THE DYNAMICS OF DIFFERENCE: OPPRESSION, CROSS-CULTURAL LIBERATION AND THE PROBLEMS OF IMPERIALISM AND PATERNALISM

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ABSTRACT

This dissertation defends an account of oppression and supports a specific means of engaging with oppression cross-culturally. The project examines whether it is defensible to interfere in other cultures at all. Both the cultural relativist and the neo-imperialist approaches are argued to be an inadequate response to the question of whether it is defensible to interfere in other cultures, as both these approaches neglect the autonomy of the agents concerned.

This project has two related goals. It first advances an answer to the question 'what is oppression?' An account of oppression is developed which will enable oppression to be identified cross-culturally. In order to start constructing an approach which will be adequate to respond to the question of interference, it is necessary to consider a means of identifying oppression cross-culturally. The second objective is to examine the possibility of non-imperialistic and non-paternalistic cross-cultural liberation projects.

The first aim (advancing an account of oppression), is executed through arguing for an ethical framework which will be helpful in this context, and arguing for an account of oppression derived from this framework.

The second aim (examining the possibility of non-imperialistic and non-paternalistic liberation), is carried out in two parts. The first part responds to two standard objections from cultural relativism, which would accuse a universal account such as mine of imperialism and paternalism. The first objection claims that a universalist account neglects historical and cultural difference, while the second objection claims that it neglects autonomy. In responding to these objections, it is noted that while my responses prove, theoretically, that a universal account of oppression need not lead to imperialism or paternalism, there is a danger that the account could become imperialistic and paternalistic in its application. With the intention of dealing with this problem, I advance a methodology of cross-cultural understanding which would reduce the likelihood of imperialism and paternalism in liberation projects. This notion of cross-cultural understanding is the most important contribution of this project.

The objective is not to give practical judgments on when a specific liberation project is in fact paternalistic or imperialistic, but rather to propose guidelines which would need to be applied to each particular instance.

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ACKNOWLEDGEMENTS

INTRODUCTION

Is cross-cultural interference justified where oppression is present? If so, under what circumstances would it be justified, and how should it be done? There are two opposed approaches to this problem. The first approach is one of 'hands off relativism'. Relativists claim values are relative to the community in which they are embedded and, for this reason, interference with the practices of another culture or community is never justified, regardless of how wrong these practices might seem from another perspective. The other extreme is the approach of 'neo-imperialism'. Neo-imperialists are objectivists who claim that it is sometimes justified to interfere in other cultures or sovereign states in order to impose objective values. This interference would be irrespective of the values inherent in the targeted cultures. This dissertation takes both of the above approaches to be inadequate, as they both neglect the autonomy of the agents concerned.

This dissertation is focused on the question of whether it is justified to interfere in other cultures at all. In order to examine the question of interference, it is necessary to be able to say when the people in another culture are actually oppressed. Without a cross-cultural means of identifying oppression, it could never be justifiable to interfere in the form of 'liberation projects'. It is also necessary to address questions of historical and cultural difference, and how these would affect the possibility of identifying oppression cross-culturally. It is, furthermore, necessary to examine the question of autonomy of the people who are the target of possible interference, and how this would affect the project of liberation. If autonomy is not respected during the course of interference, the goals of liberation projects would be undermined.

This dissertation has two related goals. The first is to give an account of oppression which would allow oppression to be identified wherever it is present, even cross-culturally. The second is to examine the possibility of non-imperialistic and non-paternalistic cross-cultural liberation projects.

The first aim, of giving an account of oppression, is approached by arguing for an ethical framework which would be useful in this context, and then giving an account of oppression derived from this ethical framework. I utilise insights from the philosophy of Simone de Beauvoir and Martha Nussbaum in order to reach the ethical framework which will form the foundation of the rest of my project.

In chapter 1 I examine the body, as 'background' to our projects, and claim that it serves as a foundation and justification for the ethical treatment of others. I propose that we are 'embodied subjects'[1] and with this term mean that our subjectivity largely depends on and is constituted by our bodies. I argue that Beauvoir's account of the embodied subject, which culminates in the ethical position described in *The Ethics of Ambiguity,* can provide an ethical foundation for Nussbaum's capabilities approach of welfare, whereas the capabilities approach can position *The Ethics of Ambiguity* in a concrete social context.

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[1] Merleau-Ponty 1962 and De Beauvoir 1962.

In chapter 2 I aim to set out a proposed answer to the question 'What is oppression?' I argue for a theory of oppression which is grounded in our common embodied subjectivity. Beauvoir's existential ethics is grounded in the freedom of the subject, and she argues that the subject's freedom depends on the freedom of others. The reason for this lies in the fact that people's projects intersect and therefore affect each other. Oppression can be determined in terms of the freedom of subjects. If cross-cultural interference is to be justified, a necessary condition for this would be the ability to identify when people are indeed oppressed. In order to address the problem of identifying oppression in another culture, it is necessary to attend to the theoretical question of what a 'flourishing life'[2] is, and to what extent governments and individuals should take responsibility for creating an environment enabling all people to lead a 'flourishing life'. Nussbaum's capabilities approach is aimed at measuring and comparing 'quality of life' cross-culturally and aims to serve as an ethical guideline for constitutions and policy decisions. Oppression is then defined in terms of this framework as the denial of freedom (which is equated to the respecting of capabilities), because of perceived group membership. This account of oppression is advanced as a possible way of thinking about and identifying oppression.

The second aim, examining the possibility of non-imperialistic and non-paternalistic liberation, is executed in two stages. The first stage, executed in chapter 3, examines two objections from cultural relativism, which accuse a universalistic account such as mine of imperialism and paternalism. The first objection claims that this account neglects historical and cultural difference, while the second claims it neglects autonomy. I respond to these objections, making apparent that a relativist approach towards oppression is inadequate. Dealing with these objections makes it apparent that even though it is possible to argue that, theoretically, my account is not imperialistic or paternalistic (and hence not neo-imperialistic), there is a danger that the application of it might be.

In order to overcome this problem, a second stage is required. This stage examines an approach to liberation in practice which would not result in neo-imperialism. I advance a methodology of cross-cultural understanding in chapter 4, which needs to be followed in order to minimise the dangers of imperialism or paternalism in the actual application of my account of oppression in liberation projects. This methodology is 'imaginative understanding', and is constructed through approaches to cross-cultural understanding from Maria Logunes, Isabelle Gunnings and Richard Bell. In addition to these approaches, I argue it is also necessary to employ what Beauvoir calls an 'openness to the other', and to incorporate her emphasis on the embodied subject and her focus on the individual. A further condition, a process I label 'empathic identification', is also argued to also be necessary for imaginative understanding. The interest of the current project is not to give practical judgements on when a cross-cultural liberation project has paternalistic or imperialistic consequences. Rather, my aim is to explore an approach towards engagement in liberation projects which can be applied to specific contexts, and would be a necessary condition for justified cross-cultural interference.

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[2] The concept of a 'flourishing life' has a long philosophical history dating back most familiarly to Aristotle. The main idea of this concept is to investigate what the necessary conditions for a good quality of life are for human beings.

My main contribution in this project is to examine the problem of oppression from a novel perspective, and to propose a methodology of approaching the project of cross-cultural liberation. I hope to generate an ethical method of response to other cultures which will be general enough to recognise and deal with oppression, yet sensitive to the particular context within which people find themselves. I provide a universal ethical basis for liberation which is sensitive to group identity and cultural differences without being imperialistic or paternalistic.

CHAPTER 1: FREEDOM AND WELFARE

1.1. **Introduction**

In this chapter I argue for an ethical account based on the works of Simone de Beauvoir and Martha Nussbaum. Beauvoir's ethics is examined, and I explore her accounts of freedom, intersubjectivity and embodied subjectivity. I conclude that her ethical account needs supplementation, as she does not give a detailed account of what it means to deny practical freedom. I then move on to an exposition of Martha Nussbaum's capabilities approach to measuring welfare, as a possible account which could deal with the problem raised by Beauvoir's. The capabilities approach is designed to be a concrete sketch of what human beings need to "be able to do and be"[3] in order to have the option of leading a flourishing life. The aim, in this account, is to raise all citizens above a certain threshold with regards to the capabilities. The capabilities are compared to other methods of measuring quality of life, and I argue that methods including Gross National Product per capita and desire-preference theories are inadequate. I finally combine Beauvoir and Nussbaum's work into a novel ethical framework, demonstrating that both accounts can benefit from aspects of the other.

1.2. **Beauvoir's *The Ethics of Ambiguity***

Beauvoir proposes a method of ethical engagement based on our freedom, our inescapable relatedness to others and our embodied subjectivity. A discussion of each aspect is necessary in order to understand her ethical position.

The first aspect of Beauvoir's ethical engagement is our freedom. She claims every person is originally free, in the sense that she spontaneously casts herself into the world. This means we have the desire to have projects, to change the world and to make the world part of ourselves through our projects. We always make choices one way or the other (even if it is the seeming choice not to do anything), and this can be referred to as 'ontological freedom'.[4] Ontological freedom merely means the ability of agents to make choices, and cannot be taken away from agents as it is part of the definition of 'agent' that she has this ability. Any situation will have the possibility of at least two options, even if both of these options might be undesirable for the agent in the situation. This is the freedom Jean-Paul Sartre had in mind when he made the claim "the slave in chains is just as free as his master".[5] Beauvoir claims that this notion of freedom is "emptied from all content and all truth."[6] Her insight is that it is rather 'practical freedom'[7] which needs to be taken into account when discussing ethics (and, as a result, oppression). Practical freedom takes material conditions into account, and is the ability to act on one's choices within reasonable limits. Practical freedom *can* be taken away from agents. This is the case given that situation determines the limits or boundaries of our projects. Situation, as the

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[3] Nussbaum 1999: 34.
[4] Term and concept from Martin 2002:24 and 27-39.
[5] Sartre 1958: 550.
[6] Beauvoir 1962: 29.
[7] Note that Beauvoir does not use the terms 'ontological' and 'practical' freedom, but in order to explain her position, it is useful to employ these terms in order to clarify what her position entails.

framework for practical freedom, is the necessary context for practical freedom. Some situations can be inhibitive, resulting in the denial of practical freedom. As practical freedom can be denied through circumstances, this gives Beauvoir an entry point into the field of ethics. For Beauvoir, freedom is the only universal value, and the denial of freedom the only unethical action. From the importance of our own freedom, she argues for the importance of the freedom of others. As the content of our situation is not irrelevant to our practical freedom, and others and their projects are a part of our situation, our freedom is dependent on the freedom of others.[8] Beauvoir gives attention to the individual as a starting point for her ethics.[9] Despite this, she claims that our inter-subjectivity is important, as good inter-subjective relations are an enabling condition for freedom.

The second aspect of Beauvoir's ethics is our ultimate relatedness to others. Beauvoir's existentialist ethics is primarily individualistic, as she accords the individual supreme value, and recognises in the individual the ability to lay the foundations for her own existence. Her ethics, however, also allows for our relationships with others, but she does this through the emphasis she places on the necessity for good relations with others, and the benefits this has for the individual. Her ethics is thus not wholly individualistic, despite the individual being Beauvoir's starting point, as her ethical framework recognises our fundamental relations with others. It is not "solipsistic, since the individual is defined…by his relationship to the world and to other individuals".[10] Beauvoir's ethical account is thus a self-interested one, yet not a selfish one. Thus, it is important to understand our necessary entanglement with others' freedom, which means our projects intersect, affect and need others.

Beauvoir claims there are two fundamental desires that characterise people, namely, the desire-to-disclose-being and the desire-to-be, which are both related to this 'necessary entanglement with others' freedom'. The desire-to-disclose-being is an agent's response to possibilities in the world, and the illumination of those possibilities. It is an ability to see the different options available to us. The desire-to-disclose-being is the desire to interact with the world, the realisation of an always open future, of our own finitude. It is a sensitivity to the possibility of multiple futures. The desire-to-be, on the other hand, expresses our capacity to sustain certain meanings (or options) in the world. We choose one of the disclosed meanings of the world, and instantiate it. We will a possibility to become a reality through our actions. This is the mode in which we change the world, act on our situation, and bring about change in the world in order to make a possibility not merely a logical possibility, but an actual situation in the world. Once a certain situation obtains, it is nevertheless not final or permanent; we have to reaffirm the situation and our choice to sustain the situation we believe is valuable.

