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## **Ethics, Feminism and International Affairs**

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### **Introduction**

In this chapter, my aim is to examine the contribution which feminist thinking makes to the ethics of international affairs. This is a more complicated matter than might at first be apparent, because feminism does not speak with one voice. Moreover, contestation within feminism as an international movement, in particular over questions of political violence and questions of peacemaking and peacebuilding has become increasingly acute over the past decade, in the wake of developments such as the passing of UNSCR 1325 and the so-called 'War on Terror'. In the first section of the chapter, because contestation over feminist ethics reflects contestation over feminist politics, I give a selective account of feminist political activism in the international sphere, in particular in relation to issues of war and peace, and the impact this has had on international politics and policy. In Section Two, I examine the trajectory thinking about international ethics that is most associated with feminism, the ethics of care. In Section Three, I examine two distinct feminist critiques of the ethics of care: justice ethics and difference ethics. In conclusion I argue that although there are disagreements between feminists about ethics and international affairs, which reflect divisions about what feminism should mean in the international realm, there are nevertheless certain thematic

commonalities that cut across these divisions. What emerges is that feminist international ethics, whether it is articulated in the language of care, of justice or of difference, shares a commitment to grounding ethics in dialogue and practice, and orienting ethical prescription in ways that are sensitive to context.

### **Feminist Activism in International Politics**

The growth of feminist and women's political movements in both state and inter-state politics over the past four decades is a worldwide phenomenon. This is not a straightforward matter to describe, as feminist/women's movements have different contexts and histories and differ in their understandings of the key values and goals of feminism - to the extent that for some campaigners on behalf of women the very label 'feminism' is suspect (Basu 1995, 1-21; Mohanty 2003; Agethangelou and Turcotte 2010). For the purposes of this chapter, however, I will use the term 'feminism' in the broadest way possible, to refer to political movements or scholarly work which is in some sense premised on the need to address the ways in which women and men are, throughout the world, systematically disadvantaged by being assigned to the category 'women' or 'feminine'. This is not to suggest that some women are not systematically advantaged in relation to some men or that most men, as well as most women, are not systematically disadvantaged in the current world order. Nor is it to suggest that only women ever occupy the devalued 'feminine' position in a binary gender order. The feminist claim is simply that the evidence bears out the continuing relevance of gender as

one principle of stratification (amongst others) that systematically disadvantages most women and some men throughout the world (Peterson and Runyan 1993; Tickner 2001; Steans 2006; Shepherd 2010).

Feminist movements and campaigns have focused on many different goals. Feminist politics has been an integral part of struggles for national liberation from imperial and colonial domination. Feminist campaigning has focused on ensuring equal civil and political rights for women, and transforming political institutions to be more representative and inclusive of women's interests. Women's material disadvantage has also been a crucial issue for feminists in both developed and developing economies. And feminists have also focused attention on violence against women; on women's rights over their own bodies or on social institutions and practices that discriminate against women. It is difficult to measure how successful feminist politics has been in relation to different issues and in different parts of the world or at the international level over time (Basu 1995; Steans 2006; Rai and Waylen 2008). However in general, women's issues and interests have gained a greater visibility across the board, including in state and international institutions, as well as domestic and international non-state movements and organizations. This can be illustrated by looking briefly at feminist interventions on issues of war and peace over the past thirty years.

The early 1980s was marked by the emergence of a distinctively feminist anti-nuclear peace politics in several Western European countries as well as the USA and Australia. Although clearly sharing much ground with other anti-war and pacifist movements, this feminist peace politics was premised on the idea of a special link

between women and peace (Harris and King 1989; Warren and Cady 1994). Essentially, these feminist peace activists reversed the dominant hierarchy of evaluation of masculine civic virtue and feminine private virtue in which the former takes priority over the latter and the latter is essentially supposed to sustain the former. As Elshtain argues, in dominant thinking about war in the western tradition, women have been placed in the position of the naturally peaceful sex whose role is to provide comfort and care for the 'just war hero' and who are invoked (along with the children) as the party on behalf of whom resort to political violence has been necessary (Elshtain 1987). In opposition to this, in the feminist peace activism of the 1980s, feminine private virtue was taken into the public realm and held up as the (subversive) yardstick of ethical conduct within that realm. The ways in which the 1980s feminist peace movement campaigned against militarism, nuclear weapons and Cold War politics embodied a challenge to standard ethical frameworks in the international context. A key part of the tactics of these campaigners was, quite literally, to make themselves visible to a world that recognised states as friends or enemies and humans as elements to be aggregated in statistics of putative death tolls, but not women as women. These tactics ranged from mothers taking babies and children with them on demonstrations (thereby quite literally putting the realm of private virtue in the public domain) to counter-posing traditional symbols of women's work and femininity to the machinery of militarism held within the bases where nuclear weapons were kept. In engaging in these kinds of activities women were affirmed as part of, and actors within, the international realm.

