

Multidimensional equalities

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MULTIDIMENSIONAL EQUALITIES

Anne Phillips

Multiculturalism without Culture

Princeton, NJ and Oxford: Princeton University Press, 2007, 202 pp.,

ISBN 978-0-691-12944-0

Judith Squires

The New Politics of Gender Equality

Basingstoke and New York: Palgrave Macmillan, 2007, 206 pp.,

ISBN 978-0-230-00769-7

These two books engage with issues of great importance to feminist theory and practice today. Both are to be highly recommended. Their initial approaches to gender equality problematics are quite different. But they clearly share a common concern: that established gender equality agendas expand and adapt to include the challenges of multi-ethnic and multi-religious societies. The ways they address this common concern makes a parallel reading of the two books quite rewarding.

Judith Squires' point of departure, in *The New Politics of Gender Equality*, is the observation that gender equality has moved from the margins to the centre of liberal democratic discourse and policy-making. Gender equality politics has become mainstream, pursued by international organizations and national governments alike, while feminist activists similarly have turned their attention towards the state and increasingly work through bureaucracies and networks as professional gender equality advocates. A major source of concern with these kinds of developments is, however, that technocratic modes of governance will embrace gender equality to the point of distorting (most) feminist visions of structural and institutional change.

Anne Phillips's main concern, in *Multiculturalism without Culture*, is not with mainstream gender equality politics in this highly institutionalized respect. Instead, as her point of departure she locates her task in the space between gender equality and cultural diversity – that is at the exact place where liberal states' increasing commitment to gender equality coincides with an increasing disregard for cultural and religious difference and diversity. Cross-nationally, a commonly observed political 'retreat' from multiculturalism, or even 'crisis' of multiculturalism, is increasingly tied to gender equality concerns. Gross violations of women's and girls' autonomy and rights to self-determination are interpreted as caused by culture and in turn give rise to specific culture-targeted political initiatives. While specific initiatives to protect the rights of girls and women are clearly necessary, a generally phrased critique of multiculturalism is also problematic to the extent that gender equality values become a means to demonize minority groups. Not least is this risk obvious from the appropriation and strategic uses of gender equality values by the radical right and anti-immigration forces.

Both Judith Squires' and Anne Phillips's new books thus debate the political breakthrough for values and norms of gender equality in terms of their unintended/unwanted political consequences. One is concerned that feminism will become the victim of its own successes and be lost in the hands of (trans)national gender mainstreaming technocracy. The other is concerned that feminism will

become the ultimate weapon by which state-sponsored multiculturalism is defeated, and only blunt assimilation prevails.

Squires' *The New Politics of Gender Equality* demonstrates the global gender equality breakthrough by means of a close investigation of three key strategies employed by national governments, international organizations like the UN and transnational structures like the EU. These are gender quotas, women's policy agencies and gender mainstreaming. Her analysis of the global spread of ideas like parity in participation and gender-sensitive policy-making is fascinating, not least because it shows how the women's movement for the past 30 years has been operating on a truly transnational scene. She gives a detailed account of the global spread of gender quota politics – 'widely viewed as the most effective means of increasing the representation of women' (p. 25); their application by political parties, local government and national parliaments around the world. In this, she also draws on the work of the International IDEA (Institute for Democracy and Electoral Assistance) sponsored comparative quotas project led by Drude Dahlerup. Quota politics owe much to early forms of innovative Scandinavian state feminism. Through Squires' book we learn how the basic political arguments in favour of gender quotas – the feminist concerns about participatory justice – are currently reflected in the principal recommendations by the UN for gender balance in decision-making. No small success, this.

Women's policy agencies, on the other hand, are those pure bureaucratic structures regularly dealing with the promotion of the status of women – the 'gender machinery' driven by professional 'femocrats' (p. 33). Again, Squires elaborates in detail on the no less fascinating story of the gender machinery globalization process – the international promotion of equality policy agencies (mainly by the UN) since the first World Conference on Women in Mexico City in 1975. Squires also describes the gradual evolution of gender machinery into gender mainstreaming strategies, with mainstreaming becoming a favoured tool of these agencies by the 1990s. Mainstreaming mainly represents 'a call for the diffusion of gender issues beyond the remits of women's policy agencies to the full range of policy-making departments within institutions and governments' (p. 39). As such, it has been embraced by major international and transnational institutions – the World Bank, the UN, the Council of Europe, the EU Commission, etc.