It is in the pursuit of these fundamental desires that Beauvoir believes ethical questions arise. In the mode of the desire-to-disclose-being, my relations to others (and openness to the possibilities

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[8] As I will argue below, the capabilities approach to welfare sets out the criteria of what is necessary for an embodied agent to be practically, and not merely ontologically free.
[9] This attention to the individual and its significance will be discussed in more detail in chapter 4, where I will use Beauvoir's reaction to the Algerian War as an example of dealing with oppression in another culture in an ethical way.
[10] Beauvoir 1962: 156.

they can open up for me through their projects), are important ethical factors. Recognising that the freedom of others creates more possibilities in my own situation is a prerequisite for ethical actions according to Beauvoir. I need others to be free since they open up my future for me (the desire-to-disclose-being.) In the desire-to-be, the projects we choose can be either moral or immoral. 'Just' projects are projects which appeal to the freedom of others to take up my cause; at least some of my projects would not be possible without the free choice of cooperation on behalf of other agents to engage in these projects. Projects endure through choices (mine and others') that transform and change them; and for this reason they cannot be statically sustained. 'Unjust' projects would, on the other hand, *impose* my will on others, and this denies the other her freedom. Immoral projects are projects such as bad faith[11] and tyranny, because these violate our bond with others through the degradation of their freedom. Beauvoir claims that it is for this reason that "if the oppressor were aware of the demands of his own freedom, he himself should have to denounce oppression."[12] Others in Beauvoir's ethics, therefore, do not take the world from me. Instead, their projects have to define my own. I need others to be free since they open up my future for me. As Kruks states, "[t]he other in fact steals the world from me for Beauvoir only to give it back enriched, and I would be foolish not to realize this and to overcome my initial hatred".[13] Others see possibilities and act on them, and as a consequence create new possibilities for me through their projects. Our freedom can only be achieved through the freedom of others.

The third aspect of Beauvoir's ethics is her emphasis on our embodied subjectivity. Beauvoir's ethics is based on the type of beings we are and, consequently, that we are embodied subjects[14] is an important feature of her ethics.[15] But what exactly is meant by the term 'embodied subject'? It means that the physical make-up of our bodies influences, and is part of, what we call subjectivity. Toril Moi argues that Beauvoir's use of the concept of embodied subject can be cast in terms of seeing the 'body as a situation'.[16] Indeed, Beauvoir writes "The body is not a *thing,* it is a situation…it is the instrument of our grasp upon the world, a limiting factor for our projects."[17] We can understand the notion of 'body as situation' in these terms: the body is a situation just like other situations, in that it constrains what can be done and what is possible, but within these constraints there are still numerous ways of choosing to live a situation. The possibilities that we have are constrained by our situation, and yet the situation never determines us. We are subjectivities only because we can act on the world through our bodies. Note that this does not take anything away from our subjectivity as it is normally understood, but rather adds a dimension to our subjectivity. Subjectivity is normally seen as residing completely in

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[11] Bad faith is a Sartrean concept Beauvoir incorporates into her account. It is the condition of denying either one's facticity or transcendence. Bad faith has the primary result that the agent does not take into account her situated freedom which results in inauthenticity. But an agent in bad faith also often does not have the ability to recognize the ambiguous situation of others (of transcendence as well as facticity), and for this affects the agent's possibility to have authentic relationships with others.
[12] Beauvoir 1962: 96.
[13] Kruks 1998: 52-3.
[14] Term and concept from Merleau-Ponty 1962.
[15] Although she does not make this explicit in *The Ethics of Ambiguity*, this is a reasonable inference to draw.
[16] Moi 1999: 59.
[17] Beauvoir 1949: 66.

the mental realm, with the body as its contingent vessel. As opposed to this view of our subjectivity, the body is viewed as a constitutive part of our subjectivity in terms of the embodied subject, and as a necessary condition our kind of subjectivity. The notion of embodied subjectivity means an individual agent's subjectivity resides on a sliding scale somewhere between pure (mental) subjectivity and mere object. We are embodied subjects, and even though we cannot ever be pure body or pure (mind only) subjects, the situation we find ourselves in will determine on which side of the spectrum of body-subject we find ourselves. The importance of embodiment to our subjectivity (being body-subjects) is that embodiment is linked to our freedom, since our bodies determine the boundaries and limits of our possible choices, framing our decisions. Being body-subjects means we are always situated freedoms, and that absolute (i.e. unsituated) freedom is not a possibility for us.

Beauvoir's ethics, which is based on our freedom, needs a clear picture of what this freedom is, and our freedom needs to be framed in the context of our embodiment. Without an emphasis on our embodiment we would not be able to characterize our freedom. Beauvoir claims it is wrong to diminish practical freedom as the exercise of practical freedom is a requirement for agency. Practical freedom requires ontological freedom, and the subject is diminished as an agent if her practical freedom is diminished. The goal of her ethics is to enhance autonomy in agents, and to take away practical freedom diminishes autonomy.[18] The value of freedom with regards to ethics lies in the fact that freedom is a necessary condition for autonomy.[19] It is for this reason that Beauvoir claims that respecting the freedom of others is an ethical duty. Respecting the freedom of others advances the aim of creating more options for my own future. In addition to this, Beauvoir claims that denying others their freedom degrades my own being. Not respecting the freedom of others is equal to perceiving agents as mere objects in my world, and this diminishes my own autonomy.

I aim to show that her ideas on freedom, the importance of embodiment to our freedom, and her model of inter-subjective relations and subjectivity, are still useful. The guideline her ethics can offer is the importance of not denying the practical freedom of others, and this is an important contribution to any adequate ethical framework which will be able to deal with oppression. But what does it mean to not deny the practical freedom of others? On this aspect Beauvoir's account is vague, and cannot give us firm guidelines for what ethical behaviour actually entails, as Beauvoir herself realised when, later in her career, she criticized *The Ethics of Ambiguity's* "empty idealism, lofty moralism and lack of realism".[20] This is my motivation for supplementing her ethics with Nussbaum's capabilities, as they can give a more detailed explanation of what it means to respect or deny others' practical freedom. The content of how, exactly, a freedom based ethics should be applied can be filled by the capabilities. I will first give an exposition of Nussbaum's capabilities, and then proceed to show how the two approaches need to supplement each other.

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[18] I am not dealing with the free will problem here. Ontological freedom is assumed, and Beauvoir does not question the possibility of ontological freedom. Practical freedom can be taken away, but this does not mean there is no free will, as ontological freedom would still be in place even when practical freedom is taken away.
[19] This position of Beauvoir is in line with that of Joseph Raz 1986
[20] Moi 1994: 148.

1.3. **Nussbaum on Capabilities**

Nussbaum develops a version of the capabilities approach to well-being, originally set forward by Amartya Sen.[21] Nussbaum utilises Sen's approach, and expands on it,[22] giving a list of capabilities, which is a set of social goods linked with innate capacities of human beings. The capabilities are necessary conditions for an agent to have the ability to lead a flourishing life. The capabilities approach to well-being has two intuitive ideas supporting it; first that certain "functions are particularly central in human life, in the sense that their presence or absence is typically understood to be a mark of the presence or absence of human life."[23] Second, there is a truly human way in which to perform these functions which is different from performing the functions in an animal way.[24] The list of capabilities does not rely on a metaphysical view of human nature but is dialogic in nature, and the capabilities are revisable. They are the result of discussion between people with different cultural perspectives and worldviews. The capabilities approach maintains there are certain things which are important to us because of the type of creatures we are. For this reason, Nussbaum does not need to see human nature as an 'essence' or unchangeable over time. Instead, she claims that because

> …the intuitive conception of human functioning and capability demands continued reflection and testing against our intuitions, we should view any given version of the list as a proposal put forward in a Socratic fashion, to be tested against the most secure of our intuitions as we attempt to arrive at a type of equilibrium for political purposes.[25]

The capabilities are therefore not meant as an exclusive and exhaustive list of conditions of human flourishing, but are meant to provide a global ethical guideline for policy decisions and constitutions.[26] The goal is to create environments conducive for the flourishing of autonomous people by raising agents above a certain threshold with regards to the capabilities.

Nussbaum distinguishes three different types of capabilities, namely, basic, internal and combined capabilities. This distinction will become important later, in order to show that there are two different levels on which oppression can occur, namely, denying agents the development of their basic capabilities into internal capabilities, and denying agents the development of their internal capabilities into combined capabilities. However, most of the account I develop is focused on the combined capabilities.

Basic capabilities are what, in lay terms, would be referred to as capacities. Basic capabilities are capacities we have because of the type of creatures we are. Basic capabilities are innate equipment or powers of a creature necessary to develop the internal skills necessary for the agent to be able to lead a flourishing life. "These [basic] capabilities are sometimes more or less ready to function: the capability for seeing and hearing is usually like this. More often, however, they are very

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[21] See Sen 1977, 1985 and 1993.
[22] Sen does not agree one could have a central list of capabilities, but claims the capabilities have to be determined according to different societies and individuals. In my opinion we can give a universal set of capabilities, for the reason that the capabilities are, as I will argue, based on our shared embodied subjectivity.
[23] Nussbaum 2000: 71-2.
[24] Nussbaum 2000: 71-2.
[25] Nussbaum 2000: 77.
[26] Nussbaum 1999: 40.

rudimentary, and cannot be directly converted into functioning…"[27] Basic capabilities are particular to each individual, yet there are some basic capabilities which are almost universal in human beings. The basic capability for affiliation is a good example of a capability most people share, as is apparent in our need for relations with others from birth. That there might be some individuals who do not have this capability would not deny the importance of affiliation for most people.

Basic capabilities are necessary for the development of internal capabilities. Internal capabilities are basic capabilities which have developed in the right environment, and are ready to operate, or ready for 'functioning'. Functioning refers to the actual life an agent leads, whereas capabilities refer to possible opportunities. I will explain these terms in more detail later in this section. Some internal capabilities do not require any specific external conditions for their development from the basic capability (e.g. the capability of sexual functioning only needs time for its development). Other internal capabilities need specific social and environmental conditions in order for them to develop (e.g. the capability of emotional functioning needs a secure environment which fosters the ability to feel mature emotions). Nussbaum explains internal capabilities as

> …developed states of the person that are, so far as the person herself is concerned, sufficient conditions for the exercise of the requisite functions. Unlike the basic capabilities, these states are in mature conditions of readiness. Sometimes readiness simply takes time and bodily maturity…More often, however, internal capabilities develop only with support from the surrounding environment.[28]

But even when people have developed an internal capability, (usually with much support from the material and social world) they may be prevented from functioning in accordance with it. For this reason, Nussbaum also distinguishes a third type of capability; combined capabilities. She defines them as "internal capabilities combined with suitable external conditions for the exercise of the function."[29] Internal capabilities are necessary for the development of combined capabilities. Combined capabilities are the presence of internal capabilities *plus* external conditions conducive to the specific functions.

In certain circumstances, it might be unclear whether an agent is being denied the possibility to develop an internal or a combined capability, as both involve external conditions in their development. The reason this distinction is important is that even highly developed internal capabilities can be prevented from becoming combined capabilities if social conditions are hostile to the actual functioning in accordance with the capability. Nussbaum gives the following example:

> We see the distinction most sharply when there is an abrupt change in the material and social environment: a person accustomed to exercising religious freedom and freedom of speech, is no longer able to do so. Here we feel convinced that the internal capability is fully present, but the combined capability is not. Where there is lifelong deprivation, the distinction is not so easy to draw: persistent deprivation affects the internal readiness to function.[30]

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[27] Nussbaum 2000: 84.
[28] Nussbaum 2000: 84.
[29] Nussbaum 2000: 84.
[30] Nussbaum 2000: 85.

Note that for the rest of the project, I refer to 'combined capabilities' when I use the term 'capabilities', unless otherwise stated. Here is the list of combined capabilities that are the focus of Nussbaum's attention.

The Combined Human Functional Capabilities:[31]

1. Life - the capability to live and have the option to live.
2. Health - the capability to have resources and nutrition to be healthy (as healthy as the agent's body could allow for in ideal external circumstances).
3. Bodily Integrity - the capability to have control over what happens to one's body.
4. Senses, Imagination, Thought - when the agent has the enabling conditions in place to develop her sensory, creative and intellectual abilities.
5. Emotions - requires that the agent has a developmental process which does not stunt the ability to feel mature emotions.
6. Practical Reason - means the agent has the enabling conditions in place to develop her practical reasoning skills, and external conditions which allow her to act on her choices of what she judges the best option under the circumstances.
7. Affiliation - the ability to have meaningful relationships with other people.
8. Interaction with other species; relations with respect to our environment - the ability to live with respect for one's environment and other species.
9. Play - the possibility to partake in activities not merely for survival purposes, especially at an early age.
10. Control over ones' environment
    a) Political - the capability to be involved in the process of governance.
    b) Personal - the capability to decide with whom ones time is spent, and how one spends one's time.

The capabilities are best understood through examples. Here is an illustration of the most important ones for my project.

Nussbaum holds that the capabilities of practical reason (6) and affiliation or sociability (7) are capabilities which are more important than the others because they infuse the other capabilities with 'humanity'. She uses the term 'architectonic' to refer to these capabilities. The capability of practical reason (6) means the agent is able to reason and decide which option would be most beneficial for her to choose. Nussbaum summarises this capability as the fact that

> All human beings participate (or try to) in the planning and managing of their own lives, asking and answering questions about what is good and how one should live. Moreover, they wish to enact their thoughts in their lives - to be able to choose and evaluate, and to function accordingly.[32]

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[31] Nussbaum 1999: 41-42.
[32] Nussbaum 1995: 78.