Peace activism represents one significant strand of feminist politics that feeds into feminism as an international and transnational movement. The 'Women in Black' network, and a variety of other anti-militarist women's peace organizations share a lot of ground with the kinds of feminist peace politics developed in the 1980s, and have forerunners going back to the foundation of the Women's International League for Peace and Freedom, founded during the First World War (Cockburn 2007; Moghadam 2010: 297). Nevertheless, it is important to note that for many feminists there were deep problems with the link between feminism and pacifism. This was true both for feminists from whom women's liberation and anti-colonial struggle were inseparable, and for equality feminists who argued that feminist peace politics played into and reproduced stereotypes about women. After the end of the Cold War, the threat of nuclear annihilation receded and a range of alternative experiences of women as protagonists and victims in modern warfare became the focus of feminist activism. Conflicts, for example in Bosnia, Liberia, Sierre Leone, Rwanda and the DRC, drew attention to the ways in which at the same time as women were gaining entry into military and paramilitary forces, and engaging in combat in increasing numbers, women were also experiencing the effects of both war and post-war contexts in gender specific ways. Feminist activists, used forums such as the UN sponsored 1995 Fourth World Women's Conference in Beijing to draw attention to the gendered effects of dispossession resulting from war, to the prevalence of sexual violence in war, and to the exclusion or marginalisation of women from peace processes and various aspects of conflict resolution and peacebuilding, including transitional justice (Enloe 1983; Vickers 1993;

Stiglmeier 1995; Steans 1998, 81-103; Moser and Clark 2001). In the push to bring women's concerns in relation to peace and war more centrally onto the international agenda, the radical feminist ethos of 1980s peace activism became allied with different strands of feminist politics, most notably, ones that emphasised the idea of women's rights as human rights, and looked to international policy and law to provide remedies for gender specific wrongs (Mackinnon 1993; 2006: 141-149).

Feminist struggles for equality of right beyond the boundaries of specific states seek to utilise the existing principles and protocols enshrined in international law. This has proved difficult partly because the recognition of rights in international law is notoriously poorly translated into the actual practices of many states, whilst at the same time states themselves are the only effective enforcers of international law. However, it is partly also because such rights are understood as *human* rights and feminists have questioned the capacity of international human rights declarations and protocols to recognise and address ways in which women are excluded from power and vulnerable to harms because they are *women* (Ashworth 1999; MacKinnon 2006). Ashworth notes how the Universal Declaration of Human Rights (UDHR) and the covenants on civil and political, social and economic rights respectively have been ineffective even in recognising the violation (or vulnerability to violation) of women's rights (Ashworth 1999). In the case of civil and political rights, women's rights to bodily integrity are routinely violated in the context of widespread practices, for example, of domestic violence. In the case of socio-economic rights, women's rights are particularly badly affected by women's systematically disadvantaged position in relation to property

ownership, waged and unwaged labour (Peterson 1990; Ashworth 1999; Waring 1999; Peterson 2003). Yet until feminist groups began to campaign for more explicit recognition of the differential position of women as rights bearers, there was no accepted understanding that international human rights might need to be specified as women's rights or vice versa.

Since the onset of the UN Decade for Women in 1975, international organizations have been subject to internal and external pressure from feminist campaigners to make sure that women are explicitly included in the category 'human'. This was manifested in developments such as the 1979 UN Convention for the Elimination of Discrimination Against Women (CEDAW), and in development initiatives concerning women and development and gender and development in the 1970s and 1980s, as well as high profile transnational campaigns around issues such as violence against women and female circumcision. The focus on women's human rights was intensified in the wake of the systematic rape of women that featured in the conflicts in Bosnia in the mid 1990s, which encouraged feminist groups to campaign for the international recognition of rape as a war crime, and reaffirmed feminist commitment to the creation of an International Criminal Court (ICC), and to the need for the UN to explicitly address the specificity of women's experience of war (Stiglmayer 1995; Mackinnon 2006). UNSCR 1325 on 'Women, Peace and Security', unanimously passed in the year 2000, reflected, and responded to, the concerns of 1990s feminist international activists about the gendered presuppositions and effects of war. This was the first time that women had been the focus of a UN resolution in relation to peace and