Through a close examination of these three different main equality strategies, Squires shows how feminist concerns have contributed to the transformation of institutional norms and practices. But she also shows us the other side of the coin: the transformation of feminist concerns and practices by and through institutionalization processes, where basic concerns about democratic justice have partly been supplanted by arguments and ideologies of 'women's societal utility'. The utility argument for gender equality is widespread, and at the same time deeply disturbing in the demands it places on the category 'women'. That is, to be 'useful' and thus prove in practice that we are indeed worthy of being included. In other words: the utility argument can be regarded as yet another way of constructing 'women' as 'the other', and here mainly as suited to, in particular, new public management ideologies of efficiency. Squires thus draws our attention to how new technocratic approaches to gender equality simultaneously (may) serve to marginalize rights-based thinking about equality, and sideline participatory concerns about democratic justice.

Squires moves on to highlight how concerns about gender inequality are gradually being extended to multiple inequalities. Again, the focus is on large-scale institutionalizing processes and practices. One of the main institutions for mainstreaming multiple equality agendas is the EU. Article 13 EC recognizes six key 'strands' as requiring measures to combat discrimination: sex, racial and ethnic origin, disability, age, religion and sexual orientation. These equality strands form the basis for a new political diversity agenda. Where states have previously operated with equality legislation that addresses only singular forms of inequality, they are now, partly due to EU priorities, under pressure to address not only multiple forms of discrimination, but also to consider the interaction between strands. Policies to combat multiple intersecting forms of discrimination are emerging as a central political priority across EU member states. These processes place 'gender equality' within a wider equalities framework, and challenge gender equality advocates to consider other inequality strands and the intersections between them.

Twenty years ago, Kimberlé Crenshaw coined the term 'intersectionality' as a means to articulate the ways in which women of colour were subjected to both sexism and racism in society. It also formed the basis of a critique of the feminist and the anti-racist movements for not fully acknowledging this fact. So the common ground in intersectional approaches has been outlined, by for instance Ann Phoenix, as a focus on the ways in which social categories such as gender, ethnicity, colour, age and sexual orientation, interact and constitute power hierarchies in different contexts and situations.

To me, it is in this now familiar challenge – the need to develop equalities thinking and practice that can address multiple and cross-cutting inequalities – that Squires' and Phillips's main concerns meet – and where readers in particular can benefit from reading both books in parallel.

In *Multiculturalism without Culture*, Anne Phillips explicitly locates this concern in the quite devastating feminism vs multiculturalism controversy which followed Susan Moller Okin's famous question from the late 1990s: 'Is Multiculturalism bad for Women?' The problem here, as outlined by Phillips, is twofold: the perception of clear hierarchies of culture inherent in Okin's question, and the concurrent backing away from normative judgement among those hostile to Okin's analysis. According to Phillips (p. 2), as the critics identified implicit hierarchies of culture, and rejected notions that there is one true way to gender equality, they often found themselves unable to articulate criticisms of female genital cutting, child marriage or religious conventions that gave men, but not women, the unilateral right to divorce.

Yet in large-scale political developments across Europe, the discourse and practice of multiculturalism have both come under severe attack. Multiculturalism has been blamed for failures of economic and social integration, for growing militant Islamism and for a constant lack of political alignment. And discourses of gender equality have become especially significant in being used to expose the gap between majority and minority cultures. Across Europe, a delimited, explicitly minority-group-related, gender equality agenda is now developing. I think of this agenda as one which mainly adopts a 'crisis' frame to gender equality policies. The crisis frame encompasses a series of new state initiatives to combat honour-based violence, genital mutilation, forced marriages, 'limping' divorces. But a

crisis frame may even include measures that actually limit, rather than enhance, individual rights, as when restrictions on the use of religious dress in public settings are portrayed as necessary to counter, in particular, gender hierarchies within Islam. As a result, gender equality values come to accentuate the general crisis of multiculturalism.

Phillips's main aim then, in *Multiculturalism without Culture*, is to restore to multiculturalism a defence that can contribute to greater social equality across groups, but at the same time places individuals at the core, upholding central feminist goals and visions. In short, she argues for policies that can strengthen individual rights to equal citizenship for all members of multicultural societies. This requires that 'Groups' and 'Culture' must be understood in fleeting and flexible ways – 'culture' is not solid and unchangeable, and 'groups' are neither permanent nor fixed. While arguing for flexibility, however, Phillips is unambiguous in drawing the following demarcation line: the rights that matter in developing a case for multiculturalism are those of individuals, not groups (p. 165).