The requisite internal condition for practical reason is that the reasoning skills of the agent should be developed through education and intellectual stimulation. The capability also requires the external condition that relevant information should be available to the agent, should she choose to consider different options. The capability of affiliation (7) is the possibility for people to have meaningful relationships with others, and to be able to acknowledge their fundamental relationship with others. Nussbaum claims the architectonic capabilities are important since "without them only a subhuman type of functioning is available."[33]

The architectonic capabilities need to permeate the other capabilities in order for the other capabilities to be human capabilities. This means that the architectonic capabilities are a necessary condition for any of the other capabilities on the list to count as human capabilities. For example, capability (1), life, without practical reason or affiliation is not a fully human life, and the same is true for all the other capabilities. In order to explain the importance of the architectonic capabilities, the following diagram illustrating the relationship between the architectonic and the other capabilities can be of use.

Diagram 1.1

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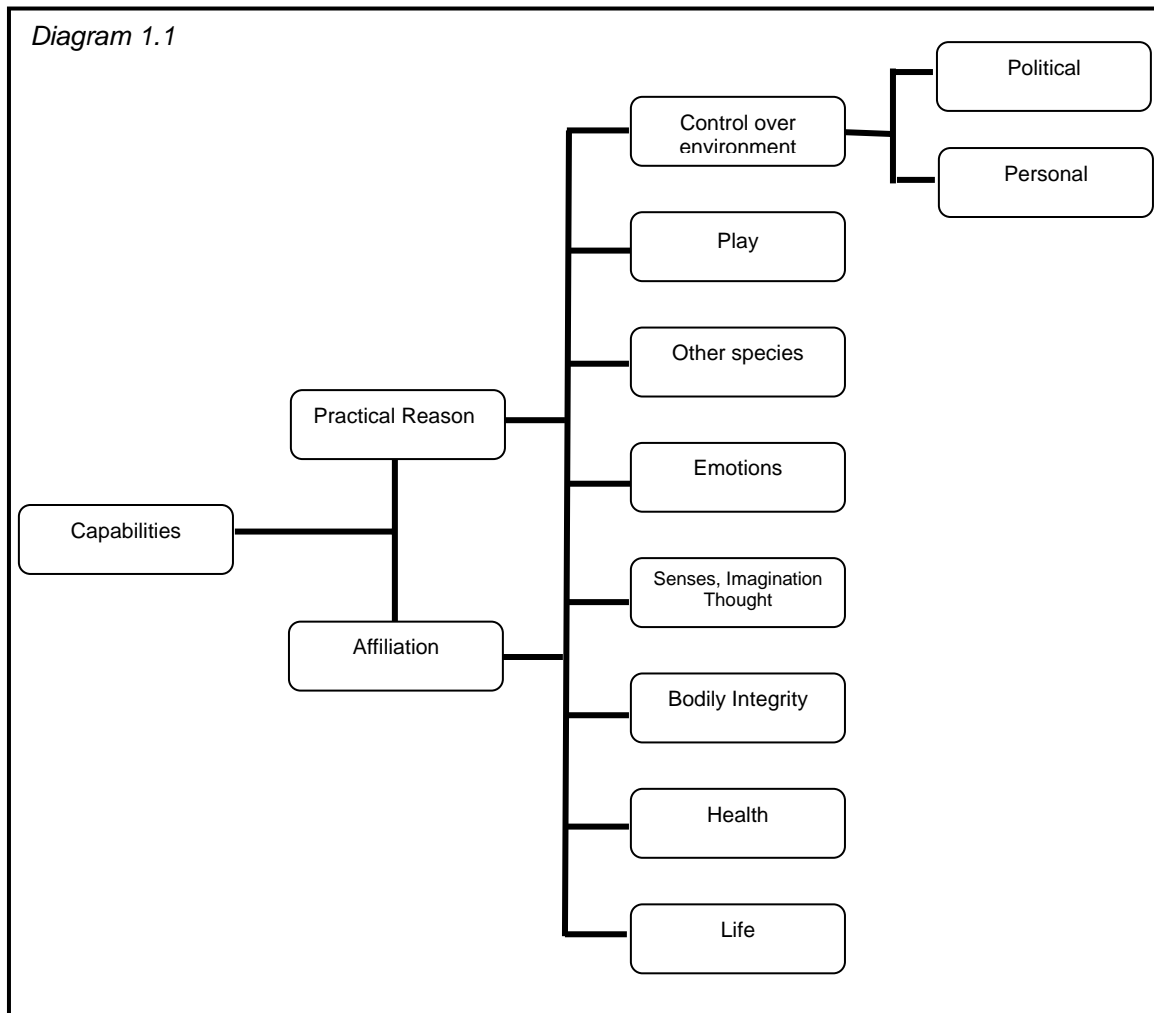
[33] Nussbaum 2000: 129.

As will become clear in Chapter 2, oppression is mostly marked by the denial of certain particular capabilities. For this reason I explain some of these in more detail here. The capabilities of life (1) and health (2) are straightforward and easy to understand. To have the capability for bodily integrity (3) is to be allowed to live with dignity, and be allowed to decide what is done to one's body, by whom, and when. Denial of this capability occurs when others decide (without consulting the agent concerned) whether the agent's body is changed permanently.[34] Denial of this capability also refers to being denied the authority to decide if, when and how others see one naked, and what they are allowed to do to one's body.[35] Rape is an example of this capability's denial. The capability of senses, imagination, and thought (4) denotes an environment which fosters the development of sensory, intellectual and creative aspects of one's life. The senses include the capacity for sexual pleasure; the woman who goes through the ritual of female genital mutilation does not have the basic (and therefore also not the internal or combined) capability for sexual pleasure. When there is no education available, the intellectual and creative part of this capability is denied. The capability for emotion (5) requires that the agent has a developmental process which does not stunt her ability to feel emotions. Denial of this capability occurs in situations of physical and psychological abuse. The numbness reported in victims of abuse is a good example of the denial of this capability. The capability to have control over one's environment (10) has two components. To have the political component (a), the agent must be able to be involved in the process of governance. Note that this does not denote any specific form of government, since there can be successful political involvement in different types of government. This capability does not imply that children should be involved in the process of governance, but it does mean they should be able to become involved in political processes should they so choose.[36] Very young children are not required to have this capability, precisely since they have not developed into the types of autonomous beings who can be responsible for their political environment. This capability could include being allowed to voice grievances about aspects of government, with the assurance that authorities will take note of these grievances. An agent in a situation where criticism of government results in punishment is denied this capability. To have the personal component (b), the agent must have authority over who she spends her time with, and what she spends her time doing. An agent who is not able to socialise with whom she chooses without fear of persecution is denied this capability.

Nussbaum's approach to measuring welfare provides a complex interpretation of human well being and deprivation; it puts forward the necessary basis for the pursuit of the good life. This means that the list is evaluative and not merely descriptive. The approach specifies the conditions for full human functioning. Full human functioning would be identical to basic human flourishing. Full human functioning therefore denotes the minimum conditions which need to be present in order for an agent to be able to lead a flourishing life. When an agent has full human functioning, we can then judge that she

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[34] As in the case of female genital mutilation.
[35] The denial of clothes in political prisons has been used as a form of torture. Its effectiveness highlights the importance of the capability of bodily dignity for humans.
[36] The ANC youth league is a good example of an institution which allows underage citizens to become involved in the political process, even though the underage members are still not allowed to vote.

is leading a life which would be on the level of flourishing in the most basic sense. Flourishing can obviously then be developed further under the right conditions. The list of capabilities is furthermore deliberately general, so that each of the components can be specified in various ways in concrete contexts.[37] The flourishing (or good) life has the capabilities as necessary conditions, but once a life has these, the flourishing life is multiply realisable. The capability to have control over one's personal environment (10b) could, for example, be expressed in numerous different ways which would all be equally valid under this approach. A priest and an exotic dancer might both have this capability, but choose to instantiate it in different ways. The priest chooses to live a life of celibacy (and does not utilise his body in any direct way in order to earn his income). The exotic dancer, on the other hand, chooses to earn her money by a presentation of her body to customers (utilising her body directly for financial gain). Both agents should have the option to earn money in a different way for this approach to be able to judge that they really have the capability of control over personal environment. Most of the other capabilities are equally capable of being instantiated in many different ways. Some capabilities, however, allow for this multiple realisation only to a lesser extent. The combined capability of life (1), for example, only allows for two options - to have or not to have the option to live.

In order to explain how to measure quality of life using this approach, I have to explain some central terms. A person's 'functioning vector' is the particular life the person actually leads, actual choices she makes and the consequences of these choices. A person's functioning vector thus specifies what a person 'is and does'. A person's 'capability set', on the other hand, is the "total set of functionings that are 'feasible', that are within her reach, [and] that the person could choose."[38] Sen defines the capability set as the set of functioning vectors within a person's reach.[39] 'Capability set' is introduced in order "to refer to the extent of freedom people have in pursuing valuable activities or functionings."[40] The capabilities in the set all refer to combined capabilities, and not merely basic or internal ones. Sen and Nussbaum both argue that in examining well-being, attention should be given to a person's capability set, not merely to her functioning vector. Examining well-being in this way would be the comparison of actual opportunities, since it takes into account positive freedoms a person has.[41] Sen gives an example in order to illustrate the importance of taking the capability set into account. Two people are undernourished. One is fasting, while the other through deprivation has no choice but to go without food. The difference in their situation lies in their capability set, since their functioning vectors are identical. The fasting person has the option to choose not to starve, but refrains from exercising this option. The starving person does not have in her capability set the option to have adequate nutrition; adequate nutrition is not a practical, feasible choice she could make with regards to her circumstances. The fasting person therefore has positive freedoms the starving person lacks, and the capabilities approach can explain our intuition that the person fasting leads a better life because she
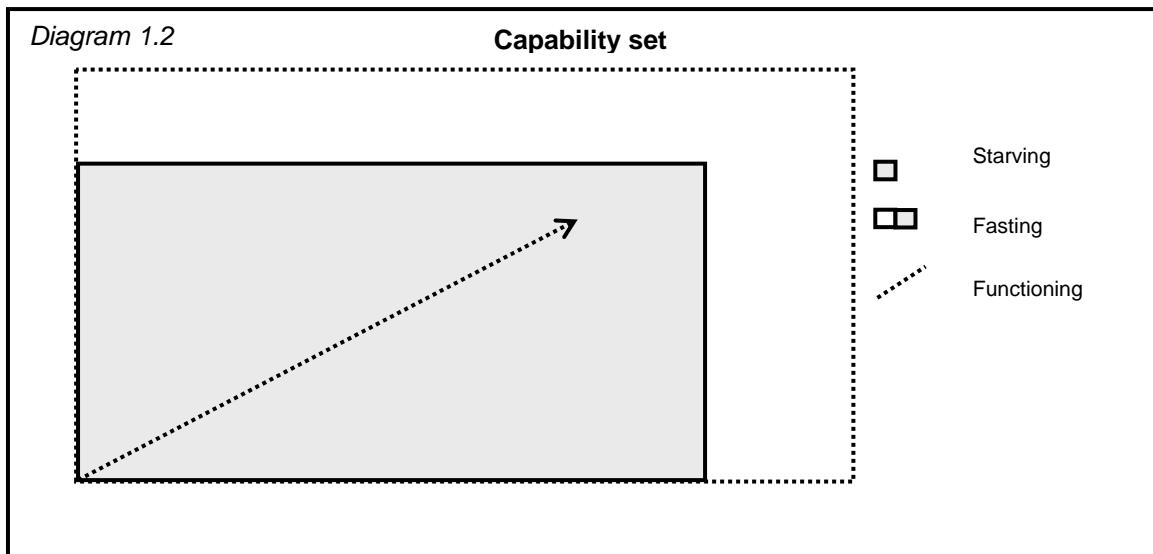
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[37] Nussbaum 1999: 40.
[38] Crocker 1995: 158.
[39] Sen 1985: 201.
[40] Sen cited in Crocker 1995: 158.
[41] Sen 1985: 201.

has the positive freedom to choose not to starve, even if she refrains from utilizing this option. The difference between the two situations can be illuminated in a graph:

Diagram 1.2 — **Capability set**

Starving
Fasting
Functioning

The fasting person has a larger capability set than the starving person; represented by the larger surface area on the graph. Their functioning vectors (represented by the slanted line on the graph) are however identical. The anorexic person[42] would have the same capability set as the starving person, but for different reasons. Where the capability set of the starving person is limited because of external features of her situation, the anorexic person's capability set would be limited by internal, psychological features of the situation. She lacks the internal capability to have adequate nourishment. Mere opportunities, as long as they are valuable ones, therefore have a place in evaluating the welfare of people. The point is that an agent could have any number of functions within her capability set.