security. The resolution was hailed as a significant victory for feminist activism, and was preceded and succeeded by the close involvement of feminist groups in lobbying for, drafting, reporting on and monitoring the Resolution and its progress. Full accounts of the history and content of 1325 and its successors can be found elsewhere (Cohn 2008; Shepherd 2011). For our purposes, what is interesting is the ways in which 1325 combines aspects of ideas associated with feminist peace activism, in which women are seen as having a distinctive capacity for peace, with more rights-based approaches that stress the goals of civil and political equality. A combination of these discourses has remained the predominant way in which feminist ideas have been expressed and implemented at the international level, and can be traced in the successor resolutions to 1325 (Shepherd 2011), as well as in the gender-related aspects of the setting up of the ICC (Pankhurst 2007).

UNSCR 1325 can be seen as the culmination of feminist activism in relation to war and peace over previous decades. However, its status as a victory for feminism has been put into question in the decade since its implementation. From the beginning certain feminists had reservations about 1325, including claims that it essentialised women as either victims or peacemakers, confirmed rather than challenged the inevitability of armed conflict, marginalized the realities of women combatants and men civilians, and was insufficiently resourced. Criticisms of 1325 were reinforced by the other development that has been a focus of feminist activism in relation to war and peace over the past decade, the so-called 'War on Terror'. In the 1990s, sexual violence in the wars following the break up of Yugoslavia had become an important dimension of the

legitimation of external intervention in the conflict for some feminists, though not necessarily to feminist groups within the region. In the US response to 9/11, the question of the violation of women's rights was brought centre stage in the legitimation of the 2001 invasion of Afghanistan, and more broadly in the characterisation of the US's enemy other in the 'War on Terror' (Pratt and Richter-Devroe 2011).

In ways strongly reminiscent of nineteenth century European imperial wars, the treatment of women became central to a standard of civilization argument that has continued to play a major role in legitimising ongoing operations on the part of the US and its allies, including invasion, occupation, counter-insurgency, peacekeeping and peacebuilding in both Afghanistan and Iraq (Hunt and Rygiel 2006; Towns 2010). And in 2001, national and transnational feminist groups and organizations had to respond to the claim that military action against Afghanistan could be justified on feminist grounds, in the context of a preceding decade of feminist campaigning against the Taliban regime both inside and outside Afghanistan (Thobani 2003). Although the major feminist activist group in Afghanistan, the Revolutionary Association of the Women of Afghanistan were against the use of military action, a minority of western feminists were willing to endorse the war (Elshtain 2003). This caused major political divisions within western feminism and added to the potential for tension between western feminists and feminists of the global south, tensions that were already part of the history of feminism as a transnational and international movement (Spivak 1999; Mohanty 2003). The utilisation of a discourse of women's human rights in the justification of the 'War on Terror', and the reminder of the link between women's rights and a traditional standards

of civilization discourse, caused some feminist activists to question whether UNSCR 1325 was itself part of an imperialist project, in which the focus on women's suffering became the pretext for the demonization of non-western men, and the legitimation of external intervention in postcolonial states (Thobani 2007; Towns 2010). It also focused attention on the tension between a feminist discourse that used the language of just war in the service of feminism, and a feminist discourse that claimed a special relation between women and peace. At the current time, therefore, although feminism is more active on the international stage, rhetorically and in practice, than it has ever been, it is also deeply internally contested. As we will see, this political contestation is reflected within and between feminist ethical perspectives.

