. Who are we to decide what constitutes equality, what is best for other individuals, what they should or should not be allowed to do? The idea of self-respect as a process, one that requires reviewing and constant thought about what is required at certain times, is a move away from these problems. The ideal of self-respect goes beyond the procedural emphasis on wholehearted embrace of preferences. It demands that agents have a particular self-conception, independent of the choices being espoused. It is not the preferences, or their content, that matters, but rather the agent's conception of her self and her ability to choose and act. The focus is not so much on rationality

⁴²⁰ Ibid., p. 60.

⁴²¹ Ibid., p. 57.

or logical evaluation of options. It has to do with an emotive feeling, an almost intuitive belief in the self.

The view the agent holds of her self-worth need not be a static one. As Dillon points out, evaluations of self-worth

call [on] us to recognise the extent to which we are open, always in transition, always under construction, and it demands both that we take seriously the task of self-construction and that we appreciate the inherently social nature of the constructive activity.⁴²²

The social is crucial for self-worth. It is through the social that we become ourselves and it is because of it that we need to value ourselves as human beings, on an equal pairing to others:

it highlights the way in which our very ability to recognise and value ourselves as persons depends on being recognised by others: we become self-respecters only because we have been and continue to be respected by others.⁴²³

This reformulated version of self-worth is not a priori: it does not call for pre-conceived ideas about what individuals are or should be like. The point is to value ourselves because we are, not because of those characteristics that might fit in or despite those that do not.

This is one of the points that require clarification. What do we mean when we talk about self-respect, self-worth? Are there not different types? Following Steven Darwall, Dillon differentiates between two types of self-worth.⁴²⁴ Firstly, there is something akin to dignity: the idea of intrinsic self-worth, or what Dillon calls recognition self-respect. This kind involves “responding to oneself with the kind of respect all persons are owed simply because they are persons”.⁴²⁵ Persons

⁴²² Ibid., p. 60.

⁴²³ Ibid., p. 61.

⁴²⁴ Steven Darwall, “Two Kinds of Respect”, *Ethics*, Vol. 88 (1977).

⁴²⁵ Dillon, “Toward a Feminist Conception of Self-Respect”, p. 54.

need to be treated qua persons deserving of moral worth and status simply because they *are* persons.

The other kind of respect, which Darwall calls self-appraisal respect, has to do with “the kind of worth or merit we may earn through what we do and become, which individuals can have in varying degrees, and which some may lack altogether”.⁴²⁶ It seems that this kind of self-worth is different to the esteem we hold ourselves and others in by virtue of being persons. Recognition self-respect is more intrinsic to the person: it runs deeper and ought to be inalienable. Appraisal self-respect deals instead with a different kind of esteem in which we might hold ourselves: thinking one has done well in being oneself, by reflecting the person through choices. It is an evaluative process. This is perhaps the kind of self-respect that procedural theories of autonomy talk about when saying that preferences must somehow correspond with one another, that we must prioritise in our choices those things that are most important to us.

But are these two types of autonomy completely dissociated? As Govier points out, procedural theories might indeed have an underlying need for substantivism:

Procedural autonomy has as its necessary condition a reliance on one’s own critical reflection and judgement, and that reliance is possible only if one has, and can maintain against criticism, a sense of one’s own basic competence and worth.⁴²⁷

Underlying the capacity for autonomy is the need to regard the self in a certain light. Individuals need to hold a positive self-worth in terms of recognition of their selves. They need to value themselves as individuals, as agents of equal moral worth who are deserving of equal treatment in order for their agency to be of any value. Agency is central to the person, but this agency must also be backed up by some degree of self-worth if it is to be of value to the agent, if her decisions are to be of significance for herself and for others. Agentic decisions might or might not be integrated in an a priori way. As literature on multiple

⁴²⁶ Ibid.

⁴²⁷ Govier, “Self-trust, Autonomy and Self-Esteem”, p. 103.

identities shows, what matters is that these attachments make sense to the agent as a whole: this in turn requires that the person value herself, as a whole, *because* of who she is.

This is not to say that agency alone is of no importance. This is particularly true when one considers that

when the oppressed are exempted from responsibility on the grounds that their capacities of moral perceptiveness, judgement, or imagination have been compromised, they feel more vulnerable, powerless and insecure in their moral status.⁴²⁸

Respecting agency, even if it is underlied by shaky self-worth, matters because the meaning and value of an action or preference can only be established with relation to the particularities in which it exists. Denying the value of this instance of decision-making can be gravely problematic for women – it means denying, to an extent, women as moral agents and decision makers.⁴²⁹

Something must be said at this stage about the idea of autonomy necessarily being an emancipatory process. As has been seen over previous chapters, one cannot deny some autonomy being present in making a decision, regardless of the normative particularities that it might entail. Practices are varied and cannot simply be termed harmful or good in an a priori way. Autonomy emerges as a process but one that need not have emancipatory consequences.

But is this the full story? The above might very well be true for that part of autonomy we call agency – the procedural aspect of autonomous decision-making. However, autonomy understood in its weak substantive conceptualisation might indeed have something emancipatory after all. Self-value, self-worth and self-respect could all be considered to be ways of battling oppression, especially that associated to unequal social schemas that result in

⁴²⁸ Paul Benson, "Blame, Oppression and Diminished Moral Competence", in *Moral Psychology: Feminist Ethics and Social Theory*, ed. Peggy DesAutels and Margaret Urban Walker (Lanham, Maryland: Rowman & Littlefield Publishers, 2004).

⁴²⁹ Friedman, *Autonomy, Gender, Politics*, p. 199.

some people being considered to be of less worth than others. As Govier points out,

having self-respect, a person can stand up when demeaned and insulted, holding the conviction that these reactions are not deserved. Allowing oneself to be exploited, manipulated, or used over a long period of time is seriously undermining to one's self-respect; if one becomes solely a tool enabling others to achieve their ends, one's sense that one's own ends, goals, and interests have worth is unlikely to survive.⁴³⁰

Considered in this light, autonomy does have something emancipatory but in a rather more neutral conception than previous theories have maintained. Autonomy as emancipatory in this instance need not equate to necessarily choosing certain things over others. It is rather a way of battling a certain type of oppression: that which affects individuals' sense of self.

For instance, let's return to our earlier example. Weak substantive theories of autonomy might provide a better rationale for understanding the intuition many hold against the practice of FGC. Underlying the idea of FGC are notions about women's sexuality. Women's sexuality is something that ought to be regulated: either by the complete cutting of the clitoris and labia (infibulation) or by amputating only the labia.⁴³¹ Through FGC it is believed that a woman's sexual desire is curtailed; her husband's sexual pleasure is what takes precedence in their union. Another reason for FGC is to symbolise the status of the woman within her group. In certain communities the practice is carried out in order to 'show' that the woman is now worthy of respect: she has had children, is now a mother, and thus has adequately fulfilled her duties.

Weak substantivists could maintain that what is wrong about these justifications is that they directly affect the woman's perception of herself. They deny the person her full humanity as someone worthy of respect – her being, her status, is

⁴³⁰ Govier, "Self-trust, Autonomy and Self-Esteem", p. 110.

⁴³¹ There are also less invasive forms of FGC whereby neither the labia nor the clitoris are surgically removed. These are often symbolic ceremonies that mark the passing of a girl into adulthood, or a woman into a status position after childbirth.

dependent on regulatory ideals that insist in the narrowing of the scope of personhood that women enjoy. Through infibulation women are denied part of what is theirs: their sexuality. Thus, FGC practices can create a diminished sense of self that can gravely affect their self-conception. A woman who has undergone FGC might indeed possess agency, might even be substantively autonomous in certain aspects, but it can also be that her self-worth, as a woman, is deeply harmed by the beliefs that sustain practices like FGC.

We have seen that strong substantivism is perhaps not the best theoretical bloc to follow. Strong substantivism has ethno-centric resonances and is unable to take the social seriously enough. However, weak substantivism seems to contain interesting axioms that allow for non-ethnocentric feminism, without diminishing the importance of the social and taking the intersectionality of identity seriously. But what does this mean in terms of autonomy? Can agency and weak substantivity really coexist within the same definition of autonomy? And what would the consequences of such an approach be for the study of minorities within minorities?

VII. Conclusions: the Tripartite Understanding of Autonomy

1. The Argument So Far

In this thesis I have argued for a new conception of autonomy that is able to respect the concerns of both feminism and multiculturalism. The conception of autonomy we require must be able to integrate the realities of intersectional identities and the phenomenon of socialisation. In this chapter I will explain in more detail how this conception, from here on referred to as the tripartite understanding of autonomy, operates. The tripartite understanding has important consequences for some of the questions raised throughout the previous chapters, including issues about the normativity and value of autonomy, its emancipatory potential and feminist politics.

Following Rawls, the tripartite understanding of autonomy is a conception, rather than a concept. According to Rawls, it is necessary to distinguish

the concept ...as meaning a proper balance between competing claims, from a conception ...as a set of related principles for identifying the relevant considerations which determine this balance.⁴³²

Thus understood, a concept of autonomy would relate to the detailed particularities that constitute autonomy, that is, the rather more substantive understanding of what it means and in which conditions we can judge a person to be an autonomous human being. A conception of autonomy would point to the necessary conditions required to have a concept of autonomy: those issues that ought to be considered when deeming who is or is not autonomous. Thus, the aim of the tripartite understanding of autonomy is not to provide an exhaustive study of *when* we can deem someone autonomous. The aim is to provide an

⁴³² John Rawls, *A Theory of Justice* (Oxford, New York: Oxford University Press, 1999), p. 9.

account of what kind of considerations we ought to bear in mind when considering whether someone is autonomous or not. It could be said that the differentiation between a concept and a conception of autonomy raises important questions about normativity. I argue that a conception of autonomy is still a normative claim, and outline the ways in which this is the case in the third section of the chapter.

The term “tripartite” comes from the differential understanding of the self detailed in previous chapters. The self is not understood as a unified homogenous entity, but is instead understood as being composed of different parts: ‘I’, ‘me’ and finally ‘myself’, encompassing the previous two areas. The point is that the complex interrelationship between ‘I’, ‘me’ and ‘myself’ can have important and fruitful insights for what autonomy means. These constituent parts of the self require a differential *exercise* of autonomy, as well as being characterised by different *kinds* of autonomy. By combining the different levels of autonomy with the different parts of the self the tripartite understanding provides for a conception of a differentiated self that is not an a priori construct but is instead dependent on the social world and norms that surround individuals.

In this chapter I clarify how the tripartite understanding differs yet is simultaneously similar to the various conceptions of autonomy prominent within feminist literature. I end with a discussion of whether this kind of understanding need lead us to relativistic conclusions. Is it possible to respect choice and plurality whilst at the same time taking seriously the challenges posed by gender inequalities?

2. The Tripartite Understanding of Autonomy as a Synthesised Approach

Throughout this thesis I have maintained that recognising the importance of socialisation need not mean denying the existence of autonomy. Social construction and freedom ought not to be considered contradictory, but rather

seen as part of the same process. Indeed, autonomy can only be achieved and only makes sense when seen through the lens of the social.

a. Insights from Procedural Theories

Procedural accounts of autonomy maintain that the content of a decision is of no importance when evaluating whether an agent is free. Hierarchical accounts, such as the one proposed by Harry Frankfurt, maintain that what matters is whether desires are correctly ordered: that we be able to tell what *really* matters to us. Historical accounts, of the kind proposed by Gerald Dworkin and John Christman, are also “time slice” approaches in the sense of focusing on the particular *instance* of decision-making, but they include the question of how an agent comes to have particular preferences. They aim to redress the inability of hierarchical accounts to consider the potential problems caused by oppressive socialisation. What matters for a historical account is that the agent be aware of *how* she came to have a preference, the reasons why she espouses a certain choice over others. If, knowing how she came to form this preference, she would still espouse it at that particular time, the choice is deemed autonomous.

Though unable to reflect *all* that we mean when we claim someone is autonomous, procedural accounts can still be considered useful for a variety of reasons. Firstly, they are able to respect the first person perspective, that is, they respect the intuition that autonomy is something individual, something that will be practiced by different people in different ways. Christman’s version of historico-procedural autonomy is dependent on exercising what he calls “externalist rationality”, that the person *herself*, not those around her, agrees with the reasons through which she came to have a particular preference. This honours the idea of autonomy being a way of being, or even becoming, one’s own person.