It is capability, and not actual functioning which is the focus of Nussbaum's approach. The approach is aimed at setting a threshold for the minimum level of capabilities, and then, once citizens have reached a specific level of development and capability, the actual functioning of citizens is left up to them. The purpose is thus not to impose a specific conception of the good life, but, rather, the "list allows in its very design for the possibility of multiple specifications of each of the components."[43] It supports the ideal of "providing support for the basic capacities and opportunities that are involved in the selection of any flourishing life and then leaving people to choose for themselves how they will pursue flourishing."[44] Thus, it sets out criteria for human flourishing, but not instantiations of flourishing. Nussbaum claims that

> …the goal should always be to put people into a position of agency and choice, not to push them into functioning in ways deemed desirable. I argue that this is no mere parochial Western

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[42] I am indebted to Sally Matthews for asking where the anorexic person would fit into this schema, and how this approach would be able to deal with this type of person.
[43] Nussbaum 1999: 47.
[44] Nussbaum 1999: 9.

ideology but the expression of a sense of agency that has deep roots all over the world. It expresses the joy most people have in using their own bodies and minds.[45]

If the focus is on functioning instead of capabilities, the conception of the good life society deems desirable is prescribed to the agent. This means the agent is denied the capability of practical reason, to work out which functioning vector would be best for her. The primary goal of this approach is thus the development of the capability set; but where the capability of practical reason is not yet fully developed (e.g. the child and mentally handicapped person[46]); the approach agrees that one should aim for functioning.

Nussbaum insists on the separateness of each person when measuring welfare. The capabilities approach subscribes to individualism: everyone should be treated as an end in themselves.[47] In this way, the approach strives to overcome a certain group of people being seen as means for other people's ends. This possibility (of viewing some people as vehicles for creating more functioning for others) is always present in approaches which concentrate on groups as the basic unit of measuring welfare. The capabilities are important for every citizen in every country.[48] The insistence on the separateness of persons when measuring welfare does not mean the importance of social relations in our lives is ignored, but does have the consequence that the welfare of some cannot make up for the suffering of others.

The capabilities approach starts from the assumption that human motivation is complex. All the separate capabilities are distinct in quality and each is of central importance. The architectonic capabilities might be more important in the sense that they are necessary for any of the other capabilities to be human capabilities, but this does not mean that a life with only the architectonic capabilities can be a flourishing human life. *All* the capabilities are necessary conditions for the fully functioning, and thus, for the flourishing human life. Since each capability is distinct in quality, it is possible that there might be a case where capabilities cannot be fulfilled in one person's functioning vector at the same time, because of the circumstances she finds herself in. The person would then have to choose which of the capabilities are more important in her life. This means there is the possibility of a clash between capabilities. Nussbaum acknowledges the fact of such tragedy, and sees our goal as envisioning a social situation in which capabilities would not clash with each other, and striving to bring this about in reality. She writes that in "seeing the situation in this way, as a tragic clash of right with right, we prepare ourselves to design a better future, one in which such clashes will not occur."[49]

In summary, then, the capabilities are a set of social goods linked with innate capacities of human beings. We get to the list through dialogue, and the capabilities mentioned in it are revisable. Nussbaum's main claim is that

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[45] Nussbaum 1999: 11.
[46] The agent in this case is not in a position to choose with the benefit of practical reason, and for this reason the aim should be a specific functioning vector (which would include developing the agent's practical reason to the greatest extent possible).
[47] Nussbaum 1999: 10.
[48] Nussbaum 2000: 123.
[49] Nussbaum 2000: 127-128.

>…the presence of the 'basic capabilities' - a child's capability for learning for example - gives rise to social duties, duties to move that capacity from its rudimentary form to its higher level of capability that figures on the list.[50]

Through the capabilities approach Nussbaum provides us with one means of measuring (and comparing) welfare; it is interested in what kind of life the person is living and what the person is succeeding in doing and being. The capabilities approach to measuring welfare will be utilised later in this chapter, where I will argue that Beauvoir's ethics needs to be supplemented with the capabilities, and that the capabilities needs to be supplemented with Beauvoir's ethics, for a complete ethical framework. I will show how this framework can give a useful definition of oppression in chapter 2.

But why do I claim that this specific account of how to measure welfare should supplement Beauvoir's ethics to identify what respect and denial of practical freedom actually involves? Could any other approach to measuring welfare not do the same work? In order to address this question, I briefly examine some rival approaches to measuring welfare in the next section.

1.4. **Rival approaches to measuring welfare**

I follow Nussbaum in examining three standard, rival, economic approaches underpinning policy decisions by way of taking people's quality of life into account. These are: measuring Gross National Product (GNP) per capita, the utilitarian approach, and the Rawlsian approach. She claims these rival approaches to measuring welfare are deficient in certain important respects compared to the capabilities approach.

The first approach, GNP per capita,[51] is worked out by dividing GNP (the sum of the earnings of the people whose welfare is to be ascertained) by the number of people. It is thus an average worked out across all sectors of society. Using GNP per capita to measure quality of life is insufficient to measure the quality of life of each citizen as it does not take the distribution of material resources into account. An example of the GNP per capita approach failing to give an indication of the quality of life of the majority is present day South Africa, along with other countries where the distribution of goods is extremely skewed. The approach, moreover, ignores important goods which are not necessarily correlated with wealth and income, for example life expectancy, infant mortality and political liberties. For this reason, it can at best measure *means* to well-being, and not well-being itself.

Secondly, the straightforward utilitarian approach uses an aggregate figure of the nation's utility measures from questionnaires, on which individuals judge their own quality of life. This approach faces the same problem as GNP per capita, discussed above, of not reflecting welfare of individuals in a society where welfare is unevenly distributed, as it also deals with averages.[52] Yet, the utilitarian approach is able to deal with the second problem encountered in GNP per capita, as it is not solely a measurement of financial welfare, but incorporates other important factors of welfare into its calculations. However, even if it were not for the fact that aggregate numbers are unreliable in order to

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[50] Nussbaum 2001: 1536-7.
[51] Nussbaum 2000: 61.
[52] Nussbaum 2000: 61.

measure the welfare of individual agents, this approach would still fail. It has another problem - research has shown that people adjust their subjective expectations to their actual situations, and so people adjust their preferences and desires to their environment. A person's judgement about her own welfare is therefore not always reliable. An example of this is a person who claims she is satisfied with her situation, even when it denies her central prerequisites for leading a flourishing life. The Marxist theory of false consciousness[53] (of the working class) is a good example of this. The working class is satisfied with their condition, despite the fact that their situation denies them work satisfaction or the material benefits resulting from their work. The possibility of false consciousness means it is not adequate to base measurements of well-being solely on the subjective judgements of people of their own lives. What is necessary is to be able to take subjective judgments into account, while attention is also given to some objective measures. The capabilities approach is designed to take into account that people adjust their desires to the level of the actual available possibilities they have.[54] This means the capabilities approach strives to overcome the problem that faces desire-preference measurement of people's welfare, as it takes the environmental influence of desire formation into account.

The third alternative approach to welfare measurement Nussbaum discusses is the Rawlsian 'veil of ignorance' thought experiment. This looks at a set of basic resources and then considers their distribution, with criteria for fair social allocation in mind. This approach is able to measure quality of life in terms of a heterogeneous list of social goods, by comparing an actual person's life with what one would judge as needing to be on someone's list in the ideal society. Rawls' account is based on the 'veil of ignorance'. People in the original position, behind a veil of ignorance, decide on the principles that would govern the society they enter once they emerge from behind the veil of ignorance. The 'veil of ignorance' is a thought experiment in which people would know what the conditions for a flourishing life is, but not which position in the imagined society, they are about to enter, they would be in. The veil of ignorance is thus a method through which agents would be able to ensure that they would be content in any of the positions in the imaginary society, and thus a means of ensuring the fair distribution of the necessary conditions for a flourishing life. Rawls

> … has advanced a list of the 'primary goods,' items that all rational individuals, regardless of their more comprehensive plans of life, would desire as prerequisites for carrying out those plans. Rawls' list is heterogeneous. It includes liberties, opportunities and powers, which are capacities of citizens in their social environment… [as well as] thing-like items [like] wealth and income…[55]

This approach is able to surmount the problem in desire-preference approaches, as it takes into account objective goods in measuring quality of life. It is also able to take into account features which improve quality of life but are not necessarily correlated with material wealth, and so has an advantage over the GNP and utilitarian approaches. This principle (of measuring quality of life in terms of a heterogeneous list) has an advantage over the two approaches to measuring welfare discussed above,

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[53] Though it is difficult to judge when an agent has false consciousness, I assume for my purposes here that false consciousness is possible and is a relatively common occurrence.
[54] Nussbaum 1999: 11.
[55] Nussbaum 2000: 65-6.

as it, firstly, takes into account the possible imbalance between different individuals in society, and, secondly, takes into account the possible imbalance between a person's welfare and their material wealth. Nussbaum, however, argues that Rawls' approach, though more promising than the other two, still fails. She claims it neglects the fact that some individuals need more resources in order to convert them into actual functionings.[56] A disabled person needs more resources in order to reach the same level of functioning as other agents. Although the veil of ignorance takes different positions in society and their effect on welfare into account, it does not take into account different basic capabilities of agents and their effects on welfare. It might be argued that Rawls' approach could be fine-tuned in order to take the possible imbalance in basic capabilities into account, so the veil of ignorance includes the possibility that the agent might need more resources than others to reach the same functioning vector. This is possible, but once this is done, the conclusions the Rawlsian approach would reach would in effect become identical with the conclusions of the capabilities approach. If the possibility that some agents need more resources than others to have the same functioning vector is incorporated into the Rawlsian account, it takes everything the capabilities approach does into account. Which approach is then utilised is irrelevant.

There is, however, another problem with the Rawlsian approach which does not seem so easily surmountable. The thing-like goods on Rawls' list, for example wealth and income, can become problematic, as its focus is on means to welfare, and not welfare itself. Though these items would be important in terms of the capabilities approach as a means to welfare as well, the list Rawls advances seems to be biased in its assumption that the possession of material goods is a universal good. There might, for this reason, be difficulty in ascertaining the welfare of individuals in communities where material goods are owned collectively. The goods on the list derive from the decision made behind the veil of ignorance. The reason why his approach has a problem with determining the welfare of people within societies which do not subscribe to the value of material goods could be a sign of the veil of ignorance not being sufficient to ensure an unbiased decision. The veil of ignorance is then not an adequate justification for the goods on Rawls' list. I will argue in the next section that the basic capabilities on Nussbaum's list are justified by our embodied subjectivity, which is a truly universal basis from which to derive a list of universal goods. Rawls' approach does not have this advantage, and for this reason it is unclear that the goods on his list would be truly universal. My point here is that since it is not completely clear whether the Rawlsian approach, at present, deals with the above mentioned problem, while the capabilities approach can, it is better to utilise the capabilities approach.

1.5. **A novel ethical framework: embodied subjectivity, freedom and welfare**
Beauvoir and Nussbaum both aim for practical freedom for citizens. Beauvoir's project in *The Ethics of Ambiguity* nonetheless failed to set out exactly what the material, environmental and social conditions for practical freedom are. It is for this reason that I deem it necessary to supplement her account with

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[56] Nussbaum 2000: 68.

Nussbaum's capabilities. The capabilities are able to show what is actually meant by 'the denial of practical freedom' that Beauvoir argues is unethical. I will also argue that, on closer inspection, Nussbaum's account can also benefit from Beauvoir's account. First, the basic capabilities are justified through embodied subjectivity and, second, Beauvoir's account can supply Nussbaum's with a reason for why it is wrong to deny agents capabilities (as it means the denial of practical freedom). Beauvoir's account can for this reason not only give a supporting account of where the basic capabilities derive from, but can also give a justification for why it is unethical to deny agents capabilities.

I now turn to a more detailed account of how Beauvoir's account needs to be supplemented with Nussbaum's capabilities. The capabilities approach allows one to set out criteria for what is necessary for an agent to be practically, and not merely ontologically, free. It can in this way be linked to Beauvoir's ethics of freedom in *The Ethics of Ambiguity.* Beauvoir writes that

> I must…endeavour to create for all men situations which will enable them to accompany and surpass my transcendence. I need their freedom to be available to make use of me, to preserve me in surpassing me. I require for men health, knowledge, well-being, leisure, so that their freedom does not consume itself in fighting sickness, ignorance, misery.[57]

In this quotation Beauvoir explicitly mentions conditions which could be mapped onto Nussbaum's list of capabilities. The link with Nussbaum here becomes clear. They both think that all people ought to be lifted above a certain threshold when it comes to the conditions for leading a flourishing life. Beauvoir writes in *The Ethics of Ambiguity* that if a life can do nothing but maintain itself at a material level, "living is only not dying, and human existence is indistinguishable from an absurd vegetation".[58]

Beauvoir's ethics needs supplementation in order to show exactly what it means to say a that life is merely maintaining itself on a material level. To have practical freedom is to exist in a situation which allows us to utilize the tools (basic capabilities) we have, and to develop them into combined capabilities. Combined capabilities are important in so far as they measure and represent practical freedom. Choice determines which functioning vector within the capability set an agent will actually have. To have practical freedom is to have all the opportunities the combined capabilities represent. Opportunities of agents are, on my account, not only formal opportunities allowed for in constitutions, as the opportunities represented by capabilities are dependent on concrete material and social circumstances for their existence. Nussbaum claims that "we should note that the various liberties of choice have material preconditions, in whose absence there is merely a simulacrum of choice."[59] This simulacrum of choice would amount to ontological, but not practical, freedom. It then seems that both Beauvoir and Nussbaum would want to aim for the enhancement of agency that practical freedom represents. Beauvoir's account, however, does not give solid guidelines as to what the denial of practical freedom actually means. These guidelines are what Nussbaum's capabilities approach can supply.