### **An International Feminist Ethics of Care**

The most well known strand in feminist moral theory since the early 1980s has been the idea of a feminist ethic of care, pioneered by the work of the social psychologist, Carol Gilligan (Gilligan 1982). In the course of research into the patterns of moral reasoning of women, Gilligan came to challenge the accepted hierarchy of moral psychological development established by Kohlberg, in which the most mature moral point of view is identified with the development of an impartial, universalist and principled perspective on moral issues (the ethic of justice). Kohlberg had observed in his own research that, according to his criteria, adult women were less likely to manifest an ethic of justice and more likely to remain at (again according to his criteria) an earlier stage of moral

development in which moral problems continued to be addressed in an ad hoc, highly personalised and contextualised way. In a familiar feminist move, Gilligan did not so much overturn Kohlberg's findings as re-evaluate them, arguing that the characteristics of women's moral thinking were not inferior to an ethic of justice but demonstrated an equally advanced and sophisticated post-conventional moral point of view. In the wake of the argument between Kohlberg and Gilligan a huge literature has arisen in social psychology and ethical and political theory which both criticises and develops Gilligan's original insight (Bubeck 1998; Held 2006; Robinson 1999; 2011). In terms of feminist ethical and political theory, the concerns of the debate shifted quickly from arguments about whether men and women actually think differently in relation to moral problems to exploring the pros and cons of the features of women's moral reasoning identified by Gilligan, features which have come to be defined as those of an 'ethic of care'.

The key feature of an ethic of care is that it is embedded in the practicalities of relationships of responsibility for others. Crucial to ethical judgment from the perspective of care is the importance of particularity (knowing who and what you are making a moral judgment about); connectedness (recognising your actual relationship to others in the process of judgment); and context (paying attention to the broad and narrow context of ethical judgment). In her book, *Maternal Thinking: Towards a Politics of Peace*, Ruddick draws on the idea of an ethic of care as a central part of her argument for a feminist moral orientation in the context of international politics (Ruddick 1990). The book involves a rejection of realist arguments as to the tragic inevitability or structural necessity of war and communitarian claims as to the special

ethical status of the collective group or nation. In addition it develops a critique of traditional just war thinking - in both utilitarian and Kantian variants - as well as a positive characterization of how a different kind of moral judgment and political practice is possible in relation to war. There are essentially two stages to Ruddick's argument. In the first stage she offers a phenomenology of what she terms 'maternal thinking', in the second stage she reads off the implications of using maternal thinking as a critical 'feminist standpoint' for making judgments about the ethics of war and the appropriate feminist response to war.

'Maternal thinking', according to Ruddick, 'is a discipline in attentive love', a discipline which is rooted in the demands of a particular relation of care, that between mother and child, and which reflects a particular range of metaphysical attitudes, cognitive capacities and virtues (Ruddick 1990, 123). Ruddick is careful to insist that she is neither equating mothers with biological mothers, nor presuming that actual mothers are all good at maternal thinking. Ruddick draws a contrast between the ideals of response to threat, conflict and harm which are inherent in any practice in which violence is understood as a permissible instrument for the attainment of goals and modes of responding to threat, conflict and harm which are premised on the unacceptability of violence. She finds paradigmatic examples of the former in militarism and of the latter in the labour of care.

"Caregivers are not, predictably, better people than are militarists. Rather, they are engaged in a different project. Militarists aim to dominate by creating the the structural vulnerabilities that caregivers take for granted.

They arm and train so that they can, if other means of domination fail, terrify and injure their opponents. By contrast, in situations where domination through bodily pain, and the fear of pain, is a structural possibility, caregivers try to resist temptations to assault and neglect, even though they work among smaller, frailer, vulnerable people who may excite domination." (Ruddick 1993, 121)

Ruddick is aware of the problems of simply taking and applying the regulative ideals of care-giving practices to the realm of international politics, but nevertheless, she extrapolates criteria of ethical judgment from caregiving practice which she argues do have implications for what should or should not be permissible within the international realm. Ruddick argues that maternal thinking, located as it is in the marginalized and denigrated sphere of caring labour, provides a standpoint from which the absurdity of both strategic military and just war thinking becomes evident. Although Ruddick does not claim that the feminist standpoint provides a universally valid ground for ethical judgment, she does make a strong claim for the potential of maternal thinking to illuminate the meaning of war from a critical perspective (Ruddick 1990, 135; Hartsock 1983). For Ruddick, both militarism and just war theory share a commitment to the expendability of concrete lives in abstract causes to which maternal thinking is inherently opposed. Ruddick claims that this means that the implication of maternal thinking is not just the rejection of war but the active embracing of peace politics, a fight against war which draws on the acknowledgement of responsibility and relationship and the

specificity of need and obligations which are inherent in a proper understanding of the labour of caring (Ruddick 1990, 141-159).