Secondly, and linked to this, is the notion that personal choices ought to be respected. This is important given that we must respect individuals as moral agents and decision makers. By not having any a priori normative content, proceduralism is able to encompass, and indeed respect, the plurality that

characterises lives. Many choices are available and, although we might not agree with all of them, we must not forget that normatively objectionable choices are choices nonetheless. This is of particular importance when dealing with multiculturalism, where what constitutes a choice is not obvious. It may be even more so when dealing with gendered practices for, as Mahmood points out, an embodied practice is not always easy to interpret. Its meanings and significance will be context dependent, and we cannot judge practices without understanding the way choices are lived, how they relate to the norms by which agents organise their lives and the meanings they attach to the choices.

In order to explore the kinds of injury specific to women located in particular historical and cultural situations, it is not enough to simply point, for example, that a tradition of female piety or modesty serves to give legitimacy to women's subordination. Rather, it is only by exploring these traditions in relation to the practical engagements and forms of life in which they are embedded that we can come to understand the significance of that subordination to women who embody it.⁴³³

This is resonant of procedural autonomy in so far as proceduralism supports internalist rationality, where it is the agent herself who recognises what a choice is and what it is not. This allows women themselves to interpret the practices they are engaged in.

The tripartite understanding of autonomy respects and tries to include these insights from procedural theories. However, it takes issue with proceduralism in two important ways. First, it is less rationalistic. Unlike in Frankfurt's account, there are no choices that are considered to be more important than others: choices are not hierarchically ordered so that certain ones have more bearing on the conception of the self upheld. A choice will be considered a choice as long as the agent herself considers it to be. How agents decide what choices are is not overtly rationalistic either: no premium is placed on the rationality of agents.

⁴³³ Mahmood, "Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival", *Cultural Anthropology*, Vol. 16, No. 2 (2001), p. 225.

Agents might deem a choice worthwhile due to its inter-subjective relevance, because it matters to their relationships with others. There is no clear structure that needs to be followed, what matters is that the agents are aware of what their options are and how they feel about them.

The other crucial difference is an emphasis on the need to consider the effects of oppressive or unequal socialisation. As has been argued, procedural theorists can consider any choice to be reasonable regardless of its content. Even historico-proceduralists do not pay enough attention to the way oppressive socialisation works, given their reliance on the agent's ability to realise the condition of oppression herself. By contrast, the tripartite understanding respects content neutrality but refuses to see all instances of choice-making as equally worthwhile. For an agent to be considered autonomous she must have a certain conception of self-worth that informs her decision-making. This respects the insight provided by Benson on the ways oppressive socialisation can affect an agent's own conception of her self, and is more helpful when dealing with cases where "the distinction between the subject's own desires and socially prescribed performances cannot be easily presumed".⁴³⁴

b. Insights from Substantive Theories

Substantive theories of autonomy have been seen as an alternative to procedural accounts. The tripartite understanding of autonomy shares the concern of theorists such as Wolf, Stoljar and Benson, who point out that in order to be able to take into account the effects of oppressive and unequal forms of socialisation a theory of autonomy must contain a substantive element. However, the tripartite understanding of autonomy differs from the strong substantive positions espoused by Stoljar and (early) Benson. These theorists maintain that autonomy can only refer to those choices which are considered to be "good". In Stoljar's case this depends on whether the option is considered to be gender equal, while for Benson it depends on the agent being aware of the appropriate normative

⁴³⁴ Mahmood, *The Subject of Freedom*, p. 31.

standard that ought to govern the action. This understanding of substantivism has been argued to be inadequate since what we define as gender equal or the appropriate normative standard, seems overly dependent on the social norms that operate at any given time. As J.S. Mill pointed out in *On Liberty*, even scientific discoveries can be proven to be only part of the truth. The idea of infallibility is a dangerous one that can have pernicious consequences in the future.⁴³⁵

Wolf's position cannot be accused of infallibility. Indeed, she is careful to point out that beliefs and values change over time. However, her prioritisation of the rational ability to evaluate the normative value of different choices seems unable to explain why that ability is the defining one of autonomy. It is also unable to account for cases of deep oppressive socialisation.

This thesis argues that Benson's later position is better able to illuminate what kind of normativity might be necessary in a theory of autonomy – normativity where content is left under-defined, making it more abstract but nonetheless more able to accommodate the plurality that characterises social lives. According to Benson, in order to be autonomous the agent must have some notion of her worthiness to act, i.e. she must be aware of how she herself has value, by virtue of being an equal person. This kind of substantivity is normative in so far as autonomy is not merely an instrumental capacity or way of acting: autonomy has value in and of itself. Autonomy thus conceived is central to the agent, without requiring a perfectly harmonious self. Agents might be more or less autonomous in different areas and how much autonomy they have can change over time. As such, this kind of substantivity is able to rule out certain decisions that are not autonomous, in decisions that the agent does not believe herself to be worthy of making, without necessarily restricting too heavily the kinds of choices an autonomous agent might make. My understanding of autonomy includes this insight in an attempt to adequately conceptualise autonomy in a way that is sensitive to the effects of oppressive socialisation, whilst remaining agnostic about the possibilities of embodied action. Choices are not ruled out a priori – as has been seen through the analysis of proceduralism, the reality of embodied

⁴³⁵ John S. Mill, *On Liberty and Other Essays* (Oxford: Oxford University Press, 1998), p. 21.

experience requires that we consider every case as a distinct one. This understanding does not rule out certain choices but rather places a pre-requisite on these: that they be formed under conditions where the agent feels herself to be an equal and worthy human being.

c. Insights From and Beyond Relational Theories

As has been seen, relational theories have emerged as a different way of conceptualising autonomy. Relational theories focus on the importance of embodied experience as a crucial aspect in the development of autonomy and can be either procedural or substantive. I argue, however, that Friedman's revised procedural model is less useful than Meyers' autonomy competency, given that the former's reliance on proceduralism included some strong normative provisos that did not merge well with her content neutrality. For Meyers, autonomy is not simply the making of a decision or the espousal of a preference. In order to be able to be autonomous agents need to develop certain skills, or competencies, such as self-discovery, self-definition and self-direction. These skills are developed through social interaction and engagement. According to relational theories, the social is crucial in order to make us fully able human beings.

However, these competencies are themselves not neutral. Agents need to have been able to acquire them through conducive social environments. As such, it emerges that although autonomy competencies might well be a necessary element in autonomy, they are not as neutral as it might have been thought. There is a certain substantivity that operates in the very study of the skills necessary for autonomy. This is where the tripartite understanding of autonomy goes further than the relational theories previously discussed. The tripartite understanding defended here takes the combination of proceduralism and substantivity to be a necessary characteristic of a relational theory of autonomy. As Sumi Madhok notes, "both procedural and substantive accounts have merit and a synthetic solution combining elements of both these accounts contributes to thinking on

autonomy in oppressive contexts”.⁴³⁶ The tripartite understanding is a first step towards seeing how autonomy can be conceptualised in a way that respects choice without underplaying the importance of the social. It is necessary to be sensitive about inequality, as seen through the lens of oppressive or unequal socialisation, whilst at the same time being wary in our theoretical enterprise about essentialising identities. The tripartite understanding incorporates and redefines some of the insights of both proceduralism and substantivism so as to provide an account of what embodied autonomy might look like.

3. The Tripartite Understanding of Autonomy

a. What Is It?

The name ‘tripartite’ springs from seeing the self not as a monolithic undifferentiated entity but one that holds a variety of different identifications. Crucial to the tripartite understanding is that identifications might be reflected and considered to different extents: not all identity characteristics are considered in the same level of detail. These different levels of reflection on identifications are symbolised in the different areas of the self: the ‘me’, the ‘I’, and the ‘myself’.

The term ‘me’ indicates the self as the generalised other, that is, the identifications all agents hold regardless of how much thought they have put into them.⁴³⁷ Considering oneself to be English or Scottish need not mean that one has devoted much time to thinking about what it means to be English, or whether one agrees with all the associated traits of that identity. The ‘me’ is a way of participating in a collective identity and one that matters to individuals by allowing them to partake and make sense of the world around them. It is through

⁴³⁶ Sumi Madhok, “Autonomy, Gendered Subordination and Transcultural Dialogue”, *Journal of Global Ethics*, Vol. 3, No. 3 (2007), p. 349.

⁴³⁷ In speaking of “generalised other” I am following Wallace’s definition rather than Benhabib’s. That said, the conception of autonomy being proposed here would fall under what she would term the “concrete” other, given that the ‘me’ must always be considered in relation to the ‘I’ and ‘Myself’.

the 'me' that individuals participate in social life in the first instance. There is no need for this to happen on a deep level but, nonetheless, these identifications are of great importance in the constitution of the self.

The 'I', on the other hand, is the response of an individual to her 'me', so her particular views on how her identities operate and which characteristics she agrees with, disagrees with or even feels ambivalent about. The 'I' is thus the most singular and unique way of being, representing the deep level of consciousness required to think about and evaluate one's preferences. Not all 'me's' have associated 'I's', indeed, it seems too demanding, as well as rather unrealistic, to expect all identifications to be considered in such level of detail.

'Myself' can be considered to represent the totality of our identifications, that is, all those things that we consider ourselves to be, regardless of the amount of critical reflection that some of these identities might have necessitated. 'Myself' includes both the 'I' and the 'me': together these come to be the particular individual that is unique and different from other human beings.

It follows that we exercise autonomy differently in different areas of the self. We might pay a lot of attention to exactly how we agree and disagree with being considered a feminist (the 'I' in relation to the 'me') as well as considering what we define feminism to be (the 'I' creating its own standards and its singularly unique way of being). We might not pay as much attention, however, to how we feel about, and how we agree and disagree with, being identified as British. We might be more autonomous in certain aspects of the self – we do not always exercise autonomy to the same degree. However, this kind of differential use, and the kind of capacities required might also mean that autonomy cannot be considered in a singular way. There might be different *kinds* of autonomy, all of which are necessary but yet are distinct and singular. The aim now is to see how these different conceptions of autonomy might function together, and whether by thinking of autonomy in such a way we might arrive at a more productive and realistic account of what it means to be oneself.

b. How Does It Work?

There are four considerations relevant to how the tripartite understanding of autonomy works. These four areas must all be considered when evaluating what autonomy means and how it functions. They operate simultaneously and help to understand what autonomy is and the different ways in which it operates. Figure 3 provides a visual schema of this.

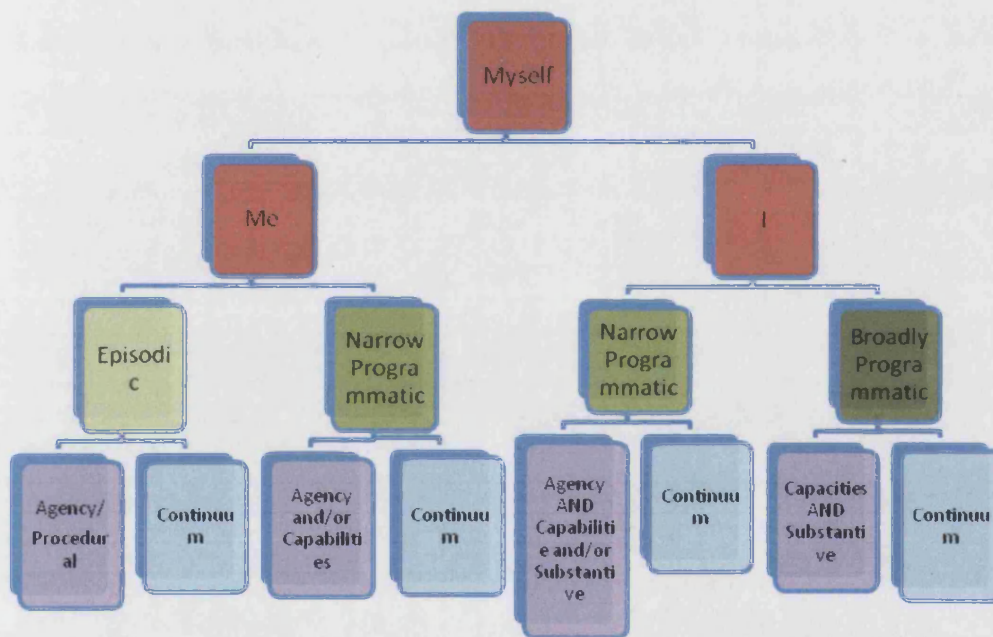


Figure 3 – The Tripartite Understanding of Autonomy

In the first case, we need to be clear about the different *areas* of the self that autonomy pertains to. There is ‘me’, that albeit crucial requires a lower level of reflection, and ‘I’, which demands a higher level of reflection. These are shown in red in the diagram. Together these come to form ‘myself’, the individual as a unique and singularly different person, characterised by a deep shade of red. The distinction between the ‘me’, ‘myself’ and ‘I’ reminds us that individuals do not consider or reflect in the same detail about all their identifications. Indeed, it seems unjustifiably demanding to expect that we devote very high levels of

consideration to absolutely all our identifications. The way decisions are made varies from area to area.⁴³⁸

A further consideration is the *timeframe*. As has been seen, theorists of autonomy occasionally talk at cross purposes. Some focus on the status of the agent at a particular moment, while others consider autonomy as something that takes place over long periods of time. How long an identification has been held is a pertinent consideration since it will affect how much reflection is required of the agent. Meyers' distinction between episodic, narrow and broadly programmatic kinds of autonomy is of particular use here. Each category has a particular timeframe that affects the kind of autonomy that would be required in order to make a decision.