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[57] Beauvoir cited in Kruks 1998: 50.
[58] Beauvoir 1962: 82-3.
[59] Nussbaum 2000: 53.

Nussbaum's account can also benefit if it is combined with Beauvoir's account of ethics, although the benefit might not seem as obvious. The reason for this is twofold. First, emphasis on our embodied subjectivity can explain why we have some basic capabilities that are near universal. Second, and more seriously, Nussbaum's account cannot give a justification as to why it is necessary to take the capabilities of others into account. She claims it is ethical to ensure that human beings have the combined capabilities, but she does not explain *why* this is the case. It is to this question that Beauvoir's ethics of freedom can provide an answer. But first I will deal with the link between the basic capabilities and our embodied subjectivity.

Nussbaum's claim that her account of the basic capabilities is justified by 'the types of creatures we are' can be expressed in terms of Beauvoir's embodied subjectivity. Basic capabilities and embodied subjectivity are not identical, but embodied subjectivity can give an account of what is meant when it is claimed that basic capabilities are a result of 'the types of creatures we are'. Nussbaum's Aristotelian framework claims that we are 'rational animals'. What it means to be a rational animal can be described in terms of embodied subjectivity.

Nussbaum gives two functions for biology to play in the capabilities approach to well-being. On scrutiny it will become clear that the role she gives to biology means that the concept of 'rational animal' can be described in terms of the concept of 'embodied subject'. The first role Nussbaum claims biology plays in her account has to do with the concept 'person'. She insists on "valuing the whole of our animality and not just our rationality, and on holding these two together".[60] This in effect asks us to emphasise both aspects of embodied subjectivity, as Beauvoir did. It is often overlooked that our faculty of rationality is intricately linked with our bodily well-being, as the example of deterioration of body, memory and mind in old age show. This does not mean that optimum bodily health is necessary for rationality, but it does mean that our faculty of rationality is linked to our bodily well-being in some ways. The difficulty we experience in trying to concentrate on abstract problems while in severe pain is an example of how the well-being of the body might affect our reasoning skills. It is a greatly admirable quality to be able to deal with difficult issues when one's ill health distracts the process.[61] Nussbaum writes that "our dignity just is the dignity of a certain type of animal. It is the animal sort of dignity, and that very sort of dignity could not be possessed by a being which is not mortal and vulnerable."[62] Secondly, biology is important in her account since similar biology gives us similar tools, and the capabilities we are able to develop depend on the types of tools (or basic capabilities) our biology allows for. Nussbaum states

> …a necessary and sufficient condition of being the object of normative ethical concern, in a politics based on the capabilities approach, is that one has some innate equipment that makes it possible

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[60] Nussbaum 2000: 122.
[61] My point here is that it is our embodiment which leads to our rationality. I am not claiming that full bodily health is necessary in order for an agent to be able to lead a flourishing life, but I do think it would be uncontroversial to say that if a person had all the capabilities, except bodily health, her flourishing would improve if she found a cure for her ailment. This is however not within the scope of my current project, since I am dealing with the minimum level of functioning needed for basic flourishing, while this question addresses the possibility of an upper limit of flourishing.
[62] Nussbaum 2001: 1528.

for one to attain the capabilities that figure on my list, given sufficient attention, material support, and care.[63]

Our embodiment justifies the list of capabilities we can say are important for creatures like us. Embodiment is thus important for ethics, because without it, ethics would change; if our embodiment changed, our ethics would change as well. If humans went through a stage of development which changed their embodiment in drastic ways, it would be reasonable to argue that the ethical framework for these creatures would have to be very different from the one we need as embodied in the specific way we are. For example, a creature which is not vulnerable to illness would not have the need to give attention to her health. So, even if embodiment is contingent to our subjectivity or personhood, it is still very important. Nussbaum claims that

> The body that labours is in a sense the same body all over the world, and its needs for food and nutrition and health care are the same…Similarly, the body that gets beaten is in essence the same all over the world, concrete though the circumstances of domestic violence are in each society.[64]

Nussbaum also points out that the "procedure through which this account of the human is derived is neither ahistorical nor apriori…Nor does it claim to read facts of 'human nature' from biological observation; it takes biology into account as a relatively constant element in human experience."[65] This is in line with seeing the 'body as situation' as Beauvoir did, which does not subscribe to biological determinism, yet assigns a substantial role to our embodiment in our subjectivity and value formation. I am not identifying capabilities and embodiment, but claiming that embodiment is where we get the capabilities from. It is because we are certain types of embodied creatures that we have certain types of capabilities. Isolating some relevant capabilities over others is given justification through our embodiment. Once it is clear the phrase 'the types of creatures we are' refers to embodied subjects, we can confidently claim certain capabilities will always be on the list. For an embodied subject, embodied in the way we are, it will always be important to have the capabilities of, for example, life (1), health (2), and bodily integrity. Our possibilities are constrained by our bodies, and yet this constraint does not determine us. Our common embodiment means that we have certain experiences we share as humans, yet our responses to these experiences can be very different.

I now turn to the second way in which Beauvoir's account can supplement Nussbaum's position. Our embodiment is important to our freedom, as explained earlier in the chapter. This fact makes it possible for Beauvoir's position to justify why it is necessary for agents to take the combined capabilities of others into account. That we are embodied subjects means our practical freedom is always situated. As our freedom is situated, it comes into contact with other agents and their projects. The reason why we should take notice that the agency of some is not able to manifest itself in the world is because we need to appeal to the other to take up and support our projects. Our projects might be individual, but they are embedded in a social situation and need the other for their fulfilment. If

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[63] Nussbaum 2000: 122.
[64] Nussbaum 2000: 22-3.
[65] Nussbaum 1999: 40.

I were to take up the project of saving the rainforests or the chimpanzees, these projects would not be possible without other people. I need to appeal to others to take up the same cause, and I have to convince them of the validity of my project. If others are caught up in a fight for their own survival, then it is not possible for them to take up this cause, since all their energy is aimed at a more fundamental project, namely, survival. Beauvoir thus sketches the conditions to set an appeal to others, and these conditions, I have argued, coincide with Nussbaum's capabilities.

Beauvoir's aim is to convince us we should care about the well-being of others (and this well-being can be set out through the capabilities approach) because even if we do not realize it, enhancing the agency of others will enhance our own agency. What Beauvoir offers us, that Nussbaum cannot, is the fact that in order for us to be flourishing human beings, we cannot live in a world without other flourishing human beings and their projects. This might at first seem to be the same point Nussbaum makes with regards to the architectonic capability of affiliation, but Beauvoir's point is a more fundamental one. Where Nussbaum's concern is that we should have the ability to have good social relationships in all areas of our lives, Beauvoir's concern is that if we deny even one agent their practical freedom, our own practical freedom (and thus autonomy) is reduced. The denial of practical freedom to even one other agent would affect our ability to have good relationships with all people, as the denial of practical freedom of one human being denies practical freedom to all of humanity on a symbolic level.[66] Our inescapable relatedness to others thus gives us a justification for a universal set of capabilities, which we would be unethical to deny others.

The two accounts I have dealt with in this chapter thus both have their own shortcomings. Combining the two accounts can, however, deal with the problems which arise in each, and can therefore supply us with a complete ethical framework. This framework can answer both 'why' and 'how' we should be ethical to others.

1.6. Conclusion

I have given an exposition of the philosophical positions of Beauvoir and Nussbaum, and shown how the two accounts can supplement each other. Beauvoir's account of existential ethics and embodied subjectivity is important in order to show why we need to respect the freedom of others, and why the enhancement of agency should be our ethical aim. Her account is, however, insufficient on its own to deal with ethical problems which arise from real life situations. Nussbaum's capabilities approach can supplement Beauvoir's by giving guidelines pertaining to which features we should pay attention to with regards respecting practical freedom. Her account benefits from the merging with Beauvoir's account, since Beauvoir's account can supply Nussbaum's with the justification for considering the importance of combined capabilities in our ethical reasoning.

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[66] I will return to this point in more detail in Chapter 2.

CHAPTER 2: OPPRESSION

2.1. **Introduction**

In the previous chapter I argued for a novel ethical framework, involving a combination of the philosophical accounts of Beauvoir and Nussbaum. I now move my focus to a particular subset of the unethical, namely, oppression. In this chapter I utilise the ethical account developed in Chapter 1 and show how it can provide an answer to the question, 'what is oppression and how can we identify the oppressed?' I give an answer to the question 'what is oppression?' by arguing that oppression is a state in the world in which an agent is denied combined capabilities simply because of her perceived membership of a group. To recognize oppression, it is thus essential to ascertain whether an agent is being denied capabilities for the reason that she is a member of a specific social group. To facilitate the identification of oppression, it is therefore necessary to develop an account of social groups. I compare my account of oppression to that of Iris Marion Young, and conclude that my account is more fundamental.

2.2. **Oppression and social groups**

I propose that the state of oppression is one in which the oppressed agent is denied some capabilities simply because of her perceived membership of a certain group. In this section the focus is the first criterion for oppression - that it is aimed at social groups. But what is a social group?

Iris Marion Young develops an account of social groups. She writes,

> …people's identities are partly constituted by their group affinities. Social groups reflect ways that people identify themselves and others, which lead them to associate with some people more than others, and to treat others as different. Groups are identified in relation to one another. Their existence is fluid and often shifting, but nevertheless real.[67]

One could be born into certain social groups, a social group identity could be imposed on an individual (when a new group comes into existence), or one could choose to become part of a social group (as in the case of choosing a profession). What these have in common is that the membership of the group is seen as an important aspect of the agent's identity. An atomistic conception of individuals mis-describes what they are, as it fails to appreciate that individual "identities and capacities are in many respects themselves the products of social processes and relations."[68] Belonging to a social group is fundamentally intertwined with an individual's identity, and has specific consequences for how people understand each other and themselves.[69] Thus, Young writes

> A person's particular sense of history, affinity, and separateness, even the person's mode of reasoning, evaluating, and expressing feeling, are constituted partly through her or his group affinities. This does not mean that persons have no individual styles, or are unable to transcend or reject a group identity. Nor does it preclude persons from having many aspects that are

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[67] Young 1990: 9.
[68] Young 1990: 27.
[69] Young 1990: 43.

independent from these group identities.[70]

Young argues "our identities are defined in relation to how others identify us, and they do so in terms of groups which are always already associated with specific attributes, stereotypes, and norms. One first finds a group identity as given, and then takes it up in a certain way."[71] Thus, our identities are partly constituted by how others define us, and the characterisation of our groups by others have to be confronted and dealt with in some way, be it denial, acceptance, or a revaluation of the perceived stereotypes. One first finds oneself as part of a certain group, and then decides how to deal with this fact in one's life.

Young's claim regarding social groups is similar to Paul Taylor's redefining of 'race' as a non-essential social phenomenon. Race, Taylor argues, is a social construction, but this does not make its effects on people's identities less real. Individuals still have to respond to group social identities, even when the original reason for the classification might have been mistaken. Taylor writes; "what people of the same race share is not a common inherited essence but a common experience of certain created conditions (whether created by the mechanisms of oppression or in response to them)."[72] In a similar way, both Jean-Paul Sartre and Franz Fanon claim it is the perception (or gaze) of the other which defines the agent in certain respects. The fundamental relation between agents is thus one of reciprocal objectification and classification through a categorisation of the other in certain ways. This determines all agents to a certain extent, as they have to respond to these classifications. The objectification is nonetheless reciprocal, and thus has a dialogical character. Even though all agents are partly determined in this way - by the perception of others - Sartre claims that the oppressed are over-determined. He writes "[t]he Jew has a personality like the rest of us, and on top of that he is Jewish. It amounts to a doubling of the fundamental relationship with the Other. The Jew is over-determined."[73] The over-determination of the oppressed refers to them being removed from the dialogical relationship of objectification. In other words there is not a reciprocal relation of objectification between the Jew and other people. The oppressed cannot define the oppressors by a similar process of their perception of them. The oppressed are thus defined in terms of the perception of others firstly by the fact of their group identity, and by what this means for the oppressor. Most characteristics of the oppressed would be coupled with their group identity and what it means, thus Sartre speaks of Jewish courage, Jewish love, and so forth. Fanon claims that "I am over-determined from outside. I am not the slave of the 'idea' others have of me but of my appearance."[74] For the black person subject to racial prejudice, it is the fact of their appearance which makes the other classify her as a member of a social group, and this perceived membership determines how the other relates to her. This over-determination greatly reduces the options available for the oppressed, as they always have to take into account a stereotypical perception of themselves by others, and cannot through any of their actions

[70] Young 1990: 46.
[71] Young 1990:46.
[72] Taylor 2000: 114.
[73] Sartre 1949: 79.
[74] Fanon 1986: 116.

convince the oppressor that the stereotype does not reflect reality.