"The analytic fictions of just war theory require a closure of moral issues final enough to justify killing and "enemies" abstract enough to be killable. In learning to welcome their own and their children's changes, mothers become accustomed to open-ended, concrete reflection on intricate and unpredictable spirits. Maternal attentive love, restrained and clear sighted, is ill adapted to intrusive, let alone murderous judgments of others' lives."

(Ruddick 1990, 150)

In Ruddick's theory the logic of domestic relations in the restricted sense of the domestic or private sphere is set against the logic of the public sphere of both state and inter-state relations, although with the acknowledgement that in practice the former has tended to support and reinforce the latter. Ruddick places realism, morality of states, Kantianism, utilitarianism and communitarianism all firmly in the realm of the logic of public 'masculinist' theory and practice. Although it is clear that Ruddick does put an ethical value on humans, this is based not on a notion of inherent individual right, but on relation - value inheres in relations to others, in particular in the recognition of responsibility for others. For Ruddick then, the realm of international politics is primarily a realm of human relations, not of human, nation or state rights or an international state system. Ruddick assumes that ethical perspectives are the outcome of concrete practices and can never be neutral, but at the same time clearly suggests that some kinds of practice are inherently better than others. This distinction draws attention to the fact that

although Ruddick presents an understanding of the international realm very different from mainstream ethical theories, nevertheless, she argues for the notion of a standpoint from which critical judgments of international politics can be made. This standpoint is inherently prescriptive and involves a commitment to the practical and political struggle against violence and for peace.

There are several different implications of Ruddick's argument in relation to ethical judgment. Firstly, from the standpoint of maternal thinking, the appropriate stance to take in ethical judgment is to attempt to build on particular experiences of the practice of care to help to identify with and take responsibility for the needs and suffering of others. Ruddick frequently cites the example of the Argentinian mothers of the disappeared, whose movement gradually grew to embrace concerns with children across the world who had suffered harm: "This is not transcendent impartiality but a sympathetic apprehension of another grounded in one's own particular suffering." (Ruddick 1993, 123) This is not just a matter of 'feeling for' another's pain, but assuming an attitude of responsibility for it and therefore trying to do something about it. Secondly, however, maternal thinking is sensitive to the specific contexts in which ethical dilemmas are embedded and the importance of appreciating the ethical weight of the perspectives of all parties to any dispute or conflict. For Ruddick, ethical judgment has to be on a case by case basis, but without ready made principles of adjudication. Although the idea of maternal thinking is in principle non-violent, it also makes clear that there are no universally applicable algorithms that can be applied to any given situation to render definitive answers to ethical questions, so that even the use of violence cannot



be entirely ruled out a priori (Ruddick 1990: 138; Ruddick 1998). The judgment of the maternal thinker is oriented by the ideals implicit in care, but these are regulative rather than determining in their effects. This brings us to the third feature of ethical judgment from the standpoint of maternal thinking. In contrast to the traditional picture of ethical judgment as a matter to be worked through at the level of the individual conscience in relation to specified criteria, maternal thinking implies that ethical judgment is a matter of dialogue and context and relies crucially on the capacity to hear what others are saying in arriving at the criteria for judgment. Ethical judgment is therefore in principle an interactive and collective rather than an individual project.

### **Feminist Alternatives to Care Ethics in the International Context**

Ruddick's version of care ethics is closely linked to the history of feminist anti-militarism and peace campaigning. The kind of feminist politics reflected and celebrated in her work is context specific, anti-state, and grass roots. For Ruddick, maternal thinking constitutes an ethic of resistance that is fully compatible with the feminist aim of addressing and redressing the ways in which women are systematically disadvantaged within the current world order. For other feminist ethicists and activists, however, an ethic of care, because it gives priority to particular relations of care rather than to universal standards of rights and justice, does not do enough to protect and support women in the world as it is. Justice feminists are suspicious of the apparent confirmation and affirmation of the traditional role of women in the idea of maternal thinking.

Revaluing caring work within the family and the private sphere in their view threatens to perpetuate women's peculiar vulnerabilities within the current world order (Okin 1999; Nussbaum 2000). This has led to the development of strands of feminist ethics that build on and adapt existing cosmopolitan traditions of thinking about rights and justice.