Episodic autonomy is the one with the shortest timeframe. It is symbolised by a light green colour in the diagram. The kind of reflection it requires need not be high, but the fact that the agent chooses to identify with or espouse an option can still be considered a way of exercising agency. This kind of autonomy, exercised in particular moments, especially resonates with the kind of autonomy that procedural theorists subscribe to. The agent must be aware of how she came to form her preferences defined in terms of a particular collective identity, or her 'me'. For example, she will need to know that she considers herself English because she was born or grew up in England. She feels English because throughout her life she has experienced a variety of reasons for which she feels that she identifies with that characteristic. Episodic autonomy might be something repeated through time (such as feeling English throughout one's life), but the basic point is that it does not require the level of reflection that the 'I' does.

⁴³⁸ It must also be noted that the conception an individual has of the different areas of her self, that is her 'me', 'myself' and 'I', are themselves language dependent. How we think of different areas could be different in different languages. This might be particularly true of those who are either bi or multilingual and thus are used to operating within various linguistic frameworks. As Charlemagne noted, "to have another language is to possess a second soul ...I know when I speak Spanish I slip into another mode, almost into another personality. I don't understand the mechanics of it, but I know it to be true." Indeed, the conception of 'myself' might be different in different languages.

Another timeframe is indicated by the mid-green colour – narrowly programmatic autonomy. For Meyers, this kind of autonomy is exercised in one particular area of one's life, such as choice of career. As can be seen from the diagram, a narrowly programmatic choice can be part of either the 'me' or, if the decision has certain substantive properties, such as self-worth, part of the 'I'. For instance, an individual might decide to pursue her A-levels and then go on to university in order to ensure that she is able to attain her ultimate goal, such as being a doctor. This kind of autonomy might be true of that particular area (desire for further education, desire for a particular career), but it might not be true of other areas of her life, such as her religion, her political beliefs and so forth.

In this case, a narrowly programmatic 'me' decision will be characterised by the exercise of either one or two out of the three possible different kinds of autonomy (agency, capabilities or self-worth). In terms of procedural decision-making agency will always be present, e.g. the agent wants to be a doctor because she believes it is important to relieve human suffering and this is important to her because she witnessed the painful death of her grandmother. Combined with agency she might also exercise the capabilities of self-discovery, self-definition and/or self-direction. In order to make the decision to be a doctor, to be religious, or to espouse a certain political programme, it is also useful to have certain capacities.

This is where Meyers' relational approach matters as well – the qualities of self-discovery, self-definition and self-direction will help the agent in making her decision. When deciding matters about her professional career, an agent must have a certain degree of self-discovery. She needs to be able to judge what it is she is interested in, discovering what in particular she enjoys doing or would enjoy doing in the future. Similarly, she must also have a certain level of self-definition. She might not know straight away what kind of doctor she wants to be but needs to allow herself to discover, and judge, what it is she wants to specialise in. The agent would also require a degree of self-direction, in so far as she will need to study, and pursue certain options if she truly wants to be a

practising doctor. Together these qualities will ensure that the agent is able to consider and potentially follow her decisions in that area of her life.

As can be seen from the diagram, a narrowly programmatic decision can also form part of the agent's 'I'. In this sense, the narrowly programmatic 'I' decisions are more substantive, requiring a deeper level of consideration than those that pertain to the 'me'. If the agent, aside from agency and capacities, also has a strong sense of self-worth, for instance she thinks she wants to be a doctor because she can, she is capable and she considers herself to have the right qualities, it will make the narrowly programmatic decision one that pertains to her 'I'. Her decision to be a doctor is one that informs her conception of who she is, and what matters to her in a deep way, touching on the most substantive kind of autonomy that might be exercised.

The final kind of timeframe to be considered is that of broadly programmatic decisions, shown by a dark green colour in the diagram. These decisions are, according to Meyers, the rough equivalent of a life plan. Here the decisions are more general and have to do with general qualities an agent might desire to have throughout her life. For example, she might want to be an honest person. This decision will, if truly broadly programmatic, have implications in other aspects of her life. It might mean that the agent will avoid lying to those she cares about, or will be honest with her taxes. Broadly programmatic autonomy how the person wants to live and what kind of relationships she wants to have. It is not greatly different from the types of autonomy narrowly programmatic decisions require: there is a need to have certain capacities in order not just to reflect, but also to decide and judge which courses of action are most suitable when considering one's life-long ambitions. However, in order for the decision to truly be part of the 'I', broadly programmatic autonomy also requires a certain amount of self-worth. The agent needs to feel that she is able and entitled to make these decisions about her life. These are the kind of decisions that reflect her equal standing as a person and decisions which she is able to competently make.

The third consideration relevant to an understanding of autonomy is a consideration of the *kind* of autonomy exercised. In this sense the requirements

of autonomy are met through a combination of procedural, relational and substantive insights. Procedural autonomy or agency requires a minimum amount of reflection, whereas substantivism requires a certain conception of the self to underlie the chosen decisions. The relational account includes some capacities that would be necessary in order to make adequate decisions. These three kinds of autonomy reveal the different characteristics of the decision-making enterprise, but these alone, without further development in terms of the timeframe and area of the self in which they operate, are not very useful.

The final consideration that ought to apply to an understanding of autonomy is a consideration of the *degree* to which autonomy is exercised. In this sense autonomy is not a zero-sum quality of individuals but instead falls within a continuum. Agents have varying levels of autonomy in different areas of the self, depending on how able they are to exercise the kind of autonomy required. Such an understanding implies that, although maybe possible to consider the aggregate level of autonomy of an individual, it is perhaps more interesting to look at the different areas in which autonomy is being exercised. One agent might perhaps be very able to make episodic decisions that relate to her 'me'. That does not mean that she is necessarily more autonomous than someone who's 'me' is relatively under-defined but has a carefully considered 'I' supported by a strong substantive consideration of herself. Ultimately, this means that autonomy varies: there are different kinds that might be exercised to a different degree. The importance of the degree is variable and is related to the area of the self to which it pertains.

c. Crucial Insights

So far we have seen how the tripartite understanding of autonomy can be understood and the key areas that it must be sensitive to. However, what are its key insights? What are the key considerations that the tripartite conception brings?

i. On the Relation between Reason and Emotion

One of the insights is that reason cannot be solely responsible for autonomous actions. Attachments and emotions also help configure the person. As Nussbaum points out, “emotions are not just the fuel that powers the psychological mechanism of a reasoning creature, they are parts, highly complex and messy parts, of this creature’s reasoning itself”.⁴³⁹ This thesis argues that reason alone cannot be the defining characteristic of autonomy. In order to reflect how individuals actually make decisions, it is necessary to consider reason as tempered or mediated by emotion. The idea is not simply that emotions matter too, but rather that reason cannot be fully understood without reference to various other factors, such as emotions, that affect the analysis. As Raia Prokhovnik argues, reason and emotion are inter-dependent. Both exist and are exercised amidst social practices: both are acquired through the social but are not determined by it.⁴⁴⁰ Reason and emotion remain distinct concepts but nonetheless overlap. For her,

emotions play a crucial role in knowledge because the production of knowledge, the discussion of ideas, and the recognition of a piece of theorising as knowledge all involve social activities expressed in particular social practices which are interpersonal and require ‘emotional engagement’.⁴⁴¹

Susan Mendus argues that even if thought to be historically commonplace, the dissociation of reason and emotion as distinct and potentially contradictory rationales can be severely limiting. Neither is it as clear cut in Enlightenment thinkers as is often claimed. Mary Wollstonecraft, John Stuart Mill, Harriet Taylor and Immanuel Kant all “understand emotion, and especially the emotion of love, as something which when properly conceptualized, makes essential

⁴³⁹ Martha Nussbaum, *Upheavals of Thought: The Intelligence of Emotions*, (New York: Cambridge University Press, 2001), p. 3. See also Martha Nussbaum, *Love’s Knowledge: Essays on Philosophy and Literature* (Oxford: Oxford University Press, 1990).

⁴⁴⁰ Raia Prokhovnik, *Rational Woman: A Feminist Critique of Dichotomy* (Manchester: Manchester University Press, 2002), pp. 99-100.

⁴⁴¹ *Ibid.*, p. 83.

reference to reason and provides an important complement to it”.⁴⁴² As Prokhovnik argues, a dichotomy is created when reason is linked to man, and emotion to women:

the two dichotomies, of man/woman and reason/emotion, have worked together, ‘rational man’ being a potent symbol of the modern age. But the definition of ‘rational man’ has depended upon ‘emotional, that is, irrational woman’ as an inferior counterpoint. The narrow and exclusive meanings of man/woman and reason/emotion have led to the rationalist myth that disembodied and disembedded reason is a higher faculty, separate and necessarily distinct from accompanying emotion, perception, reflection, memory, and deliberation upon felt experience.⁴⁴³

The prevalence of these dichotomies has limited the ways in which we can conceive our relationship not only to reason and emotion, but to our actual bodies. The body becomes secondary to mind, limiting the alleged importance of embodiment, and the particularities within which individuals exist. However, we do not value autonomy simply because we are “reasonable” – autonomy matters because it enables individuals to pursue those things they care about. Individuals are embodied, and their material situation in the world affects how they make decisions.

By treating emotion as a necessary element in reasoning, it is possible to destabilise the mind/body dichotomy:

Mind, body and emotion are interconnected, but emotion, while lodged in the mind, straddles the mind/body dichotomy through its relation to affect.⁴⁴⁴

The body emerges as a necessary vessel for the mind. We are not merely “floating minds” but rather are embodied and situated individuals.

⁴⁴² Susan Mendus, *Feminism and Emotion: Readings in Moral and Political Philosophy*, (Basingstoke: Hampshire, 2000), p. 2.

⁴⁴³ Prokhovnik, *Rational Woman*, p. 20.

⁴⁴⁴ *Ibid.*, p. 58.

The understanding of autonomy defended here does not prioritise reason over emotion. It shares Prokhovnik's insight that reason and emotion, whilst distinct, are nonetheless mutually necessary in order to render the possibilities of choice intelligible. This conception of autonomy does not demand that agents consider their options in any particular way, using a specific kind of rationality. It merely demands that some consideration is given to options. Whether this consideration is strictly rational, or one mediated by personal emotion or attachment, makes no difference to whether the preference can be considered autonomous. The realities of lived experience are such that agents will not consider all their identifications in the same manner, nor will they devote the same level of detail to all. The epistemology of identification is one that includes both reason and emotion without prioritising either, thus providing for a truer account of identity development.

ii. Process as Distinct from Action

The conception of autonomy suggested here makes a strong distinction between autonomy and action. As Madhok points out, this is of particular use when thinking about oppressive social contexts: "an insistence upon autonomy as the ability of persons to *act* upon their (critically reflected) beliefs and values places obstacles in the way of conceptually understanding autonomy within conditions of subordination."⁴⁴⁵ Indeed, there is a difference between thinking of autonomy as a process and thinking of autonomy as action. Thinking of autonomy as being necessarily able to act and carry out one's wishes ignores the fact that "persons do not always act in accordance with their preferred desires or preferences and this in turn creates a methodological imperative for us to evolve and design arguments that would recognise 'preferred preferences' in ways other than action".⁴⁴⁶

⁴⁴⁵ Madhok, "Autonomy, Gendered Subordination and Transcultural Dialogue", p. 338 [emphasis mine].

⁴⁴⁶ Ibid., pg. 344.

As I argued in Chapter III, agents do not always act on their preferences. Autonomy as a process and autonomy as action are two distinct things, and the differences ought to be considered in order to gain clarity on both processes. Autonomy as a thought process is crucial to the person – the way in which individuals consider their preferred identifications and preferences. But these preferences need not be acted upon. Demanding that they are is asking too much of autonomy: there is a variety of possible intervening factors that could prevent the exercise of these preferences.