I take on board Young's description of social groups, as an important feature of an agent's identity, created by the perception of others. I will utilise this conception of social groups when I claim group membership is a criterion for oppression.

To claim oppression happens to social groups is in accordance with contemporary political discourse. Thus, where denial of capabilities is not aimed at a social group, but at an individual, this is not oppression. It is still unethical, but is not the focus of my current project. For example, if someone is the victim of assault, I might not classify this person as oppressed, but rather claim she was the victim of a random mugging (which is a form of unethical behaviour as it denies the agent capabilities (3) bodily integrity and (10b) control over one's personal environment). If the person is, however, attacked for the specific reason that she is perceived to be a member of a certain group, the action is not merely a mugging, but a particular instance of oppression. The denial of capabilities on the basis of being perceived as part of a certain group is what characterises oppression. As I argued in the last chapter, these capabilities are vital for an agent to be able to lead a flourishing life.[75] This does not mean individuals are not oppressed, but rather means individuals are oppressed *because* of their perceived membership to a specific group. I now turn my attention to a more detailed account of the second criterion for oppression, namely, the denial of capabilities.

2.3. **Oppression - what is it?**

In this section I argue for a theory of oppression which is based on the ethical account set out in chapter 1. Oppression is a subset of the unethical. To deny any agent any of the capabilities set out in the last chapter is unethical, but does not necessarily amount to oppression. For the denial of capabilities to be oppression, needs, also, to be subject to the further criterion that the capabilities are denied because of perceived group membership. I will also argue that the fact of our embodiment is a necessary condition for oppression.

Oppression is the denial of an agent's combined capabilities because the agent is alleged to be part of a social group. This group is claimed by the oppressor either not to have some of the basic capabilities necessary for the development of combined capabilities, or, having the basic capabilities, not to merit concern, and for this reason not to merit having their basic capabilities mature into combined capabilities.

The distinction Nussbaum draws between internal and combined capabilities proves useful at this point to distinguish different levels of oppression. Oppression can occur on two different levels (and in two different ways), namely, the denial of the development of either internal or combined capabilities. The denial of the development of internal capabilities is the denial of social and material circumstances necessary for the basic capability to be able to develop into an internal capability. This

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[75] Note that there might always be some members of the group who might escape oppression, but I do not think this detracts from my argument. The point is not that all people without exception in a specific group are oppressed, but rather that when an agent is oppressed, it is always because of her perceived membership to a specific group.

type of oppression is more difficult to identify than oppression involving the denial of combined capabilities, as empirical evidence of a lack of the internal capability might be mistaken for evidence that the basic capability is also absent. An example of this type of oppression is of women in a patriarchal system. That a woman in a patriarchal society does not have good practical reasoning skills or emotional control does not prove it is not possible for women to develop these capabilities if they had the right social and material support.[76] The denial of combined capabilities to a group (which has the relevant internal capabilities) is a second type of oppression. This involves the denial of the social and material circumstances which are supportive of the capability in question, if the agent has already developed the internal capability. This type of oppression mostly occurs after a drastic change in the social or material context, where agents have had the combined capability, and it is then denied.

Whether the capability denied is internal or combined is irrelevant for a definition of oppression. As explained in chapter 1, basic and internal capabilities are necessary conditions for combined capabilities to be able to develop. Should there thus be a deficiency at either the basic or internal capability level, this will be expressed at the combined capability level. For this reason an account of oppression need not refer to basic or internal capabilities. It is sufficient to say that any situation where combined capabilities are denied on the grounds of group membership, is an instance of oppression (as the denial of basic or internal capabilities would necessarily include the denial of the relevant combined capabilities). Keep in mind that combined capabilities can be present and an agent can choose not to instantiate the capability in her functioning vector. This is not oppression, and would confuse instantiations of the capabilities (i.e. a specific functioning vector) with the capabilities (i.e. positive freedoms) themselves.

When the aim is to investigate what action ought to be taken with regards to an oppressive situation (i.e. when liberation is the aim) the distinction between internal and combined capabilities would again become important. In some cases the environment could be adjusted so the agent's already developed internal capability can become a combined capability. In other cases (where the development of internal capabilities have been denied) oppression would be more difficult to combat. The environment would still have to be adjusted, but attention would also have to be given to developing the agent's basic capabilities into internal ones.

I now turn to my next claim about oppression; that our embodiment is a necessary condition for oppression to be possible. It should be clear at this stage of my argument that this does not limit oppression to actions aimed at the degradation of the body, but that oppression would refer to any of the capabilities being denied as a result of perceived group membership. The claim that our embodiment is a necessary condition for oppression refers to the fact that it is our embodiment which gives rise to the capabilities. This does not amount to the assertion that oppression targeting the mental or intellectual side of the spectrum of embodied subjectivity (as for example psychological

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[76] This argument follows a similar reasoning to the argument famously advanced by Mill 1909.

oppression) is not possible. Rather, I wish to emphasise that our embodiment gives rise to us being the types of creatures who would be vulnerable to oppression.

If it were not the case that we are bodies in the world which others may affect for the worse through their treatment of us, oppression would not be possible. Both Beauvoir and Nussbaum's positions allow for the recognition of the importance of our embodiment when it comes to addressing quality of life and the enhancing of agency. Taking into consideration that we are both subject and object in the world at the same time permits the conditions of a flourishing life to be articulated. This articulation takes into account that our bodies are important for our subjectivity. Debra Bergoffen writes,

> It is as embodied that I am a subject, but it is because I am an embodied subject that I can be perceived as an object, and it is because I can be perceived as an object that I can become a thing in a world controlled by the other… The body is now not only that through which I am a lived subject, it is also that by which my subjectivity may be taken from me.[77]

And also, "[f]rom Beauvoir's point of view, to treat the body as a machine is to oppress the lived body."[78] Ignoring the lived subjectivity of others does not amount to oppression in itself, but is one of the conditions for oppression. Treating the body as mere object denies the other agency, and denies the other the freedom (or transcendence) which is a condition for that agency. Beauvoir writes that the oppressed are,

> … condemned to mark time hopelessly in order merely to support the collectivity; their life is a pure repetition of mechanical gestures; their leisure is just about sufficient for them to regain their strength; the oppressor feeds himself on their transcendence and refuses to extend it by a free recognition.[79]

For Beauvoir, oppression "involves shutting off a group from transcendence and condemning it to a life of vegetation so as to increase the field of freedom of the oppressors."[80] But, as argued in Chapter 1, we should be concerned with enhancing the agency of others, as we need others in order to support and take up our projects. Thus, if we accept Beauvoir's argument, oppression is a self-defeating project, given that the oppressors would in fact enhance their own agency if they gave up their project of oppression. Beauvoir's reason for this is that "even if I oppress only one man, all humanity appears to me as a pure thing in him."[81] The point Beauvoir makes here is that the perception of any other agent as a mere object in my world diminishes my own agency.[82] This means that to have a flourishing

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[77] Bergoffen 1997: 26-27.
[78] Bergoffen 1997: 31.
[79] Beauvoir 1962: 83.
[80] Kruks 1998: 56.
[81] Beauvoir cited in Kruks 1998: 50.
[82] The reason why we should take the enhancement of agency for *all* agents as important in Beauvoir's account however seems unclear. In the existentialist framework, it seems possible that it is not unethical to treat some others as mere objects. As long as there are other free agents who can take up my cause, and with whom my projects intersect, Beauvoir's previous argument for the enhancement of agency *for all agents* does not hold. This problem can be recast as the 'distant other problem'. If there are distant others whom my projects would not intersect with, this gives me no motivation to care about enhancing their agency. This problem refers to the question 'whose oppression ought I to be concerned about', and does not directly concern me here. Even if we do not have to be concerned with the oppression of all people, Beauvoir's argument still justifies that we should be concerned about the oppression of some people. The way in which to understand Beauvoir's claim is, in my opinion, to relate it back to our individual agency. As soon as we treat one person as an object in the world, this would mean the symbolic degradation of all humanity in that person. The claim then seems to be a claim about the effects of having such a relationship with another person.

life one cannot be involved in any projects which even indirectly oppress others, and the enhancing of others' agency might even become a project for the agent who wishes to flourish. For this reason, "[t]he other can only accompany my transcendence if he is at the same point of the road as I. In order that our appeals [for meaning] are not lost in the void, it is necessary that there be near me men prepared to hear me; these men must be my equals".[83] Oppression thus denies the transcendence (or in this case, the practical freedom) of others. Practical freedom is denied, as argued in the previous chapter, by denying others' capabilities.

I now turn to a different claim about the possibility of oppression as a structural, as well as a non-structural, phenomenon. Bergoffen writes that,

> Envisioning the body as a mechanism inaugurates a certain callousness which becomes the support of *institutions* that ignore the intentional realities of the body. This callousness, this willed ignorance, sets the stage for oppression.[84]

Individuals or institutions that treat the body as an object (or machine), and not as lived subjectivity, set up the first necessary condition for oppression. Oppression can also be a structural phenomenon, as it can be perpetuated without individual intentions (e.g. institutional racism). The perpetuation of oppression might occur without individual intentions through the creation of institutions which deny the capabilities of some agents. My account allows for both structural and non-structural instances of oppression, as the account's emphasis is on the denial of capabilities, and capabilities can be denied intentionally by agents or unintentionally by institutions. That oppression can be structural will become important later in the dissertation, in order to be able to apply my account to situations where it is not clear that there are vicious intentions on the part of the oppressors, as in examples of benevolent paternalism.

It is an advantage of this account of oppression that it would be able to identify oppression cross-culturally, as it is based on the universal features of practical freedom and the capabilities. The oppressed are dehumanized and portrayed as not having the same capabilities as the oppressors because of their belonging to a different group. A woman once remarked that her emotions caused by the death of her son would be lost to the mother of a Vietnamese soldier. She claimed "they do not feel as deeply as we do about our children…she could just have another".[85] This is the denial that an individual has the same capabilities as one's own group. The realization that similar bodies lead to similar capabilities (in this case emotional capability) is therefore a crucial move to make in defining what oppression is, since oppression starts by identifying (or even creating) differences, rather than concentrating on shared capabilities.

I believe Beauvoir's claim amounts to the assertion that an agent, who is capable of treating even one person as an object, would have difficulty in having affiliations with other people as well. The perception of even one person as not deserving dignity would then affect our perceptions and thus relations with others, even if the agent does not recognise that this is in fact the case.
[83] Beauvoir 1944 cited in Martin, unpublished lecture.
[84] Bergoffen 1997: 31 (italics mine).
[85] Gaita 2002: 57.

I now give an illustrative example of how this account of oppression could be applied to a specific situation. I use the example of female genital mutilation (FGM).[86] FGM is oppressive since it takes away a woman's basic capability for sexual pleasure (this would fall under the combined capability (4) - senses, imagination, thought) without her consent, and simply because she is a member of the social group 'women'. The practice of female genital mutilation always results in the loss of the capability to experience sexual pleasure, and is often accompanied by health problems during the entire lifespan of the woman (capability 2 - health), even to the extent of death resulting from infections (capability 1 - life). This procedure is normally performed on girls too young to be able to give consent or even understand what the procedure entails, and even when the woman is old enough to understand the implications of the procedure, she is rarely asked for consent (capabilities 6 - practical reason, capability 3 - bodily integrity and 10a - personal control over one's environment). It might be objected that the example here does not illustrate that FGM involves oppression. The capabilities might be present in other ways in the culture under discussion, or the capabilities might not be important ones for the women in question, and they choose not to instantiate them in their functioning vectors. This objection appeals to cultural relativism. At this point I can respond by emphasising the justification of the capabilities by our embodied subjectivity. That the capabilities are justified by embodied subjectivity would limit the possible instantiations of the capabilities. The capabilities are indeed multiply realisable, as argued in chapter 1, but because the capabilities are justified by embodied subjectivity, this does not lead to relativism, as embodied subjectivity gives a framework within which the multiple realisations have to be contained. I will return to this objection from cultural relativism, and give a more detailed account of my response in chapter 3.

In the next section I give an alternative account of oppression, in order to compare it to my own.

2.4. **Five faces of oppression**

Iris Marion Young arrives at the following account of oppression from studying social groups (the conception of which was discussed earlier in the chapter). She argues that 'oppression' refers to a family of concepts, and has five conditions. For a group to be oppressed, they should be subject to at least one of these conditions. The five conditions Young lists are 'exploitation', 'marginalization', 'powerlessness', 'cultural imperialism' and 'violence'. I will give a brief explanation of each in turn.