Public authorities must intervene to protect women's rights when these are violated. But it is also important that public authorities act in ways that respect women's autonomy and do not contribute to the stereotyping of cultural groups. On this basis, the book engages with three different kinds of policy responses to the subjugation of women within cultural and/or religiously defined groups: regulation, exit and dialogue. Phillips draws on legal cases and court decisions, governmental initiatives and plans of actions, the 'classic' arguments of liberal political theory and feminist approaches to concrete problem-solving through forms of shared jurisdictions and what we might call practical pluralism. Phillips's writing style is admirably both engaged and effortlessly nuanced. In light of this, I am somewhat embarrassed to provide a crude summary. Still, I generally think that Phillips wishes to warn readers that regulatory strategies often risk doing too much – overstating the problems at hand. On the other hand, a reliance on exit strategies might imply too little engagement with the problems at hand. More dialogue oriented efforts often turn out to favour the institutionalized leaderships within various groups. However, Phillips seems, in the end, to find dialogue a preferable general approach to multicultural dilemmas – where people from different cultural backgrounds explain to one another why they favour particular laws and practices, and develop the skills of negotiation and compromise that enable us to live together (p. 180). This, however, can only make sense as long as we fix on the demarcation line drawn: the rights that matter are those of individuals, not groups.

In the introduction to the book, Phillips states an 'initial' ambition: she wished to approach the dilemmas of feminism and multiculturalism in terms of competing equality claims – to say that multiculturalism addresses the inequalities experienced by cultural minorities and feminism the inequalities experienced by women; that both projects draw on a shared commitment to equality and the two must therefore be balanced in circumstances where they appear to collide (p. 3).

But she did not pursue this ambition. I think it still could be a good idea to address several of these issues in terms of multidimensional equalities, as this conceptual theme has been outlined by, for instance, Dagmar Schiek in connection with European equality law. Claims for social justice are in this sense posed as claims for equal, rather than special, rights. I see them largely as practical – and very familiar

– claims of equal rights to non-discrimination – in housing, in employment, in education, in social services, in cultural expressions, in religious observance, etc. Quite simply then, multidimensional equality would refer to the multifacetedness of the various so-called 'equality strands' that require protection against discrimination. In a practical political sense, the notion of multidimensional equalities might well represent the exact 'place' where recent retreats from multiculturalism could meet with the current promotion of diverse, but still similarly basic, rights to non-discrimination. At the outset, this approach would closely relate to the new European policy agenda described by Judith Squires: the multiple equality agenda promoted by, for instance, the EU through a series of non-discrimination directives that are to be implemented in member states.

A simple meaning of multidimensional equality is this: that equality should be furthered, and discrimination prevented, on different dimensions – or as the legal expression goes – across different protected categories. To this is added the challenge of intersectional approaches to inequalities, which break with a dominant 'judicial approach' to rights protection and enhancement. Such approaches move beyond what Phillips mentions as her 'initial take', that feminism and multiculturalism pose different, but sometimes competing, equality claims, which then need to be balanced. Here, the focus is not on rights that conflict, rights that collide and rights that have to be balanced. Rather, the focus is on rights that meet, intersect and need to be jointly upheld.

One example might demonstrate the point. Let's take a closer look at some possible framings of a ban – blanket or otherwise – of the Muslim headscarf. In both policy-making and law enforcement across Europe, a ban on the headscarf is mainly treated as an issue of religious discrimination. One reason for allowing bans, then, could be gender equality concerns. This happens when the *hijab* is only construed as a symbol of women's submission in Islam. This line of reasoning represents a traditional judicial approach (as also employed by the European Court of Human Rights in Strasbourg, in the *Dahlab* and *Sahin* cases): we have – or rather we construct – two rights in conflict, and strive to balance these, or to prioritize them. It might indeed be difficult for policy-makers, or judges, to decide on the exact relationship between choice and cohesion in matters of an individual wearing of the headscarf. But when argued to be a general and unacceptable symbol of women's submission in Islam, it follows that religion should cede to gender equality.

There is however a different way of looking at this. The *hijab* could be an issue where religious and gender equality rights intersect – a situation where women should claim equal and simultaneous individual rights both to religious expression and to education and/or labour market participation. This is actually – at present – the judicial solution to the *hijab* problematic in Norway, as offered by the established 'gender machinery'. Such an intersectional reasoning has, quite consistently, been applied by the Gender Equality Ombud, who has held that *hijab* bans in the workplace violate the prohibition against indirect discrimination in the Gender Equality Act. She has grounded this approach in complaints from minority women's organizations in Norway, which largely have regarded *hijab* bans, in for instance workplaces, as an expression of discriminatory attitudes and practices in the larger society.

Clearly, these rulings represent a multidimensional approach to equality, where individual rights to non-discrimination for women belonging to minority religious communities actually prevail. I may be overly politically naive. But to me, this approach stands out as well worth following in many more situations where the challenge is exactly the one posed by Judith Squires and Anne Phillips alike: that established gender equality agendas expand and adapt to include the challenges of multicultural and multi-religious societies. It is not a general formula – it cannot cover all the complexities in questions about when to reject and when to accommodate different cultural and religious practices. But it can at least provide some fair and practical answers.

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