As noted in Section One, feminists have objected to international human rights thinking on the grounds that 'human' is too general a category and that both the theory and practice of human rights has failed to provide the same ethical resources for women as it has done for men. However, from a justice perspective this does not entail the rejection of rights thinking altogether. For example, Mackinnon claims that contemporary human rights thinking has been characterised by the exclusion of women from the category of humanity:

"If you are hurt as a member of a group, the odds that the groups will be considered human are improved if it concludes men. Under guarantees of international human rights, as well as in everyday life, a woman is "not yet a name for a way of being human"." (Mackinnon 1993, 91)

The root cause of this exclusion is, in Mackinnon's view, the lack of recognition in the discourse of human or individual rights of the fundamentally patriarchal structure of both states and inter-state relations in the modern world. Where Ruddick looks to women's experience under patriarchy as care givers as the source of a new ethics, Mackinnon's focus is on the systematic and institutionalised power differential between men and women in modernity and the ways in which this results in women persistently failing to qualify as fully fledged human beings in terms of their effective protection

under state and international law. This argument, that women have been incorporated into the ranks of rights bearers on different terms from men is a familiar one in feminist political theory (see Pateman 1988). Mackinnon makes the argument in relation to women as bearers of international rights by focusing on the lack of fit between the ideology of human rights and the actuality of women's position.

Although Mackinnon criticises existing human rights discourses, she is careful to stress that the idea of rights is of tremendous ethical importance and that the growth of human rights discourses has provided vital resources for political resistance and legal protection of individuals within states and internationally. From a feminist point of view, it is clearly better to have rape recognised explicitly as a crime against humanity than for it to continue to be regarded as just another unfortunate side effect of war. However, at the same time, Mackinnon sees the resources offered by generic understandings of human rights as being seriously inadequate because they mask the differential realities of women's position and therefore effectively disempower their supposed beneficiaries. This argument is parallel to arguments developed in the context of feminist struggles over rights within the state, that in order for equality of right for women to be a reality, women need rights which are specific to them and which, when institutionalised, will help to deconstruct the gendered relations of power in which women are currently caught. Mackinnon's ideal retains the idea of a 'single standard of human dignity and entitlement' that has always been central to rights-based thinking, but the meaning of this single standard is interpreted in terms which do not rely on the notion of a universal sameness to underpin the single standard. Mackinnon takes the ground of rights as being

the actual power differentials between different groups (specifically in this case, man and women) and the struggles of the disempowered to improve their subordinate position. Rights are therefore a political weapon as much as a moral ideal, which can be used themselves to alter the realities we inhabit. In this respect, therefore, Mackinnon's position is closely aligned with the struggles of feminists to extend recognition of women's human rights within international affairs referred to in Section One above.

Another influential example of a feminist justice ethics is the argument put forward by Martha Nussbaum in her book *Women and Human Development* (2000). In this book, Nussbaum finds the grounds for certain (limited) universal ethical values and claims in a set of human 'capabilities' that she argues are foundational for the flourishing of any human life. She then uses the example of the lives of women in developing countries as a way to exemplify how the capabilities approach can be used as a kind of yardstick to critique existing practice in different national contexts and to provide fundamental principles for progress, in particular progress for women. At the heart of Nussbaum's feminist justice ethics is a commitment to the intrinsic value of humanity and the right of every individual to be enabled to live 'humanly', that is in such a way that they are not simply subordinated to the ends of others but are enabled to exercise choices in the way that they live their lives. At present, according to Nussbaum, women in developing countries are particularly likely to experience their lives as subordinated to others, including the demands of patriarchal cultures and of exploitative conditions of work. For this reason, she argues against approaches to morality that base themselves in cultural difference (Okin 1999). In spite of her critique of communitarianism, however, Nussbaum's particular version of moral universalism is, she argues, less prone to problems associated with other kinds of justice ethics

because it does not so much elaborate a substantive set of moral principles that all must follow, but rather specifies ‘human capabilities’ that are inherently enabling rather than prescriptive, and that can be the ongoing subject of debate. This still allows room for culture to play an important ethical role (Nussbaum 2000: 7, 70-71). The capabilities that Nussbaum outlines as of universal ethical significance are listed below:

1. Life – ability to live out a natural life span
2. Bodily Health – ability to have good health including reproductive health, adequate nourishment, shelter
3. Bodily integrity – freedom of movement, security from physical violation, sexual and reproductive autonomy
4. Senses, imagination, thought – ability to use all of these fully in an educated way
5. Emotions – ability to be attached to others, to have a capacity for love and affection
6. Practical Reason – to be able to reflect rationally, identify one’s own conception of the good life and plan for it
7. Affiliation – ability to live with others in personal relationships and social communities
8. Other species – ability to live in relation to nature
9. Play – ability to enjoy recreation
10. Control over one’s material and political environment – ability to participate in political choices, ability to hold property, to work on equal terms with others. (Nussbaum 2000: 78-81).