The first condition of oppression, exploitation, is taken from the Marxist paradigm. It means there is a "steady process of the transfer of the result of labour of one social group to benefit another."[87] This exploitation is a structural relation between different social groups, where social institutions are set up in such a way that the one group benefits from the labour of another group. The

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[86] Note that I am following Nussbaum in this analysis (See Nussbaum 1999, 'Judging other cultures - the case of female genital mutilation') in speaking of surgeries which remove substantial tissue and results in functional impairment in the process. This analysis does not include purely symbolic cutting, which does not remove any tissue, since there is no real bodily harm. This is in line with international agencies which study the phenomenon and which do not include purely symbolic procedures in their studies.
[87] Young 1990: 49.

group which performs the labour is exploited by the group which receives the benefits of its labour.

The second condition, marginalisation, refers to people which the "system of labour cannot or will not use".[88] Marginals are excluded from useful participation in social life, and are subject to the possibility of material deprivation because they have no earning power.[89] Even in welfare societies where the possibility of material deprivation has been dealt with, dependents on a welfare system are deprived of some rights and freedoms. They "do not have the right to claim to know what is good for them. Dependency in [a welfare society]…thus implies…a sufficient warrant to suspend basic rights to privacy, respect and individual choice"[90] It is important to note it is not the dependency itself which causes these injustices, but rather the framework of individualism which denies dependents respect.[91] Marginalisation entails not only issues of material lack, but also involves the "deprivation of cultural, practical, and institutionalised conditions for exercising capacities in a context of recognition and interaction"[92] even when issues of distribution are dealt with.

Young's third condition of oppression, powerlessness, involves being in a position within the web of power relations where one has no real power over others. The powerless are those people who lack "[a]uthority or power even in [a] mediated sense, those over whom power is exercised without their exercising it".[93] The powerless are also in a position that "allows persons little opportunity to develop and exercise skills."[94]

The fourth condition of oppression Young cites is cultural imperialism. Cultural imperialism involves the culture and experiences of a dominant group being normalized. Often without noticing, the dominant group projects their experience as representative of the whole of humanity. Cultural imperialism occurs where the media is controlled by a dominant group, and the perceptions and norms of this group are projected as the only possible perspective. The paradox of cultural imperialism is that it renders the other's perspective "invisible at the same time as they stereotype [this] group and mark it out as the Other."[95] This occurs because normalizing of the dominant culture renders any difference as negative, as a lack instead of as a positive feature. Young claims negative stereotypes must be acknowledged by the stereotyped group in so far as they "are forced to react to behaviour of others influenced by those images."[96] The dominant culture renders certain bodies as abject.[97] This negative recognition is the only form of recognition the social groups represented by abject bodies are given.

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[88] Young 1990: 53.
[89] Young 1990: 54.
[90] Young 1990: 54.
[91] This is in line with the classical critique of liberal individualism. The basic point is that a society in which individuals are completely independent from each other does not exist. The problem lies not with dependency, but rather with the perception that certain types of dependency warrant the denial of capabilities. The imbalance of power becomes clear once it is noted which dependency relations are recognized in society, and which are not. The powerful normally have invisible dependency relations, so it is not obvious they are dependent on others, even though it is apparent on closer scrutiny.
[92] Young 1990: 55.
[93] Young 1990: 56.
[94] Young 1990: 56.
[95] Young 1990: 59.
[96] Young 1990: 60.
[97] This term refers to bodies classified as horrible or wretched in especially art theory discourse.

This means oppressed individuals are alienated from their subjectivity and autonomy through a lack of positive recognition for their individuality.

The final condition of oppression in Young's account is violence. She claims many groups are subject to systematic violence. "Members of some groups live with the knowledge that they must fear random, unprovoked attacks on their persons or property, which have no motive, but to damage, humiliate, or destroy the person."[98] Violence also includes the denial of dignity, as the oppressed is subject to victimization.[99] The fear of being attacked is present in the oppressed agent constantly, and this fear is a type of psychological oppression.

In the next section I argue that my account of oppression can unite all the above conditions of oppression. My account of oppression is thus a more fundamental, and therefore a superior, account of oppression, as it can give the underlying condition for why Young's faces of oppression can indeed be classified as such.

2.5. **Young's account of oppression explained in terms of the capabilities**

I agree with Young that all the above conditions are particular instances of oppression. What Young's account lacks is an overarching explanation for why the conditions she describes are in fact instances of oppression. Why they are classified as oppression can be explained by referring to the positive account of oppression I gave in section 3 of this chapter. The reason all of Young's conditions of oppression can be classified as such is that they deny certain individuals their combined capabilities (and thus limit their freedom) simply because of their perceived membership of a certain group. My account can thus supply the underlying reason why Young can classify the conditions of oppression as such. Young utilizes capacity language in much of her explanation of the five conditions of oppression, and I make this central in the following section. I go through the five conditions briefly, and sketch how they can be explained in capability terminology on my account. Young already cites membership of a social group as a condition for oppression, and for this reason I do not reiterate the first criterion of my account.

Exploitation is the denial of, for example, the combined capabilities of senses, imagination and thought (4), play (9) and control over one's political and personal environment (10a and b). The members of the exploited groups are not allowed to utilize their imagination and thought in their work, but instead are condemned to a life of meaningless, repetitive labour. The long hours and bad compensation also deny the exploited time and resources to engage in recreational activities. They, furthermore, do not have the power to control their work environment, as they have to take orders from superiors without argument. Their labour benefits others (to a larger extent than themselves) and they have no control over this - which is a symptom of a lack of political power. The institutionalised economic situation under which they operate does not have their interests at heart, and they are powerless to change this.

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[98] Young 1990: 61.
[99] Young 1990: 62.

Marginalization is the denial of, for example, the combined capabilities of life (1) health (2), practical reason (6), and control over one's environment (10b). With no means of earning their own keep, the marginalised are in the absence of a welfare system denied the capability of health (and possibly even life), since they are not in a position to have adequate nutrition and health care unless cared for by a welfare system. Even under a welfare system, the marginalized are still denied the capability of practical reason. Practical reason means the agent has the capability to reason about what would be good for herself and act on this reasoning (to choose her own functioning vector), and this is denied to dependents on the welfare system. The capability of control over one's environment is denied to marginals in a welfare society, since they, in effect, exchange their autonomy for sustenance. That it is necessary that they should sacrifice their autonomy for sustenance emphasises the lack of the capability of practical reason.

Powerlessness is the denial of, for example, the combined capabilities of practical reason (6) and control over one's political and personal environment (10a and b). The powerless are denied the capability of practical reason, as they are not in a position to take decisions which affect their lives, and for this reason others decide what is good or bad for them (and in effect determine their functioning vectors). Furthermore, they do not have personal power over their work environment, since they are subject to the orders of superiors, without any feedback or means of being able to affect the working environment in any substantial way. Though there might be ways of operating within the limits of an oppressive structure which would grant the oppressed some form of political or personal power, the capability of the powerless for affecting their environment is greatly reduced. This would mean the agent constantly has to struggle to have any influence over their environment, and most of their efforts might be focused on even minor changes they might be able to bring about.

Cultural imperialism is the denial of, for example, the combined capabilities of bodily integrity (3), senses, imagination, thought (4), affiliation (7) and control over one's environment, both political and personal (10a and b). The rendering of certain bodies as abject within dominant discourse denies these agents bodily integrity. The capability of senses, imagination and thought is affected, as the oppressed would be subject to their thoughts and imagination being structured in a particular way by the dominant culture. The denial of recognition and equality between the dominant and the minority culture harms the capability for affiliation, as relationships across the cultures would be difficult. The groups suffering from this type of oppression are also denied the right to be heard, and for this reason cannot voice their needs in the political sphere. They are also denied the personal freedom to choose their own situation,[100] more so than people who are not subjected to stereotypes, as they have to react to these stereotypes in some way, and this will determine a large part of their situation.

Violence is the denial of, for example, the combined capabilities of health (2), bodily integrity (3), emotion (5) and control over one's personal environment (10b) and, possibly even life (1). The actual victims of systematic violence are denied the capabilities of health and bodily integrity (and even

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[100] This is the point (made earlier in the chapter with reference to Sartre and Fanon) that the oppressed are over-determined.

sometimes life). Furthermore, even members of the oppressed groups who have not been subjected to violence are denied bodily integrity, as membership of this group means people do not respect their bodily dignity. The threat of violence these agents are constantly subjected to denies them the capability of a healthy emotional life, as the emotional landscape of the victims of this type of oppression is dominated by fear. Attacks often encompass damage to property of members of the group in question, and victims lose control over their personal environment through threats of, and actual invasion of their bodily and personal space and belongings.

Young's account of oppression and its five conditions can thus be explained by applying the account of oppression I set out earlier in the chapter. It seems perfectly acceptable to say that these are all instances of oppression, but why not say that it is the capabilities account of oppression which actually underpins all five categories?[101] It seems clear after this analysis that the reason these categories are faces of oppression is that they deny the combined capabilities and thus practical freedom of others. My account has the advantage of showing what the unifying feature of Young's faces of oppression is, and is thus a more fundamental account of oppression.

2.7. **Conclusion**

The fact of our similar embodiment is an entry point into the issue of oppression. In order to show what oppression is, it is necessary to show that we all have certain basic capabilities in common, things we value and would resist having taken away. My account of oppression is based on our shared embodied subjectivity, which supplies us with certain universal basic capabilities. Where these basic capabilities are not allowed to develop into internal and combined capabilities, because the agent is perceived to be a member of a specific group, this amounts to oppression. This account of oppression would allow for a cross-cultural response to oppression, as it is based on a universal embodied subjectivity and basic capabilities which are features of this embodied subjectivity.

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[101] It is also interesting to note that the denial of certain capabilities dominate in oppression, such as the denial of the capabilities for life (1), health (2), bodily integrity (3) and control over one's environment (10), and it further investigation into why this is the case would be interesting, but is beyond the scope of this project.

CHAPTER 3: A DEFENCE OF UNIVERSALISM

3.1. **Introduction**

To this point, I have set out a universal ethical framework, and from this given a definition of oppression. I have argued that it is possible to give a universal account of oppression. A universal account such as the one I have argued for would include some objective values. These values, however, have a basis in our embodied subjectivity, and, as explained earlier, this would allow for the fact that if our biology changed, the universal and objective values might change as well. In this chapter I deal with two standard objections (from the position of cultural relativism) against a universal account of oppression based on the capabilities. As the account I argued for is universal, it follows that cross-cultural interference would be justified by this approach where oppression is identified. The objections I deal with here assume cross-cultural interference is never justified, and argue for this claim from relativist premises. The first objection is the accusation that a universal account neglects historical and cultural differences; it claims one cannot give a list of universal capabilities which would apply to all people. I respond to this objection by developing an argument with multiculturalist premises, which claims my account of oppression does not ignore relevant differences of context. The second accusation is that the capabilities approach neglects the value of autonomy. This objection accuses the capabilities approach of being imperialistic, as it is argued that the capabilities cannot be used as a conceptual tool to judge other cultures. I follow Nussbaum in her response to this objection, and deal with a possible problem with regards her solution with an argument from recognition, utilising insights from Abiola Irele. This chapter essentially deals with the position of 'hands-off relativism' and argues that as a response to oppression, relativism is inadequate.

3.2. **Cultural Relativism: Objection 1 – Neglecting historical and cultural difference**[102]

As the account of ethics (and thus the definition of oppression) I argued for is universal, it is subject to some standard objections from cultural relativism. The account I have argued for is universal in the sense that it is meant as a universal guide for the behaviour of all rational moral agents. The first objection is that a universal account of welfare (such as the capabilities), neglects historical and cultural difference. Nussbaum sets the problem out as follows:

> The opponent charges that any attempt to pick out some elements of human life as more fundamental than others, even without the appeal to a transhistorical reality, is bound to be insufficiently respectful of actual historical and cultural differences. People, it is claimed, understand human life and humanness in widely different ways, and any attempt to produce a list of the most fundamental properties and functions of human beings is bound to enshrine certain understandings of the human and to demote others.[103]

The capabilities are intended to isolate important elements of human life. According to the capabilities approach, then, these are the most fundamental aspects in any person's life, no matter which cultural

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[102] For another discussion of the two objections raised in this Chapter, see Nussbaum 1995: 70-72.
[103] Nussbaum 1999: 38.

context the person finds herself in. The capabilities are founded on embodied subjectivity, as argued in Chapter 1, and for this reason my account claims any creature which is embodied in a certain way (as embodied subject, or rational animal) ought to have these capabilities. I have argued that our similar biology gives us similar tools, and these are the basic capabilities. The objection in question denies the possibility of universalization from similar embodiment to similar capabilities. The cultural relativist instead argues that relativism reaches all the way down to our core values, and for this reason there cannot be an ethical framework which encompasses all cultures and historical times. This meta-ethical claim is the denial of any moral code's "universal validity, and an assertion that moral truth and justifiability, if there are such things, are in some way relative to factors that are culturally and historically contingent."[104] Even though my account of oppression would allow for changes to universal values on the basis of biological change, this would not be sufficient for the cultural relativist. Chris Gowans defines moral relativism as "an empirical thesis that there is deep and widespread moral disagreement and a meta-ethical thesis that the truth or justification of moral judgments is not absolute, but relative to some group of users".[105] Cultural relativism would then hold that it is inappropriate to criticize the practices of another culture as cultures can only appropriately be judged by their own internal norms.[106]

This objection amounts to the claim that the capabilities approach (and therefore my account of oppression) neglects historical and cultural differences.[107] It is a serious problem for any universal account of oppression, for the reason that if the objection is true, a universal account might identify oppression where there is none, or fail to identify oppression where it is present. This might lead to an imposition of alien norms on a culture (imperialism), identifying oppression in some of the population where a judgement internal to the culture might not judge the relevant people to be oppressed. Our conception of a flourishing life might exclude the instantiation in question, and yet it might be a true instantiation of flourishing. A judgement that oppression is present, if the relevant agents are in fact leading a flourishing life, would undermine the validity of the account of oppression.