For instance, an individual might have a strong preference, shown in her narrowly programmatic decision, to become a doctor. She will have employed her capacities, as well as possibly exercised a substantive form of autonomy, in order to reach the decision that being a doctor is what she desires to do, what she believes will bring her happiness and enable her to use her talents. Whether or not the agent then becomes a doctor ought not to be the concern of autonomy. She might not be able to undergo medical training due to a variety of factors. For reasons not of her own choosing she might not have access to sufficient income in order to fund the many years of training. She might face other constraints such as her A-level results not being high enough to be accepted into any medical training course, or a family member might fall sick and she feels the duty to care for her relative in a way that precludes her ability to study for the necessary hours required. Saying that this individual is not autonomous in her decision to become a doctor, because she is unable to become a doctor, seems to place the burden of proof in the wrong place. It is not her desires which are not autonomous but rather the circumstances that preclude her from exercising her autonomously chosen preference.

Distinguishing between autonomy as a process and the exercise of autonomous preferences can help policy makers. The Stasi Commission in France recommended a ban on veils in schools on three separate grounds:

- (1.) They violated the French principle of *laïcité* as conspicuous religious symbols.
- (2.) Veils were inequalitarian and often not autonomously chosen.

(3.) They were a sorry consequence of growing fundamentalism.

It is the second reason that the tripartite understanding of autonomy finds most problematic. Women should not be forced to veil if they do not wish to do so. The problem with the findings of the Commission, however, is that they assumed that most of those choosing to veil were doing so for non-autonomous reasons, namely, “the strong pressure to do so” by elder brothers or other family members. This reflected what the Stasi Commission perceived to be the third problem – a growing (male) fundamentalism.⁴⁴⁷ The tripartite understanding of autonomy would encourage careful consideration of those statements about the non-autonomous character of the choice, and the claim that veiling is forced upon women. There is clearly a need to address circumstances where women are being forced, against their autonomous wishes, to do something. However, these circumstances cannot be equated with a lack of autonomy: the thought process and the exercise of its conclusions remain two distinct things.

It is only by differentiating between autonomy as a process and the exercise of autonomous preferences that we can begin to consider the institutional provisions needed, and better understand the kinds of inequalities that women face. As Mahmood mentions, there is a need to understand how women themselves understand processes of subordination in order to appreciate their significance. This is crucial in order to understand and explain “the force a discourse commands”.⁴⁴⁸ Practices might indeed be problematic on egalitarian grounds, but we must remember that these are grounded on beliefs and discourses which might be more persistent and unshakeable than the practices themselves. By respecting autonomy as a process, and differentiating it from the realm of action, it becomes easier to think about inequality in a deeper way, in a way that enables us to remain conscious of the necessity to see practices as supported and informed by discourses and beliefs.

⁴⁴⁷ Patrick Weil, “Lifting the Veil of Ignorance”, Policy Network, Community and Inequality Working Group, Vol. 3, No. 1 (2004). See also Stasi, *Laïcité et République. Rapport de la commission de réflexion sur l'application du principe de laïcité dans la République*.

⁴⁴⁸ Mahmood, “Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival”, p. 210.

iii. The Plural Self

Throughout this thesis, I have argued that acknowledging intersectionality has consequences for a theory of autonomy. In particular, the self cannot be conceived in a rigid or static way. A theory of autonomy must be able to recognise that agents have a variety of identifications that might at times conflict with one another.

A tripartite understanding of autonomy is able to think of autonomy without demanding that the agent be conceived of as a static, homogenous or neatly integrated being. This understanding respects the different strategies that characterise intersectionality. It makes no demands on the coherence of an agent's worldview, nor does it require that the agent act upon her preferences. The skills necessary to negotiate between different identifications, such as the ability to syncretise between various endorsements, or the ability to "world-travel" between these in different social settings, are constitutive of the autonomy competencies discussed earlier. There is a need for a certain level of self-discovery in so far as the agent needs to be aware of at least *some* of her identifications. How deeply she considers these is a different matter, which depends on whether they form part of her 'I' or her 'me'.

Syncretising, that is, creating one's own set of outlooks from a variety of perspectives, is not a problem. There is no requirement for unity or coherence of preferences. How agents create and think about their 'me's' and 'I's' is an individual process. Similarly, the negotiating process of 'world travelling' does not pose any problems to the tripartite understanding of autonomy. The focus on the process of autonomy, rather than the consequent actions, means there is no challenge for autonomy if an agent acts differently in different social settings. Indeed, doing so may embody the very capacities for autonomy, in terms of being able to discover, define and direct one's actions considering the social environment.

Furthermore, the fact that the tripartite understanding makes no demands in terms of coherence allows us to think of ambivalence as an enabling strategy. As has

been seen, it is sometimes more productive not to act in cases of oppressive socialisation. Remaining ambivalent about the harmful or negative characteristics that a social identity might entail, the ascriptive characteristics of a 'me' can mean that the 'I', the self as an individual and equal agent, is preserved.

The tripartite understanding does not posit ambivalence and autonomy as contradictory or conflicting. Autonomy need not be an integration of desires or preferences. Rather, it can reflect the process whereby identifications are negotiated and internalised, the process whereby the social comes to inform the self. Being an internalist process that takes place within the agent, and one that differentiates between thought and action, there is no need to think of autonomy as something coherent and with definite consequences. Autonomy emerges as an internal process that agents experience.

4. Potential Issues

Having established some of the key insights of the tripartite understanding of autonomy, it remains to be seen what some of its potentially problematic issues might be.

a. Relativism

One dilemma that arises constantly in feminist literature on autonomy relates to its open-endedness. A conception of autonomy must be open enough to encompass a wide variety of experiences, in order to avoid paternalism or cultural dominance. However, other problems arise when the conceptualisation is too broad. Taking socialisation seriously requires that we note how unequal and oppressive forms of socialisation can constrain and harm an agent's autonomy. Oppressive social norms affect the way agents conceive themselves. Agents might internalise social perceptions about their unsuitability to make decisions, and might think that choosing certain unequal options is the best thing they can do because that is the way things "are":

To internalise material is to incorporate it into the structure of the self, that is, into the modes of perception and self-perception that enable one to distinguish oneself from other selves and from other things. ...Subordination is internalised and becomes integral to individualised, subordinated identities.⁴⁴⁹

In my discussion of intersectional identities I have argued that even when these identities are harmful, agents can still consider themselves as other than just subordinated beings. The self might be subordinated in one aspect or area of her life, but not in others. But, even allowing for this, a theory of autonomy must still be aware of the dangers associated with oppressive social norms, and must be able to criticise the effects of inequality on agents.

On this issue the tripartite understanding of autonomy appears rather open-ended. One of its most attractive features is its respect for plurality: choices need not have a pre-determined substantive content. This respects the numerous embodiments, allowing for a variety of different meanings to be attached to preferences and for these to be respected as viable options for agents. However, this risks the possibility of falling into moral relativism, claiming that any choice is autonomous, regardless of its content or its significance. Strong relativism is dangerous given its tendency to “easily accept status quo institutions”.⁴⁵⁰ Indeed, when trying to be sensitive about the particularities of interpretation and translation of different practices, there is a danger that one might just argue difference away, claiming that ‘this is the way we (they) do things around here (there)’.

According to Sawitri Saharso and Veit Bader, there are four key characteristics that typify strong relativism. Firstly, such a position assumes that “all cognitive and normative knowledge is contextual at a meta-level in four ways: ...it is embedded in social positions, fields and modes of knowledge, cultural frames and history.”⁴⁵¹ There is absolute knowledge, but it is always locally contingent.

⁴⁴⁹ Meyers, *Gender in the Mirror*, pp. 6-7.

⁴⁵⁰ Sawitri Saharso and Veit Bader, “Introduction: Contextualised Morality and Ethno-Religious Diversity”, *Ethical Theory and Moral Practice*, Vol. 7, No. 2 (2004), p. 109.

⁴⁵¹ *Ibid.*, p. 110.

Absolute knowledge is true because there are people that believe that it is true. Strong relativists would also maintain that, given the importance of context and the social, universal principles are impossible. People do not necessarily agree with each other. However, what each person believes is taken to be true and uncontestable. Thus, universalism is impossible since people will never agree to accept views they disagree with. This leads to the belief that criticism of moral intuitions is impossible, given that there is no standard on which to judge. Judging can only be done from the 'inside', by those who truly understand the meaning of what is being analysed. Finally, on an institutional level, strong relativists would maintain that there is little that should be done to change or criticise existing institutions. They are simply different, and there can be no claim that one way of doing things is better than another, given the impossibility of having universal judgement.

The tripartite understanding of autonomy does not fall under strong relativism given that it does contain a critical stance towards certain issues. Instead, it is universal *and* under-defined. Its strength lies in the fact that it is not simply a proceduralist theory, and has self-worth as a central substantive commitment. Autonomy is not simply a matter of having the right skills or being aware of why one prefers certain options over others. The skills and the procedure matter because the *person* matters: it is the agent's own conception of herself that validates her decisions as autonomous ones. This in turn means taking a normative stance: not all decisions can be judged autonomous. Whether they are or not depends on whether they are based on a belief in the agents' own capacity to make that decision for herself as a free and equal person. This remains open enough, however, to allow for a good level of plurality. It provides what we might describe as a form of soft relativism.

The substantive clause can be of particular use to women living in unequal social environments. In particular, the normative commitment to the equality of persons has consequences for normative critical possibilities and imagination. It allows for the critique of existing realities, without necessarily claiming that those who live under unequal conditions are non-autonomous. It restates autonomy as an

emancipatory skill, but one where the particularities are left sufficiently under-defined to accommodate the plurality and diversity that characterises social life.

According to Bader and Saharso, “recognition of the ...under-determinacy of principles is part and parcel of any reasonable moral theory. General and abstract moral principles have to be specified to be applicable in various contexts and cases.”⁴⁵² In order for normative principles to work, they must be allowed to integrate with existing frameworks and cultural references. This idea is premised on the notion that “our interpretations are embedded in and shaped by institutional contexts, and our articulation of principles themselves cannot be fully separated from general (cultural, linguistic) frameworks inevitably embedded in historical societal and cultural contexts”.⁴⁵³ Change will indeed happen but it cannot be an imposed change. There must be a number of strategies that allow for the negotiation of the old and the new so as to create new possibilities of engagement.

Unlike strong relativism, the form of soft relativism being espoused does not assume that all knowledge is true knowledge. Indeed, the tripartite version of autonomy holds that there are better forms of knowledge and being – such as the belief in self-worth by virtue of being an equal human being. Albeit remaining agnostic about most instances of knowledge, the substantive element does privilege a certain conception of the self above others: the self as an equal and worthy of respect.

Strong relativism argues that universalism is impossible. This is not the position I have argued in this thesis. The tripartite understanding of autonomy is ultimately a universalist conception, though one that insists on “relat[ing] principles to different contexts and cases to explain and develop their meaning. Principles though abstract and in need of some specification, are not indeterminate in a strict sense but under-determined: liberty or equality may not exactly formulate what is positively required in different contexts and cases but clearly exclude any

⁴⁵² Ibid., p. 108.

⁴⁵³ Ibid.

serious lack of freedom such as slavery.”⁴⁵⁴ There is a clear form of universalism operating. The particularities of its operation, however, are left under-defined.

Strong relativism maintains that it is impossible to criticise moral institutions, whereas soft relativists “criticize the elitist bias of insider knowledge and insist on a continuous back and forth between internally contested contextual moral intuitions in a wide variety of contexts and cases on the one hand, and theoretical or reconstructive criticism on the other”.⁴⁵⁵ This is indeed one of the features of the tripartite understanding of autonomy. By considering the way identifications and commitments conflict and merge, as well as having the possibility of evaluating these through the lens of a substantive understanding of the self and its worth, there is a continuous dialogue taking place between the held commitments and preferences, and the agent’s very own sense of self. Criticism takes a central position for the autonomous self – but it is an internalist form of dialogical critique, one that happens within the self in relation to her identifications and social surroundings.

Strong relativists are sceptical about the possibility of critique or change of existing institutions. The substantive normative commitments of a soft relativist would disagree: albeit maintaining that there cannot be a single solution or institutional setting for all cases, there is still “a legitimate variety of morally permissible institutions”.⁴⁵⁶ This in turn leads us to the emancipatory potential of the tripartite understanding of autonomy. How can an under-defined understanding of autonomy lead to change? And what is the epistemology of this change?

b. Non-Ethnocentric Feminism and Emancipatory Politics

We have established that the tripartite understanding of autonomy is not a relativist conception. It does not accept all choices as autonomous. However,

⁴⁵⁴ Ibid.

⁴⁵⁵ Ibid., pp. 110-1.

⁴⁵⁶ Ibid., p. 111.

what is its potential as an emancipatory tool? How can it espouse a feminism that is not paternalistic? As we saw in Chapter I, Chambers argues that feminism commits us to banning certain practices. I have argued, by contrast, that this is paternalistic, ignoring the multiplicity of meanings a single practice might entail. There is a need to consider how women themselves consider these practices.