Nussbaum uses the above list as a reference point for making judgments about the actual lives and conditions of women in developing countries, using India as her specific

example. It becomes clear very quickly that the capabilities approach is ethically very demanding, in that it requires the institutionalisation of equality across a range of domains even to live up to threshold conditions. For example, the capability to live in affiliation with others is, in Nussbaum's view, fatally undermined by status-based discrimination on grounds of 'race, sex, sexual orientation, religion, caste, ethnicity, or national origin' (Nussbaum 79). Even though Mackinnon's and Nussbaum's arguments are very different they both typify an ethics of justice in the sense that they impose limits in principle on what can count as a morally valid account of justice or rights for women in the international domain. And also in the sense that radical changes at the level of international law and institutions are needed in order to fulfil requirements of justice for women.

Feminist ethics of care and of justice relate to the dominant vocabularies of feminist activism in the international domain over the past forty years. In many ways the text of UNSCR 1325 combines these vocabularies, stressing women's distinctive ethical qualities as peacemakers on the one hand, and arguing for institutionalising gender mainstreaming and women's human rights on the other. There is, however, another strand of feminist ethical thinking, which challenges both care and justice arguments from the point of view of feminist difference. Feminist difference ethics is inspired by objections to the universalisation of particular western historical experiences that underpin the ethics of care and of justice, and objections to the kinds of politics associated with those ethics. It is theoretically influenced by poststructuralist feminism on the one hand, and postcolonial feminism on the other (Mohanty et al 1991; Spivak 1999). Difference feminists argue that care ethics

essentialises a specific idea of women and femininity that is grounded in the history and culture of western societies, and its model of familial and community relations. At the same time, they argue that justice feminists conflate the universal with western, liberal ideals of human rights for women. In both cases, it is argued, this means that these versions of feminist ethics are insufficiently sensitive to the ethical significance of major differences and inequalities between women. Difference feminists insist on the ethical significance of the fact that all women are not the same, either in virtue of being *women* or in virtue of being *human* (Jabri 1999; Peterson 1990; Butler 2004).

This is not simply a theoretical dispute. For difference feminists the prescriptive implications of care in relation to peace and of justice in relation to human rights and development have been shown to be ethically problematic for women who don't fit with standard western liberal assumptions about either women or humans. Many feminists from the developing world have supported wars in the pursuit of struggles for decolonisation and national liberation and deny that there is a necessary connection between feminist ethics and peace politics. Similarly, many feminists in the global south are wary of the liberal language of global human rights and economic development and argue that it reflects the moral priorities of an earlier western history and has been used to justify first imperialism and subsequently other forms of interventionism in the Global South. For difference feminists, 'context' is not equivalent to a monolithic account of 'culture'. From the difference point of view, culture and identity, like all other facets of social and political life, are sites of power relations and struggles, there is therefore always a *political* dimension to ethics, and

this, according to difference feminists, is the dimension that care and justice feminists, in different ways, neglect.

For difference ethics it is ethical principles of respect for plurality and democracy that are fundamental to feminism. Although they share with care and justice feminisms a commitment to challenging gendered relations of power, for difference feminists specific questions about what moral values should guide human conduct at a global level are incapable of being satisfactorily answered unless and until the world has changed in such a way that the voices of those currently most excluded from moral debate can be heard (Spivak 1999; Mohanty 2003; Hutchings 2004). In the meantime, moral priority must be given to those ethical values that do most to support struggles to change the world to include the excluded, and that do least to further repress the voices of the least powerful actors in current world politics. The problem with this ethical project is that, as difference feminists themselves point out, any explicitly articulated universal ethical claim in international ethics always carries its own exclusions with it, intended or unintended. This is typified by the Universal Declaration of Human Rights, which, for example, in speaking of all human beings' fundamental right to marriage and family life, necessarily excludes those human beings who do not fit with heterosexual norms, or with the assumption of a humanity split into two genders (Butler 2004: 102-130).