I have argued that a commitment to feminism means that practices must not be thought of in a binary way – as either emancipatory or subordinating.⁴⁵⁷ There is a need to consider what other factors might lead women to espouse allegedly unequal preferences. As Sumi Madhok and Madhavi Sunder point out, we must consider “the particularities of social and historical circumstance in which persons fulfil their moral obligations and their choices”.⁴⁵⁸ Some choices might indeed be unequal, or non-autonomously espoused. But others might not be, as long as they are understood within the particularities of their enunciation. Sunder remains committed to the emancipatory potential intrinsic to autonomy. For her, it is crucial that we look at how women themselves consider their preferences, regarding the process of autonomy as one that can (but might need not necessarily be) conducive to emancipatory politics. Contra Chambers, she maintains that there are many ways in which paternalism can be challenged. Sunder claims that instituting top-down approaches, such as state-wide bans, ignores how women themselves are challenging oppressive norms and practices:

women are nonetheless claiming their rights to challenge religious and cultural authorities and to imagine religious community on more egalitarian and democratic terms.⁴⁵⁹

Recognising that the social is intrinsic to the formation of human beings as autonomous agents also means recognising that the social is constituted by the sum of the individuals that participate in its practices. We must be able to account for and respect the various forms of agency that can lead to change in these norms. We must remember that laws are themselves created by agents. This

⁴⁵⁷ Mahmood, *Politics of Piety*, p. 14.

⁴⁵⁸ Madhok, “Autonomy, Gendered Subordination and Transcultural Dialogue”, p. 349.

⁴⁵⁹ Sunder, “Piercing the Veil”, p. 1403.

means that the people making the laws need to understand the egalitarian commitment but, furthermore and more importantly, in order for a law to be effective, the people who live under it must be able to appreciate the rationale and meaning of the law.

Within the feminist literature, it is now commonly argued that resistance is better achieved from within rather than by top-down measures. For example, both Madhok and Sunder use examples from the international sphere to show how it is possible to have progressive change in conditions of extreme subordination. They hold that a strategy based on allowing the agents themselves to experience, understand and redefine a concept is a more productive form of feminist emancipatory politics. Sunder uses the example of the organisation *Women Living under Muslim Laws* (WLUML).⁴⁶⁰ Its objective is to provide women with access to both equality and community, urging Muslim women themselves to redefine what matters to them and why, and to think of alternative ways of honouring ethical commitments in ways that are not contradictory with their equality as women and as human beings. Quoting from the WLUML website, Sunder writes: “the essential issue is who has the power to define what women’s identities should be... it is time to challenge – both politically as well as personally – those who define what the identity of women should be as Muslims.”⁴⁶¹

In order to have any sort of emancipatory change, it is necessary that women themselves think about their identities and commitments, as it is these that will ultimately perpetrate or change the existing expectations and social norms that govern lives. Using the example of Human Rights Manuals, Sunder explains that merely expecting people (not just women) to follow what are considered “outside norms”, abstract legal terms, will result in little change given the difficulty of translation. The problem of translation is not simply of language but rather one that relates to the difficulty of persons understanding reality-removed-abstraction. Following the guidelines set by the 1995 Fourth World Conference on Women, the new manuals are expected to follow the strategies of “translation,

⁴⁶⁰ <http://www.wluml.org/english/index.shtml>.

⁴⁶¹ Sunder, “Piercing the Veil”, p. 1440.

textualism, constructivism and reconstructivism”.⁴⁶² The laws need to be explained with reference to already existing norms and texts. This enables women themselves to interpret the claims and consider their own necessities. This is a form of feminism from within, meaning that

rights are not imposed from outside or above a community, but rather are derived from the process of women negotiating conflicts within the community.⁴⁶³

This process of translation focuses on how abstract principles can be made contextual. This is crucial,

given that the precondition for communication between two persons is a common language and that language is a culturally defined system of signs and symbols, a rejection of the specific cultural articulation of one’s society will handicap the ability of a woman’s movement to communicate its message.⁴⁶⁴

Indeed, as Farida Shaheed notes, “where women’s movements operate outside the cultural parameters of their society, the exponents of a patriarchal system find it easy to discredit the movement by simply labelling it ‘westernised’ or an agent of cultural imperialism”.⁴⁶⁵

Chapter II showed why the social is crucial in understanding how individuals react to norms and practices. The emancipatory potential of the tripartite understanding of autonomy lies within the ability of individuals to think about (socially based) identifications in ways that are relevant to them. The thought is that individuals need to experience resonance in order to understand abstract processes. A choice needs to be thought of as a choice in order for it to *really* be a choice, that is, a possible course of action. As Benson mentions, this

⁴⁶² Ibid., p.1445.

⁴⁶³ Ibid., p.1449.

⁴⁶⁴ Farida Shaheed, “The Articulation of Patriarchy: Legal Systems, Islam and Women”, in *Women and Islam: Critical Concepts in Sociology, Vol. I*, ed. Haideh Moghissi (London, Routledge, 2005), p. 239.

⁴⁶⁵ Ibid.

encourages us to complement the search through the resources of women's own lives with the intentional creating of practices and forms of relationship which may give rise to new opportunities for normative disclosure.⁴⁶⁶

An example of how contextual feminism can operate is provided by recent developments in the use of mikvehs. Although primarily sites for ritual immersion, and highly evocative of unequal gender relations in Orthodox Judaism, some centres have begun to provide other services.⁴⁶⁷ Amongst these are classes for young women on sexual and marital relations, hygiene, contraception and divorce. Young women in very pious areas rarely have access to these kinds of information, and the fact that it is the *balaniyot* (the women in charge of the mikveh) who provide the classes means that the young women are more likely to accept and understand that individual rights do not necessarily contradict ritual commandments or piety.⁴⁶⁸

Madhok's experience with the Women's Development Programme and *sathins* in India also shows how this contextualised feminism can operate.⁴⁶⁹ Through their participation in the programme, she notes, women were "introduced to the modern idea of autonomy and language of individual rights".⁴⁷⁰ This, in turn, led to "attempts not only to rethink many of the moral rules informing their own moral frameworks, but also selectively absorb many of these 'new' ideas in ways which do not clutter their existing moral priorities and commitments".⁴⁷¹

Madhok's description of this process closely resembles the relationship of the 'me' and 'I' that has been explored in this thesis. Their 'I' is being developed by

⁴⁶⁶Benson, "Feminist Second Thoughts about Free Agency", p. 61.

⁴⁶⁷ This is true of mikvehs in very pious areas, such as Mea Shearim in Jerusalem and Borough Park in New York.

⁴⁶⁸ Jewish law does protect the integrity of the individual. However, women's knowledge of their own status in law is often incomplete, given that women are forbidden from studying the Torah. Women are allowed to study other parts of law, in particular those that relate to their own status, but the combination of poverty and high birth-rates in Orthodox communities mean that few women are able to devote their time to studying.

⁴⁶⁹ According to Madhok, *sathins* are primary workers within a state-sponsored development programme for women in Rajasthan known as the Women's Development Programme (WDP). The *sathins* are mostly semi-literate or illiterate and are mainly low caste.

⁴⁷⁰ Madhok, "Autonomy, Gendered Subordination and Transcultural Dialogue", p. 340.

⁴⁷¹ Ibid., p. 341.

virtue of considering the ways in which social norms and laws apply to them, and which ones they think relevant. In rethinking and absorbing certain ideas but not others, or interpreting ideas in ways that suit their situated position, the *sathins* seem to be displaying some of the capacities necessary for autonomy. They are themselves discovering and defining norms in ways that are comfortable and useful for them. They are syncretising various ideas which might theoretically appear to be contradictory but if redefined and adapted to their framework can be of use. They are also experiencing world-travelling in so far as they might be choosing to adopt certain ideas, but not others, choosing selectively, in order to be able to remain committed to values and preferences that are important to them.

The tripartite understanding of autonomy, with its focus on the mechanisms of intersectionality, helps the development of ‘feminism from within’ strategies. As Sunder points out:

While traditional human rights to identity presume that identity will be imposed within groups (albeit freely chosen from among groups), the activists I highlighted here seek to expand choice *within* identity groups. This claim presupposes not only that identity groups are plural, but that they should be, in order to allow individuals more room to negotiate their membership in the group – from the traditional end of the spectrum to the radical.⁴⁷²

Bringing in an understanding of intersectionality helps highlight the possibilities for negotiation that exist within already existing cultural frameworks. Cultures do not appear as static or rigid, but rather the approach emphasises how they are constituted by individuals who themselves challenge or uphold traditions which change over time.

Focusing on autonomy as a potential tool for change, without being prescriptive about the particular outcomes it is meant to achieve, is particularly relevant to the problems I began with: the problems of minorities within minorities in the

⁴⁷² Sunder, “Piercing the Veil”, p. 1463.

practices of multiculturalism. As Saharso notes, “good feminism might well require acts of multiculturalism”.⁴⁷³ Changing laws can be part of the solution to a more equal society but this must be coupled with change in the people who are meant to uphold them.

Indeed, there are three problems with top-down approaches that lead to the conclusion that ‘feminism from within’ should be considered a leading force for egalitarian change. In the first instance, the banning of practices means denying women a choice. It is overly paternalist to assume that choosing egalitarian commitments is the necessary sign of autonomy, and seems to presume that there is only one ‘right’ way to behave. Banning without considering the multiple meanings of a practice does not respect plurality. This denies women the possibility of choosing – a central aim of feminist politics – but also denies the pluralism multiculturalism is meant to respect.

Secondly, making a practice illegal can sometimes close down avenues for women’s autonomy. As Saharso notes when discussing sex-selective abortion and hymen reconstructive surgery, it is often women who request these practices, as a way of negotiating between different and conflicting identities. In the case of hymen reconstruction, for example, the request comes from women who have had pre-marital sex, whilst at the same time belonging – and wanting to belong – to a group that considers pre-marital virginity (of women) a necessary condition for respect within the community. In such instances, one might even say that in choosing to have hymen repair surgery, the women are developing their ‘I’. They endorse certain elements of their identities but not others, and choosing hymen repair is a way of negotiating between these conflicting demands.

The third point is that merely changing the laws can reinforce old ways of thinking as regards the presumed patriarchy of minority cultures versus the liberalism of majority ones. When laws are changed from outside the community there seems to be a presumption of homogeneity within the community. As we have seen throughout this thesis, this is a troubling assumption to make. Cultures

⁴⁷³ Saharso, “Feminist Ethics, Autonomy and the Politics of Multiculturalism”, p. 199.

are not static, homogeneous entities that require regulation by either the state or the respected community elders. By encouraging dialogue and debate to flourish within, women might find new and satisfactory ways of combining their various commitments.

Vehement and indiscriminate attacks on traditional practices may make a community group defensive, thereby weakening the position of minority women in their attempts to launch an internal challenge to harmful practices. It is essential that minority women are given an opportunity to formulate a criticism of their practices from within their own tradition. Minority women have the potential to be the most effective and devastating social critics of the traditional practices that harm them. Their knowledge and experience – and the ability to speak the language of the group – give them an authority that cannot be replicated by outsiders.⁴⁷⁴

This echoes what Saharso and Verhaar term “contextual” thinking, which potentially results “in solutions that are more widely acceptable”.⁴⁷⁵ Contextual thinking in multicultural affairs is important because, as Monica Mookherjee reminds us,

a) women’s positive interests, goals and priorities are not always synonymous with liberal interests; and (b) the vulnerabilities that they experience can also often depend on the specificities of their cultures. Therefore, contextual responses to women’s rights are required in contemporary multicultural states, which recognise the interplay between the universal and the particular in an account of justice that is concerned with redressing hierarchical group relations and prompting civic equality.⁴⁷⁶

Ultimately, the tripartite understanding of autonomy is a relational way of thinking about our various attachments. It is a normative understanding that has

⁴⁷⁴ Malik, “The Branch on Which We Sit; Multiculturalism, Minority Women and Family Law”, p. 219.

⁴⁷⁵ Saharso and Verhaar, “Headscarves in the Police Force and the Court: Does Context Matter?”, pp. 68-86.

⁴⁷⁶ Mookherjee, *Women’s Rights as Multicultural Claims*, p. 58.

emancipatory potential in so far as it encourages a positive sense of self – a perhaps basic, but nonetheless crucial, objective necessary for a non-paternalist form of egalitarianism. Equality is intrinsic, in so far as the definition of self-worth is one that hinges on the view of the self as an equal and capable human being. However, the practical implications of this view of equality are left under-defined, in ways that continue to respect plurality.

This under-definition is what enables new possibilities of thought and action, allowing us to

displace static representations so that we may dream on and unhinge the unconscious connections we make between race, sex, and desire, connections that ensnare us in hierarchies.⁴⁷⁷

5. Conclusions

Virginia Woolf's *A Room of One's Own* is evocative of some of the issues this thesis deals with.⁴⁷⁸ For Woolf, women required two things if they were to produce work of a high quality. Firstly, they required the economic ability to have their own room. Analogously, multiculturalism stresses that certain rights are required for minorities to be able to be truly equal to the majority, in terms of their ability to access and participate in their societies. Secondly, a room also refers to the freedom to be able to create, the space where women can develop their artistic license. It is here where Woolf's title is particularly reminiscent of the concerns of this thesis. Having one's own room, one's own space where one can be oneself, is similar to the idea of autonomy. Individuals need their own space in order to be able to be themselves, to imagine, to dream, to create.

However, rooms are not just dissociated entities, scattered around and with no connection to one another. Rooms are normally within houses – in this case a house would be analogous to society. Households (very much like societies and

⁴⁷⁷ Cornell, *At the Heart of Freedom*, p. 25.

⁴⁷⁸ Virginia Woolf, *A Room of One's Own* (London: Penguin, 1945).

states) are defined by certain rules and expectations. There are some things which are permissible; there are some that are not. But neither states nor households can be defined only through their laws. Emotions, attachments and love very often form part of the relations within houses. Both rules and emotions will inform what happens in the private space of the room, one's own self. In a way, this thesis looks at the relations between a room and the house it is within. How does the social inform ourselves? And what does that mean in terms of the rules and regulations that ought to operate over the house?

One norm that operates in our "home" is freedom. The liberty to do what we want is considered a central value in our societies. We value freedom because it enables us the liberty to do what we want – so long as we have the means to do those things. While the primacy of freedom is central, questions arise when individuals exercise it to choose things that are perceived as being harmful. This is especially true in societies that are culturally, religiously and ethnically plural.

Autonomy emerges as one of the central criteria that define the permissibility of a practice. It is not easy to understand why individuals might freely choose things that are harmful. Indeed, there is a tendency to assume that these cannot possibly be freely chosen – they are the effects of coercion and thus should be disallowed in a bid to protect the freedom of those who are being forced to engage in these practices.

This thesis has argued that autonomy is, and should be, a consideration when thinking about the permissibility of different practices. However, in order not to assume that all unequal practices and choices are forced, it is necessary to pay attention to what considerations are central. Given the realities of social life, and the plurality it encompasses, it is crucial to have a conception of autonomy that respects the many options individuals might have, and how they interpret the meaning and significance of these. Autonomy needs to be understood in a plural way so as to make sense of the ways in which individuals live and make decisions. However, oppressive forms of socialisation, because of their effect on the self-conception of individuals, might harm individuals' abilities to be autonomous. There are instances where autonomy is not present, and a

conception of autonomy needs to be able to account for these cases without being prescriptive about the ways inequality and oppression might manifest itself.

I have argued that content neutrality is a good way of respecting plurality. However, content neutrality alone is not sufficient. Content neutrality without reference to some other substantive commitment can be dangerous, leading to a form of relativism where all instances of decision-making can be considered autonomous. Furthermore, autonomy is more than an instance of decision-making: it is the process whereby individuals come to be themselves. As such, it must contain reference to something other than *how* we come to make decisions. I argue that holding self-worth as the necessary substantive underpinning in a conception of autonomy allows the conception to be both egalitarian without being prescriptive about the form this egalitarianism must take. Self-worth matters because it is through it that individuals can truly form the self-conceptions, plans and preferences that really matter to them. By combining agnosticism on the content of choices with the substantive commitment to self-worth it is possible to delineate the starting points of a conception of autonomy capable of respecting plurality without being relativistic.

This conception respects the reality of concrete embodiment. Rationality is a part, but by no means the defining feature, of autonomous deliberation. Emotions and attachments also play a role, allowing for the conception to be truer to the ways individuals actually make decisions. Autonomy emerges as something internal, distinct from action, and thus truly honours the intuition that it is a highly individual, personal process.

The tripartite conception of autonomy does not hold that autonomy necessarily leads to happiness or equality. It can potentially be emancipatory, in so far as it is a useful consideration when thinking about ‘feminism from within’ strategies that seek to find solutions and approaches that ground universality within specific embodiment. Ultimately, a commitment to self-worth respects the moral equality of persons whilst allowing the space for various commitments and interpretations to exist within multicultural frameworks. Equality needs to respect the “room of one’s own”, the autonomy that agents display and their own

interpretations and understandings of choices in order for it to be a truly fair endeavour.

Bibliography

Ahmed, Leila. *Women and Gender in Islam: Historical Roots of a Modern Debate*. New Haven: Yale University Press, 1992.

Al-Hibri, Azizah. "A study of Islamic Herstory: or how did we ever get into this mess?", in *Women and Islam*. Edited by Aziza al-Hibri. New York, Pergamon Press, 1982.

------. "Is Western Patriarchal Feminism Good for Third World/Minority Women?", in *Is Multiculturalism Bad for Women?*. Edited by Susan M. Okin. Princeton, New Jersey: Princeton University Press, 1999, pp. 41-46.

Anzaldúa, Gloria. *Borderlands/La Frontera*. San Francisco: Aunt Lute Books, 2007.

Appiah, Kwame Anthony. *The Ethics of Identity*. Princeton: Princeton University Press, 2001.

Babbitt, Susan. "Feminism and Objective Interests: The Role of Transformation Experiences in Rational Deliberation", in *Feminist Epistemologies*. Edited by Linda Alcoff and Elizabeth Potter. New York: Routledge, 1993, pp. 245-264.

Baier, Annette. *Postures of the Mind: Essays on Mind and Morals*. Minneapolis: University of Minnesota Press, 1985.

Barry, Brian. *Culture and Equality*. Cambridge: Polity Press, 2003.

Bartky, Sandra. "Foucault, Femininity and the Modernisation of Patriarchal Power", in *Feminist Social Thought: A Reader*, ed. Diana Tietjens Meyers. London: Routledge, 1997.

Barvosa Carter, Edwina. "Mestiza Autonomy as Relational Autonomy: Ambivalence and the Social Character of Free Will", *The Journal of Political Philosophy*, Vol. 15, No. 1(2007), pp. 1-21.

------. *Wealth of Selves: Multiple Identities, Mestiza Consciousness and the Subject of Politics*. Texas: Texas A&M University Press, 2008.

de Beauvoir, Simone. *The Second Sex*. London: Vintage, 1997.

Beck, Lois and Nikki R. Keddie (Editors). *Women in the Muslim World*. Cambridge: Mass: Harvard University Press, 1978.

bell hooks. *Ain't I a Woman: Black Women and Feminism*. London: Pluto Press, 1993.

Benhabib, Seyla. *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton, NJ: Princeton University Press, 2002.

------. *Situating the Self*. Cambridge, Oxford: Polity Press 1992.

Benson, Paul. "Blame, Oppression and Diminished Moral Competence", in *Moral Psychology: Feminist Ethics and Social Theory*. Edited by Peggy DesAutels and Margaret Urban Walker. Lanham, Maryland: Rowman & Littlefield Publishers, 2004, pp. 183-200. "Freedom and Value", *Journal of Philosophy*, Vol. 84, No. 9 (1987), pp. 465-87.

------. "Feeling Crazy: Self-Worth and the Social Character of Responsibility", in *Relational Autonomy*. Edited by Catriona Mackenzie and Natalie Stoljar. Oxford: Oxford University Press, 2000, pp. 72-93.

------. "Free Agency and Self-Worth", *The Journal of Philosophy*, Vol. 91, No. 12 (1994), pp. 650-658.

------. "Autonomy and Oppressive Socialisation", *Social Theory and Practice*, Vol. 17, No. 3 (1991), pp. 385-408.

------. "Feminist Second Thoughts about Free Agency", *Hypatia*, Vol. 5, No. 3 (1990), pp. 47-54.

Bernstein, Matthew. "Socialisation and Autonomy", *Mind*, New Series, Vol. 92, No. 365 (1983), pp. 120-123.

Bhandar, Brenna. "The Ties that Bind: Multiculturalism and Secularism Reconsidered", *Journal of Law and Society*, Vol. 36, No. 3 (2009), pp. 301-26.

Bourdieu, Pierre. *Masculine Domination*. Cambridge: Polity Press, 2001.

Bullock, Katherine. *Rethinking Muslim Women and the Veil: Challenging Historical and Modern Stereotypes*. London: International Institute of Islamic Thought, 2002.

Chambers, Clare. *Sex, Culture and Justice: The Limits of Choice*. Pennsylvania: Pennsylvania University Press, 2008.

------. "Autonomy and Equality in Cultural Perspective: Response to Sawitri Saharso", *Feminist Theory*, Vol. 5, No. 3 (2004), pp. 329 – 332.

Chiu, Daina. "The Cultural Defense: Beyond Exclusion, Assimilation and Guilty Liberalism", *California Law Review*, Vol. 82 (1994), pp. 1053 – 1128.

Chodrow, Nancy. *The Reproduction of Mothering*. Berkley: University of California Press, 1978.

------. "Gender, Relation and Difference in Psychoanalytic Perspective", in *The Future of Difference*. Edited by Hester Eisenstein and Alice Jardine. N.J.; Rutgers University Press, 1985.

Christman, John. "Feminism and Autonomy", in *Nagging Questions: Feminist Ethics and Everyday Life*, edited by Dana Bushnell. Lanham, Md.: Rowman and Littlefield, 1995, pp. 17-40.

------. "Liberalism and Individual Positive Freedom", *Ethics*, Vol. 101, No. 2 (1991), pp. 343-359.

-----, "Introduction", in *The Inner Citadel: Essays on Individual Autonomy*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp. 3-26.

Code, Lorraine. *What Can She Know? Feminist Theory and the Construction of Knowledge*. Ithaca, N.Y.: Cornell University Press, 1991.

Coleman, Dorianne L. "Individualising Justice Through Multiculturalism: The Liberal's Dilemma", *Columbia Law Review*, Vol. 95 (1996), pp. 1093-1167.

Cornell, Drucilla. *At the Heart of Freedom: Feminism, Sex and Equality*. Princeton: New Jersey: Princeton University Press, 1998.

Crenshaw, Kimberlé. "Mapping the Margins: intersectionality, identity politics and violence against women of color", *Stanford Law Review*, Vol. 43, No. 6 (1991), pp. 1241-1299.

Darwall, Steven. "Two Kinds of Respect", *Ethics*, Vol. 88 (1977), pp. 36-49.

Dillon, Robin. "What's a Woman Worth? What's Life Worth? Without Self-Respect!", in *Moral Psychology: Feminist Ethics and Social Theory*. Edited by Peggy DesAutels, and Margaret Urban Walker. Lanham, Maryland: Rowman & Littlefield Publishers, 2004, pp. 47-68.

-----, "Toward a Feminist Conception of Self-Respect", *Hypatia*, Vol. 7, No. 7 (1992), pp. 52-69.

Duits, Linda and Lisbet van Zoonen. "Headscarves and Porno-Chic: Disciplining Girls' Bodies in the European Multicultural Society", *European Journal of Women's Studies*, Vol. 13, No. 2 (2006), pp. 103-117.

Durkheim, Emile. *On Suicide*. London, New York: Penguin Books, 2006.

-----, *The Elementary Forms of Religious Life*. New York: Free Press, 1995.

-----, *The Rules of Sociological Method*. Glencoe: Free Press, 1966.

Dustin Moira and Anne Phillips. "Whose Agenda Is It? Abuses of Women and Abuses of 'Culture' in Britain", *Ethnicities*, Vol. 8, No. 3 (2008), pp. 405-424.

Dworkin, Gerald. *The Theory and Practice of Autonomy*. Cambridge: Cambridge University Press, 1997.

Eisenberg, Ronald. *Jewish Traditions*. Philadelphia: The Jewish Publication Society, 2008.

El Guindi, Fadwa. "The Veil Becomes a Movement", in *Women and Islam: Critical Concepts in Sociology Volume II*. Edited by Haideh Moghissi. London: Routledge, 2005, pp. 70-91.

-----, *Veil: Modesty, Privacy and Resistance*. Oxford: Berg, 1999.

Elster, Jon. *Sour Grapes: Studies in the Subversion of Rationality*. Cambridge: Cambridge University Press, 1983.

Feinberg, Joel. "Autonomy", in *The Inner Citadel: Essays on Individual Autonomy*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp. 27-53.

Festenstein, Matthew. *Negotiating Diversity*. Cambridge: Polity Press, 2005.

Frankfurt, Harry G. *Necessity, Volition and Love*. Cambridge: Cambridge University Press, 1999.