One of the feminist ethical theorists who has addressed what difference ethics implies in an international context is Judith Butler. Focusing on the concept of universal human rights, Butler has shown how the concept of the human in human



rights, by setting up a norm of what it means to be human, consistently operates so as to situate certain categories of people as 'less than' human, rendering their lives in crucial respects 'unliveable' and 'ungrievable' (Butler 2004: 225-227). Thus she directly challenges Nussbaum's claim that it is through an inclusive account of what it means to be human that a genuinely universal international ethics can be articulated as a yardstick for the judgement of practice. At the same time, Butler does not advocate the abandonment of the idea of universal rights, but rather argues that the meaning of 'universal' should always be open to challenge and re-negotiation, and that we should never assume that our claims to universality actually live up to their promise (Butler 2004: 33). Somewhat paradoxically, difference ethics is universalist in its orientation towards giving moral priority to the excluded in general, but sees this universalism as always failing.

For difference ethics, ethical priorities will differ depending on context, so that there is (and ought to be) no feminist consensus on either the ethics of war or the nature of fundamental human being. It is therefore inappropriate to condemn practices such as female circumcision in the abstract, without a full understanding of the context of the practice and the ethical investments of the different parties to it. Moreover, the exponent of an ethics of difference needs to take responsibility for his or her own judgment and actions and recognise that well-intended arguments and policies may have unforeseen effects when implemented in a top down way. In this respect, difference ethics is linked to feminist criticisms of the 'War on Terror' and humanitarian interventions from the 1990s onwards, which perpetuated a politics of

rescue in which white western men 'save', in Spivak's words, brown women from brown men (Hutchings 2011).

## **Conclusion**

It is clear from the above discussion that feminist approaches to the ethics of international affairs differ. To the extent that it's not clear whether the term 'feminist' actually signifies something substantive that ties different feminist approaches together. Does it make sense to use the same term to encompass the quite different arguments of care, justice and difference feminist ethics? In conclusion, I want to suggest that in spite of the degree of contestation between these different ethical perspectives, there are certain commonalities. Feminism was inspired by the vulnerabilities suffered by women on account of an entrenched gender order that excluded them from moral status and political power. What links the different forms of feminist ethics together is the aspiration (which is not always achieved) of de-centring moral judgment from the standpoint of the privileged. This essentially political project must therefore cultivate a strong degree of self-consciousness about tendencies within ethical reasoning that reinstate or reinforce patterns of privilege and disadvantage. This is the reason, I would argue, why the kinds of contextualism and universalism at work in the different versions of feminist ethics are much less fixed and mutually exclusive than we find when comparing mainstream deontological, consequentialist or communitarian ethical arguments. Ruddick's ethic of care, although it gives universal moral status to the virtues inherent in maternal thinking, because of its contextualism, refuses to pre-judge the implications of

maternal thinking for ethical prescription. Mackinnon's commitment to women's human rights does not offer us a closed definition of what it means to be human, instead it presents a dynamic vision of human rights politics grounded in the existence of inequalities of power. Nussbaum's universalism is tempered by a strong requirement for contextual sensitivity, and she attempts, whether successfully or not, to locate her international ethics in the lives of non-western women. And Butler's critique of universalism does not lead her to reject the ethical significance of the idea of the universal or the value of the discourse of universal human rights.

Characteristics of theoretical humility and eclecticism distinguish recent developments in feminist international ethics that build on ethical insights from care, justice and difference. For example, Fiona Robinson's work has extended the purview of the ethic of care to questions of global distributive justice, caring labour in the international political economy as well as questions of humanitarian intervention and international security. In doing so, however, she has combined care thinking with postcolonial, difference arguments (Robinson 1999; 2011). In a very different vein, Laura Sjoberg has combined aspects of the ethic of care with just war theory in her development of a feminist security ethic of empathetic cooperation (Sjoberg 2006). And Brooke Ackerly has developed an activist-informed immanent theory of the human rights of women that combines aspects of the kind of thinking that informs Mackinnon's understanding of rights as political weapons, and Butler's critique of rights universalism (Ackerly 2008). In my view, the apparent tensions within, as well as between, feminist ethical perspectives on international affairs reflect the difficulty of trying to hold on to an ethical standpoint that starts from the position of the vulnerable and excluded, and which is

therefore perpetually dissatisfied with any settled standpoint of judgment or final answer to the question of meaning of international justice. In spite of genuine differences between them, feminist ethical projects share certain qualities. They give priority to dialogue as the starting point for ethical judgment, and the prescriptive conclusions they draw are contextually specific and open to revision in the light of experience.

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