----- *The Importance of What We Care About: Philosophical Essays*. Cambridge: Cambridge University Press, 2006.

----- "Freedom of the Will and the Concept of a Person", *The Journal of Philosophy*, Vol. 68, No. 1. (1971), pp. 5-20.

----- "Alternate Possibilities and Moral Responsibility", *Journal of Philosophy* Vol. 66, No. 23 (1969), pp. 829-43.

Fraser, Nancy and Axel Honneth. *Redistribution or Recognition? A Political-Philosophical Exchange*. London: Verso Books, 2003.

----- *Justice Interruptus*. New York: Routledge, 1997.

----- "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age", *New Left Review*, No. 1/212 (1995), pp. 68-93.

Freud, Sigmund. *Civilisation and its Discontents*. Oxford: Penguin Classics, 2002.

Friedman, Marilyn. *Autonomy, Gender, and Politics*. Oxford: Oxford University Press, 2003.

----- "Autonomy and Social Relationships: Rethinking the Feminist Critique", in *Feminists Rethink the Self*. Edited by Diana T. Meyers. Boulder: Colorado: Westview, 1997, pp. 40-61.

----- "Autonomy and the Split Level Self", *Southern Journal of Philosophy*, Vol. 24, No. 1 (1986), pp. 19-35.

----- "Moral Integrity and the Deferential Wife", *Philosophical Studies*, Vol. 47 (1985), pp. 141-150.

Gadamer, Hans-Georg. "The Universality of the Hermeneutical Problem", in *Philosophical Hermeneutics*. Edited by David E. Linge. Berkeley, California: University of California Press, 2008, pp. 3-17.

Galeotti, Anna E. "A Problem with Theory: A Rejoinder to Moruzzi", *Political Theory*, Vol. 22, No. 4 (1994), pp. 673 -677.

----- "Citizenship and Equality: the Place for Toleration", *Political Theory*, Vol. 21, No.4 (1993), pp. 585-605.

Gertz, Nurith. *Myths in Israeli Culture*. London: Vallentine Press, 2000.

Gilligan, Carol. *In a Different Voice: Psychological Theory and Women's Development*. Cambridge: Massachusetts and London: England: Harvard University Press, 2003.

Govier, Trudy. "Self-trust, Autonomy and Self-Esteem", *Hypatia*, Vol. 8, No. 1 (1993), pp. 99-120.

Gutmann, Amy. "Introduction", in *Multiculturalism: Examining the Politics of Recognition*. Edited by Amy Gutmann and Charles Taylor. Princeton, N.J.: Princeton University Press, 1994, pp. 3-24.

-----, and Charles Taylor. *Multiculturalism: Examining the Politics of Recognition*. Princeton, N.J.: Princeton University Press, 1994.

Hacking, Ian. "Making up People", in *Reconstructing Individualism: Autonomy, Individuality and the Self in Western Thought*. Edited by Thomas Heller, Morton Sosna and David E. Wellbery. Stanford: Stanford University Press, 2006, pp. 222-236.

Harris, Clive. "Beyond Multiculturalism? Difference, Recognition and Social Justice", *Patterns of Prejudice*, Vol. 35, No.1 (2001): 13-34.

Held, Virginia. *Feminist Morality*. Chicago: University of Chicago Press, 1993.

Hélie-Lucas, Marie Aimée. "The Preferential Symbol for Islamic Identity: Women in Muslim Personal Laws", in *Feminist Theory Reader: Local and Global Perspectives*. Edited by Carole McCann and Seung-Kyung Kim. New York: Routledge, 2002, pp. 188-196.

Hill, Thomas E. "Servility and Self-Respect", *The Monist*, Vol. 57, No. 1 (1973), pp. 87-104.

Hirschmann, Nancy. *The Subject of Liberty: Toward a Feminist Theory of Freedom*. Princeton and Oxford: Princeton University Press, 2003.

-----, "Western Feminism, Eastern Veiling and the Question of Free Agency", *Constellations*, Vol. 5. No.3 (1998), pp. 345-368.

Honig, Bonnie. "My Culture Made Me Do It", in *Is Multiculturalism Bad for Women?* Edited by Susan M. Okin. Princeton, N. J.: Princeton University Press, 1999, pp. 35-40.

Honneth, Axel. *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. Cambridge: Polity Press, 1995.

Hume, David. "Of Liberty and Necessity", in *Introduction to Philosophy: Classical and Contemporary Readings*. Edited by John Perry and Michael Bratman. Oxford, New York: Oxford University Press, 1999.

Jansen, Michael. *Dissonance in Zion*. London: Zed Books, 1987.

Jeffreys, Sheila. *Beauty and Misogyny: Harmful Cultural Practices in the West*. London: Routledge, 2005.

Kane, Robert. "Free Will: The Elusive Ideal", *Philosophical Studies*, Vol. 75, No. 1/2 (1994), pp. 25-60.

Kelly, Paul. "Introduction: Between Culture and Equality", in *Multiculturalism Reconsidered*. Edited by Paul Kelly (Cambridge and Oxford: Polity Press, 2002), pp. 1-17.

Kim, Nancy. "The Cultural Defense and the Problem of Cultural Preemption: A Framework for Analysis, *New Mexico Law Review*, Vol. 27 (1997), pp. 101-139.

Kohlberg, Lawrence. *The Development of Modes of Thinking and Choices in Years 10 to 16*. Ph. D. Dissertation, University of Chicago, 1958.

Kymlicka, Will. *The Rights of Minority Cultures*. Oxford: Oxford University Press, 2004.

-----, *Multicultural Citizenship*. Oxford: Oxford University Press, 2003.

-----, "Liberal Complacencies", in *Is Multiculturalism Bad for Women?* Edited by Susan M. Okin. Princeton, N. J.: Princeton University Press, 1999, pp. 31-34.

-----, *Liberalism, Community and Culture*. Oxford: Clarendon Press, 1991.

Kukathas, Chandran. "Passing the Unexamined Life". *Quadrant Magazine*. July 2001.

-----, "Is Feminism Bad for Multiculturalism?", *Public Affairs Quarterly*, Vol. 15 (2001), pp.83-98.

-----, *The Liberal Archipelago*. Oxford: Oxford University Press, 2003.

-----, "Are there any cultural rights", *Political Theory*, Vol. 20, No. 1 (2002), pp. 105-139.

Laborde, Cecile. *Critical Republicanism: The Hijab Controversy and Political Philosophy*. Oxford: Oxford University Press, 2008.

-----, "Female Autonomy, Education and the Hijab", *Critical Review of International Social and Political Philosophy*, Vol. 9, No. 3 (2006), pp. 351 – 377.

-----, "Secular Philosophy and Muslim Headscarves", *Journal of Political Philosophy*, Vol. 13, No. 3 (2005), pp. 305-329.

Law, Iain. "Autonomy, Sanity and Moral Theory", *Res Publica*, Vol. 9 (2003), pp. 39-56.

Lugones, María. *Pilgrimages/Peregrinajes: Theorizing Coalition Against Multiple Oppressions*. Maryland: Rowman & Littlefield, 2003.

MacIntyre, Alasdair. *Whose Justice? Which Rationality?* London: Duckworth, 1988.

------. *After Virtue*. London, Duckworth, 1981.

Mackenzie, Catriona. "Autonomy, Gender and Politics", review of *Autonomy Gender and Politics* by Marilyn Friedman, Notre Dame Philosophical Reviews, June 12, 2003. Found at <http://ndpr.nd.edu/review.cfm?id=1295>.

------. and Natalie Stoljar, "Introduction: Autonomy Reconfigured", in *Relational Autonomy: Feminist Perspectives on Autonomy, Agency and the Social Self*. Edited by Catriona Mackenzie and Natalie Stoljar. New York, Oxford; Oxford University Press, 2000, pp. 3-34.

------. and Natalie Stoljar (Editors). *Relational Autonomy: Feminist Perspectives on Autonomy, Agency and the Social Self*. New York, Oxford; Oxford University Press, 2000.

MacKinnon, Catharine. *Toward a Feminist Theory of the State*. Cambridge: Harvard University Press, 1989.

MacLeod, Arlene E. "Hegemonic Relations and Gender Resistance: The New Veiling as Accommodating Protest in Cairo", *Signs*, Vol. 17, No. 3 (1992), pp 533-557.

Madhok, Sumi. "Autonomy, Gendered Subordination and Transcultural Dialogue", *Journal of Global Ethics*, Vol. 3, No. 3 (2007), pp. 335-357.

Magnarella, Paul. "Justice in a Culturally Pluralistic Society: The Cultural Defense on Trial", *Journal of Ethnic Studies*, Vol. 19, No. 3 (1991), pp. 65-84.

Mahmood, Saba. *Politics of Piety: The Islamic Revival and the Feminist Subject*. Princeton, NJ: Princeton University Press, 2005.

------. "Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival", *Cultural Anthropology*, Vol. 16, No. 2 (2001), pp. 202-236.

Malik, Maleiha. "The Branch on Which We Sit; Multiculturalism, Minority Women and Family Law", in *Feminist Perspectives on Family Law*. Edited by Alison Didduck and Katherine O'Donovan. Milton Park, Abingdon: Routledge Cavendish, 2006, pp. 211-234.

Mason, Andrew. "Multiculturalism and the Critique of Essentialism", in *Multiculturalism and Political Theory*. Edited by Anthony S. Laden and David Owen. Cambridge: Cambridge University Press, 2007, pp. 221-243.

Massad, Joseph A. "Zionism's Internal Others: Israel and the Oriental Jews", *Journal of Palestine Studies*, Vol. XXV, No. 4 (1996), pp. 53-68.

Margalit, Avishai and Joseph Raz. "National Self-Determination", *Journal of Philosophy*, Vol. 87 No. 9 (1990), pp. 439-461.

------. also in *The Rights of Minority Cultures*. Edited by Will Kymlicka. Oxford: Oxford University Press, 2004, pp. 79-92.

Marshall, Gordon. *Oxford Dictionary of Sociology*. Oxford: Oxford University Press, 1998.

Marx, Karl. *Eighteenth Brumaire of Louis Bonaparte*. Moscow: Progress Publishers, 1983.

Mead, George H. *Mind, Self and Society*. Chicago: University of Chicago Press, 1934.

Mendus, Susan. *Feminism and Emotion: Readings in Moral and Political Philosophy*. Basingstoke: Hampshire, 2000.

Mernissi, Fatima. *Beyond the Veil: Male-Female Dynamics in a Modern Muslim Society*. London: Al Saqi, 1985.

-----, "Virginity and Patriarchy" in *Women and Islam*. Edited by Aziza Al-Hibri. New York: Pergamon Press, 1982.

Meyers, Diana T. *Gender in the Mirror*. Oxford: Oxford University Press, 2002.

-----, "Intersectional Identity and the Authentic Self? Opposites Attract!" in *Relational Autonomy*. Edited by Catriona Mackenzie and Natalie Stoljar . Oxford: Oxford University Press, 2000, pp. 151-180.

-----, "Feminism and Women's Autonomy: the Challenge of Female Genital Cutting", *Metaphilosophy*, Vol. 31, No. 5 (2000), pp. 469-491.

-----, (Editor). *Feminist Social Thought: A Reader*. London: Routledge, 1997.

-----, *Self, Society and Personal Choice*. Columbia: Columbia University Press, 1989.

-----, "Personal Autonomy and the Paradox of Feminine Socialization", *The Journal of Philosophy*, Vol. 84, No. 11 (1987), pp. 619-628.

Mill, John S. *On Liberty and Other Essays*. Oxford: Oxford University Press, 1998.

Mills, Charles. "Multiculturalism as/and/or anti-racism?" in *Multiculturalism and Political Theory*. Edited by Anthony S. Laden and David Owen. Cambridge: Cambridge University Press, 2007, pp. 89-114.

Moghissi, Haideh. "Introduction", in *Women and Islam: Critical Concepts in Sociology, Volume I*. Edited by Haideh Moghissi. London: Routledge, 2005, pp. 1-34.

Mookherjee, Monica. *Women's Rights as Multicultural Claims*. Edinburgh: Edinburgh University Press, 2009.

Moruzzi, Norma C. "A Problem with Headscarves: Contemporary Complexities of Political and Social Identity", *Political Theory*, Vol. 22, No. 4 (1994a), pp. 653-672.

-----, "A Response to Galeotti", *Political Theory*, Vol. 22, No. 4 (1994b), pp. 678-9.

Murdoch, Iris. *Existentialists and Mystics*. London: Penguin Books, 1997.

Narayan, Uma. *Dislocating Cultures: Identities, Traditions and Third World Feminism*. New York: Routledge, 1997.

Nash, Jennifer. "Re-thinking Intersectionality", *Feminist Review*, Vol. 89, No. 1 (2008), pp. 1-15.

Nedelsky, Jennifer. "Meditations on Embodied Autonomy", *Graven Images*, Vol. 2 (1995), pp. 159-170.

-----, "Law, Boundaries and the Bounded Self", *Representations*, vol. 30, (1990), pp. 162-189.

-----, "Reconceiving Autonomy: Sources, Thoughts and Possibilities", *Yale Journal of Law and Feminism*, Vol 1., No. 7 (1989), pp. 7-36.

Nussbaum, Martha. *Upheavals of Thought: The Intelligence of Emotions*. New York: Cambridge University Press, 2001.

-----, *Women and Human Development: the Capabilities Approach*. Cambridge: Cambridge University Press, 2000.

-----, *Sex and Social Justice*. Oxford: Oxford University Press, 1999.

-----, *Love's Knowledge: Essays on Philosophy and Literature*. Oxford: Oxford University Press, 1990.

Okin, Susan M. "Mistresses of Their Own Destiny: Group Rights, Gender, and Realistic Rights of Exit", *Ethics*, Vol. 112, (2002), pp. 205 – 230.

-----, *Is Multiculturalism Bad for Women?* Princeton, N. J.: Princeton University Press, 1999.

-----, "Feminism and Multiculturalism: Some Tensions", *Ethics*, Vol. 108, No.4 (1998), pp. 661-684.

-----, *Justice, Gender and the Family*. New York: Basic Books, 1989.

Oshana, Marina. "Personal Autonomy and Society", *Journal of Social Philosophy*, Vol. 29, No. 1 (1998), pp. 81-102.

Otsuka, Michael. "Incompatibilism and the Avoidability of Blame", *Ethics*, Vol. 108 (1998), pp. 685-701.

Oz, Amos. *A Tale of Love and Darkness*. London: Vintage Books, 2005.

Parekh, Bhikhu. *Rethinking Multiculturalism: Cultural Diversity and Political Theory*. Cambridge, Massachusetts: Harvard University Press, 2000.

-----, "A Varied Moral World", in *Is Multiculturalism Bad for Women?* Edited by Susan M. Okin. Princeton, N. J.: Princeton University Press, 1999, pp.69-75.

Phillips, Anne. *Gender and Culture*. Cambridge: Polity Press, 2010.

-----, *Multiculturalism without Culture*. Princeton: New Jersey: Princeton University Press, 2007.

-----, and Moira Dustin. "UK Initiatives on Forced Marriage: Regulation, Exit and Dialogue", *Political Studies*, Vol. 52, No. 3 (2004), pp. 531-51.

-----, *The Politics of Presence*. Oxford: Clarendon Press, 1995.

Polak-Sahm, Varda. *The House of Secrets*. Boston: Beacon Press, 2009.

Potok, Chaim. *The Chosen*. London: Penguin, 1981.

Power, Nina. *One Dimensional Woman*. Winchester: Zed Books, 2009.

Prokhovnik, Raia. *Rational Woman: A Feminist Critique of Dichotomy*. Manchester: Manchester University Press, 2002.

Rawls, John. *A Theory of Justice*. Oxford, New York: Oxford University Press, 1999.

Raz, Joseph. "How Perfect Should One Be?", in *Is Multiculturalism Bad for Women?* Edited by Susan M. Okin. Princeton, N. J.: Princeton University Press, 1999, pp.95-9.

Reitman, Oonagh. "Multiculturalism and Feminism: Incompatibility, Compatibility or Synonymity?", *Ethnicities*, Vol V, No. 2 (2005), pp. 216-247.

-----, "On Exit", in *Minorities within Minorities: Equality, Rights and Diversity*. Edited by Avigail Eisenberg and Jeff Spinner-Halev. Cambridge: Cambridge University Press, 2005, pp. 189-208.

Renteln, Alison. "A Justification of the Cultural Defense as a Partial Excuse", *California Review of Law and Women's Studies*, Vol. 2 (1993), pp. 437-526.

Rubinstein, Ruth. *Society's Child: Identity, Clothing and Style*. Boulder, Colorado: Westview Press, 2000.

Sandel, Michael. *Democracy's Discontent*. Cambridge, Massachusetts: Harvard University Press, 1995.

-----, *Liberalism and the Limits of Justice*. Cambridge: Cambridge University Press, 1982.

Sams, Julia. "The Availability of the 'Cultural Defense' as an Excuse for Criminal Behaviour", *Georgia Journal of International and Comparative Law*, Vol. 16 (1986), pp. 335-354.

Saharso, Sawitri and Baukje Prins. "In the Spotlight: A Blessing and a Curse for Immigrant Women in the Netherlands", *Ethnicities*, Vol. 8, No. 3 (2008), pp. 365-384.

-----, and Doutje Lettinga. "Contentious Citizenship: Policies and Debates on the Veil in the Netherlands", *International Studies in Gender, State and Society*, Vol. 15, No. 4 (2008), pp. 455-480.

-----, and Odile Verhaar. "Headscarves in the Policeforce and the Court: Does Context Matter?", *Acta Politica*, Vol. 41, No. 1 (2006), pp. 68-86.

-----, "Sex Selective Abortion: Gender, Culture and Dutch Public Policy", *Ethnicities*, Vol. 5, No. 2 (2005), pp. 248-281.

-----, and Veit Bader. "Introduction: Contextualised Morality and Ethno-Religious Diversity", *Ethical Theory and Moral Practice*, Vol. 7, No. 2 (2004), pp. 107-115.

-----, "Feminist Ethics, Autonomy and the Politics of Multiculturalism", *Feminist Theory*, Vol. 4, No. 2 (2003), pp. 199-215.

Schuster, Lisa. "Common sense or racism? The treatment of asylum-seekers in Europe", *Patterns of Prejudice*, Vol. 37, No. 3 (2003), pp. 233-255.

Scott, Joan. *The Politics of the Veil*. Princeton and Oxford: Princeton University Press, 2007.

Sen, Amartya. *Commodities and Capabilities*. Amsterdam: North Holland, 1985.

-----, *Poverty and Famines: an Essay on Entitlement and Deprivation*. Oxford, Clarendon Press, 1981.

Shachar, Ayelet. "What We Owe Women: The View from Multicultural Feminism", in *Toward a Humanist Justice: The Political Philosophy of Susan Moller Okin*. Edited by Debra Satz and Rob Reich. Oxford: Oxford University Press, 2009, pp. 143-165.

-----, *Multicultural Jurisdictions*. Cambridge: Cambridge University Press, 2001.

Shaheed, Farida. "The Articulation of Patriarchy: Legal Systems, Islam and Women", in *Women and Islam: Critical Concepts in Sociology, Vol. I*. Edited by Haideh Moghissi. London, Routledge, 2005, pp. 224-243.

Squires, Judith. "Culture, Equality and Diversity" in *Multiculturalism Reconsidered*. Edited by Paul Kelly. Cambridge: Polity Press, 2002, pp. 114-132.

Starr Sered, Susan. "Ritual, Morality and Gender: The Religious Lives of Oriental Jewish Women in Jerusalem", in *Women in Israel*. Edited by Yael Azmon and Dafna N. Izraeli. New Brunswick, New Jersey: Transaction Publishers, 2009, pp. 225-234.

Stasi, Bernard. *Laïcité et République. Rapport de la Commission de Réflexion sur l'application du Principe de laïcité dans la république*. Paris: La Documentation Française, 2003.

Steele Claude and Joshua Aronson. "Stereotype threat and the intellectual test performance of African Americans", *Journal of Personality and Social Psychology*, Vol. 69, No. 5 (1995), pp. 797-811.

Stoljar, Natalie. "Autonomy and the Feminist Intuition", in *Relational Autonomy: Feminist Perspectives on Autonomy, Agency and the Social Self*. Edited by Catriona Mackenzie and Natalie Stoljar. Oxford: Oxford University Press, 2000, pp. 94-111.

Strawson, George. "The Impossibility of Moral Responsibility", *Philosophical Studies*, Vol. 75, No. 1/2 (1994), pp. 5-24.

Sunder, Madhavi. "Piercing the Veil", *The Yale Law Journal*, Vol. 112, No. 6 (2003), pp. 1399-1472.

-----."Cultural Dissent", *Stanford Law Review*, Vol. 545 (2001), pp. 495-517.

Tamir, Yael. "Siding with the Underdogs", in *Is Multiculturalism Bad for Women?* Edited by Susan M. Okin. Princeton, New Jersey: Princeton University Press, 1999, pp. 47-52.

-----, *Liberal Nationalism*. Princeton: Princeton University Press, 1993.

Taylor, Charles. *Philosophical Arguments*. Cambridge, Mass.: Harvard University Press, 1995.

-----, *Sources of the Self*. Cambridge: Cambridge University Press, 1995.

-----, "The Politics of Recognition", in *Multiculturalism: Examining the Politics of Recognition*. Edited by Amy Gutmann and Charles Taylor. Princeton, N.J.: Princeton University Press, 1994, pp. 25-73.

-----, *The Ethics of Authenticity*. Cambridge, Massachusetts and London, England: Harvard University Press, 1991.

Taylor, Richard. "Freedom and Determinism", in *Introduction to Philosophy: Classical and Contemporary Readings*. Edited by John Perry and Michael Bratman. Oxford, New York: Oxford University Press, 1999, pp. 437-449.

Thalberg, Irving. "Hierarchical Analyses of Unfree Action", in *The Inner Citadel: Essays on Individual Autonomy*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp. 123-136.

Tully, James. "Struggles over Recognition and Redistribution", *Constellations*, Vol. 7 (2000), pp. 469-482.

Van Broeck, Jeroen. "Cultural Defence and Culturally Motivated Crimes (Cultural Offences)", *European Journal of Crime, Criminal Law and Criminal Justice*, Vol. 9, No. 1 (2001), pp. 1-32.

Van Inwaagen, Peter. "The Incompatibility of Free Will and Determinism", *Philosophical Studies*, Vol. 27, No. 3 (1975), pp. 185-199.

Volpp, Leti. "Feminism versus Multiculturalism", *Columbia Law Review*, Vol. 101, No. 5 (2001), pp. 1181-1218.

-----, "(M)isidentifying Culture: Asian Women and the 'Cultural Defence'", *Harvard Women's Law Journal*, Vol. 17 (1994), pp. 57-101.

Wallace, Kathleen. "Autonomous 'I' of an Intersectional Self", *The Journal of Speculative Philosophy*, Vol. 17, No. 3 (2003), pp. 176-191.

Walters, Natasha. *Living Dolls: The Return of Sexism*. London: Virago, 2010.

Walzer, Michael. *Interpretation and Social Criticism*. Cambridge, Massachusetts: Harvard University Press, 1987.

-----, *Spheres of Justice*. Oxford, Blackwell, 1983.

Watson, Gary. "Free Agency", *Journal of Philosophy* LXXII (1975).

-----, also in *The Inner Citadel*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp. 109-122.

Weber, Max. *The Protestant Ethic and the Spirit of Capitalism*. London: Routledge, 2001.

Weil, Patrick. "Lifting the Veil of Ignorance", Policy Network, Community and Inequality Working Group, Vol. 3, No. 1 (2004).

Weir, Shelag. *Palestinian Costume*. London: British Museum Publications, 1989.

Wistrich, Robert and David Ohana. *The Shaping of Israeli Identity: Myth, Memory and Trauma*. London: Frank Cass & Co., 1995.

Wolf, Naomi. *The Beauty Myth*. London: Chatto & Windus, 1990.

Wolf, Susan. "Freedom Within Reason", in *Personal Autonomy: New Essays on Personal Autonomy and its Role in Contemporary Moral Philosophy*. Edited by James Stacey Taylor. Cambridge: Cambridge University Press, 2005, pp. 258-276.

-----, *Freedom Within Reason*. Oxford: Oxford University Press, 1990.

-----, "Sanity and the Metaphysics of Responsibility", in *The Inner Citadel*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp.137-154.

Woolf, Virginia. *A Room of One's Own*. London: Penguin, 1945.

Young, Iris M. "Gender as Seriality: Thinking about Women as a Social Collective", *Signs*, Vol. 19 (1994), pp. 713-738.

-----, *Justice and the Politics of Difference*. Princeton, N.J.: Princeton University Press, 1990.

Young, Robert. "Autonomy and Socialisation", *Mind*, New Series, Vol. 89, No. 356 (1990), pp. 565-576

-----, "Autonomy and the Inner Self", in *The Inner Citadel*. Edited by John Christman. Oxford: Oxford University Press, 1989, pp. 77-90.

-----, "Compatibilism and Conditioning", *Noûs*, Vol. XIII (1979), pp. 361-378.