3.2.1 **Nussbaum's Response to Objection 1**

Nussbaum deals with the objection that the capabilities approach ignores historical and cultural difference by demonstrating how the approach is designed to accommodate difference. She insists that the normative conception of human capability is intended to allow scope for "reasonable pluralism in specification. [The capabilities approach] urges us to see common needs, problems and capacities, but it also reminds us that each person and group faces these problems in a highly concrete context".[108] Nussbaum maintains that the capabilities approach gives attention to difference of context in two ways.

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[104] Wong 1991: 442.
[105] Gowans 2004.
[106] See Harman 1996.
[107] Nussbaum 1995: 45.
[108] Nussbaum 1995: 47.

First, the list is not exhaustive. Nussbaum has emphasized the dynamic nature of the list of capabilities she purports to be the prerequisites for human flourishing, and the list has been revised several times. The capabilities are not the only feasibly important things for human beings. It can, for this reason, allow for other values which the culture in question adheres to, as it does not claim there is anything wrong with values not encompassed by the list. The capabilities approach rather claims that "this is a group of especially important functions on which we can agree to focus for political purposes."[109]

The second way in which Nussbaum argues that the capabilities approach gives attention to difference of context, is that the capabilities are multiply realisable. This means the list of capabilities "allows in its very design for the possibility of multiple specifications of each of the components."[110] The details of how the capabilities are multiply realisable were set out in chapter 1. The multiple realisability of the capabilities are thus meant to make room for historical and cultural differences in context, and yet still allow for the judgement that the capabilities are the underlying fundamental values underpinning any flourishing life in any context. The capabilities approach can for this reason be applied only where a proper engagement with the culture has the resulting judgement that capabilities are being denied. Nussbaum writes, "[w]e should use the list to criticise injustice, but we should not say anything at all without rich and full information."[111]

Nussbaum is using the term 'universality' in a broader sense than is usually the case, as can be seen through the emphasis she places on the "revisability of her list of human capabilities".[112] Hilary Charlesworth claims Nussbaum uses the term 'universal' in a different way from how it is normally used in the philosophical sense (i.e. eternal and unchangeable), and this is why the list of capabilities is revisable. In her case she utilises the term to denote the convergence of cross-cultural values, which might change. Indeed, Nussbaum writes, "universal ideas of the human do arise within history and from human experience, and they can ground themselves in experience."[113] For Nussbaum, universal claims can actually only be made from studying particular circumstances, and, as such, letting the universal arise from the particular. This process of letting the universal arise from the particular, which Charlesworth calls 'transversalism', has two conditions - "it should not mean losing one's own roots and values nor should it homogenize 'other' (people)".[114] Instead of assuming a universal foundation of value in all societies (universalism), transversalism allows numerous different starting points, which then converge.[115] The approach I have proposed has a universal foundation of value in our embodied subjectivity. However, as argued earlier, the foundation of embodied subjectivity might change, and if

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[109] Nussbaum 1999: 47.
[110] Nussbaum 1999: 47.
[111] Nussbaum 1999: 47
[112] Charlesworth 2000: 75.
[113] Nussbaum 1999: 38.
[114] Charlesworth 2000: 75.
[115] Charlesworth 2000: 75 This point does not necessarily seem valid. Why does a different epistemology have to lead to a different metaphysic? It could be argued that what Charlesworth calls transversalism, is just universalism. This is however irrelevant for my present purposes. What is important about the notion of transversalism is the possibility to reach 'universal' claims from particular situations, as this would deny the validity of the accusation of ignoring historical and cultural difference.

this is the case, the values derived from it would change as well. The importance of our embodied subjectivity is furthermore reached through empirical phenomenological premises, from which it becomes clear that embodied subjectivity is a universal feature of our experience. Charlesworth writes that

> Despite her attachment to the vocabulary of universality, Nussbaum's capabilities approach is a concrete version of 'world-travelling' - an internationally applicable base line to measure…[people's] progress toward equality which is derived from considerable consultation with…[people] in many different situations.[116]

3.2.2 Strengthening Nussbaum's Response - Multiculturalism

The above responses to the accusation that any universal account neglects historical and cultural difference are, however, not adequate. Even the possibility of universal values as converging from experience (which I adopt from Nussbaum in my account) would be denied by cultural relativists. Cultural relativists would deny that there is a convergence of values cross-culturally. It is, however, possible to strengthen the case that my account of oppression does not neglect difference by an appeal to some insights from multiculturalism. I proceed to do so in this section.

I agree with the relativist that it is indeed important to be sensitive to difference, but deny that such sensitivity necessarily leads to relativist conclusions. And since my account of oppression would demand interference in other cultures when oppression is identified, it is imperative to show that a respect for difference can be accommodated and (as will be seen in this section) is actually necessary for my account. The tradition of multiculturalism can present a case for why difference should be valued, yet does not lead to relativist conclusions. As it is possible to emphasise the importance of difference, and still have a universal (though not eternal and unchangeable) account of oppression, the relativist conclusion is wrong. To take a relativist line in this case would lead to an unethical response of ignoring the suffering of others.

In his paper *'Multiculturalism and the 'Politics of Recognition'* Charles Taylor claims that the demand for recognition is given urgency by the links between recognition and identity. Furthermore, he claims that in the context of the politics of equal dignity "what is picked out as of worth… is a *universal human potential*, a capacity that all humans share. This potential, rather than anything a person may have made of it, is what ensures that each person deserves respect".[117] I will deal with each of these claims in turn.

I first examine Taylor's assertion that identity and recognition are related, and I argue that the importance of recognition is an important element in a response to the relativist accusation of the neglecting of historical and cultural difference. Taylor and Beauvoir follow Hegel in the claim that the human subject is an embodied agent; an agent who acts on the world through being situated in it.

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[116] Charlesworth 2000: 76.
[117] Taylor 1992: 41(italics in original).

"Consciousness requires we have a position in 'social space', and self-consciousness is the awareness of this position…"[118] The original insight of the process of recognition is that

> As self-consciousness, as desire, a human being cannot be enduringly satisfied by acquiring, by swallowing up, that which surrounds it: food, the bodies of others, things. The independence of objects means that desire is constantly renewed.[119]

Autonomy of the subject for Hegel, Taylor and Beauvoir relies on the recognition of one's agency by other agents in the world. "Self-consciousness exists…by the fact that it exists for self-consciousness; that is to say, it *is* only by being acknowledged or 'recognized'."[120] The recognition from the other requires the one recognized to also recognize the other as embodied agent. This recognition of the other as embodied agent has to include by definition the possibility that the other has a worldview which is different from the agent's own. This negates the possibility of the objectivity of her personal worldview. The agent has the desire to see her worldview as objectively true, as this would justify and ground her subjective values. Recognition is thus problematic, since the agent also has the need to see her subjective worldview as objectively true, yet the recognition of the other as embodied agent excludes the objectivity of her own worldview.[121]

Taylor argues that the solution to this problem, which would still take into account the politics of human dignity, can be made from the position of multiculturalism. The relativist would also subscribe to the politics of equal human dignity, since they claim one ought to be tolerant of others, and thus not interfere, for the reason that we ought to respect their values and dignity. I will argue that since the position of multiculturalism can allow for respect of difference and plurality, this position is preferable to relativism, as it would not lead to the unethical consequence of ignoring the suffering of others. Taylor defines multiculturalism as: the respecting of plurality,[122] and supports the view that non- or misrecognition inflicts harm because groups internalize the image of themselves projected on them by society. This internalization can have the effect that groups might be incapable of taking advantage of

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[118] Pinkard 1996: 47
[119] Lundgren-Gothlin 1998:96
[120] Hegel 1910: 175
[121] This problem results in the Hegelian master-slave dialectic. In short, the master-slave dialectic results because "The relation of both self-consciousnesses is in this way so constituted that they prove themselves and each other through a life and death struggle." (Hegel 1910: 179) The outcome of such a struggle will however not result in the recognition of the participants' autonomy, since the defeated agent who needs to provide the recognition will have to lose her life. Thus "a battle to the death for the purpose of recognition is a self-defeating project." (Bernstein 1984: 17) It is therefore clear neither the victor nor the defeated stands to gain from the abovementioned struggle. The one participant will opt for life over recognition of autonomy, and will become the slave in the scenario. The master now dictates his worldview as objective truth to the slave, and the slave submits to servitude, and acknowledges the master's goals and projects as her own. The master, however, is still dependent on the slave for recognition of the infallibility of his worldview, and consequently does not gain independence through the relationship. This dependence itself undermines the possibility for complete autonomy of the master. The master still needs to recognize the slave as an agent in the world for the slave to be able to confirm anything at all. The slave on the other hand will also not accept the master's worldview as objectively true, since the invalidation of the slave's own worldview supplies the slave with the ability to doubt his own subjectivity, and therefore to doubt the validity of *any* worldview. Thus the acceptance of servitude also provides the slave with the equipment to doubt the truth of the master's worldview. The slave also has the capacity to change things directly in the world, which supplies the knowledge of agency. The Marxist view of work being one of the features of agency is thus important since it validates the slave's recognition of himself as essential. (Hegel 1910: 184) On this account of self-consciousness, "a form of recognition [developed] that is one-sided and unequal." (Hegel 1910: 184)
[122] Pluralism is the belief that reality consists of many different kinds of things. In ethics this means there are many independent sources of value. As there are many independent sources of value, in cases of conflict between genuine values there may be more than one right choice. More than one choice might equally serve genuine human interests and values, even though the choice of one value over another may sacrifice other values which are just as important as the chosen value.

new opportunities even when objective obstacles to agency are removed through rectifying legislation.[123] Taylor argues that it is the fundamentally dialogical character of human life which results in the connection between identity and recognition. As social creatures, "we define our identity always in dialogue with, sometimes in struggle against, the things our significant others want to see in us."[124] This point from multiculturalism can be equated with the reasoning I employed in the identification of social groups in Chapter 2. I employ these insights from multiculturalism to argue that a cultural relativist conclusion is avoidable, and that it is therefore possible to identify and respond to oppression cross-culturally from a universalist position.

The importance of recognition can be related to our freedom being intricately tied up with other people's freedom.[125] Beauvoir's emphasis on practical freedom can be linked to the importance of recognition, as we need the recognition of others in order to fulfil our projects. Recognition is the acknowledgment of one's agency by another active agent in the world. Thus, if another agent is not recognised as a free agent in the world, I cannot appeal to her to recognise my own projects. Recognition cannot be oppressive (its definition excludes that possibility), as autonomy of the subject for Beauvoir relies on the recognition of her active agency by another active agent in the world.[126] As I have argued in Chapter 2, oppression relies on the denial of capabilities on the grounds of group membership, and the denial of capabilities denies the other active agency. For Beauvoir, the struggle for recognition can have only one satisfactory solution; reciprocal recognition among equals. According to my account of oppression, there can be reciprocal recognition between agents who do not hold the same conception of the good life, so long as the different conceptions of the good life respect the basic capabilities of all citizens. This means it is possible for citizens to recognize the fundamental otherness they cannot possess. It is possible to find joy in getting to know this fundamental otherness precisely because it cannot be absorbed in the self. The fact that we might coerce others into working on projects we deem important does not satisfy our desire to share values and projects because we care for them. Difference (or fundamental otherness) here is important, since it is necessary for others to truly choose the projects I am committed to. An identical other cannot create new options for the agent in the world, yet the other has to be similar enough to the agent in order for her to be able to appeal to the other to take up some of her own projects. Truly choosing a project is only possible if there are other options available. This means that the other will not necessarily adopt the values I have, but it also means they are taking up projects and values freely when they do.

Multiculturalism claims that we ought to have recognition of the other as similar, yet in some ways different to the self. The importance of this for my project is that it can allow for similarity and difference, which will be able to take into account the value of difference from a universal position. Multiculturalism sees difference itself as a value, and this valuing of difference needs to be incorporated into my account. Recognition and valuing of difference is important in two more respects.

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[123] Taylor 1992: 25.
[124] Taylor 1992: 33.
[125] Dealt with in chapter 1.
[126] Beauvoir 1997.

First, they teach tolerance,[127] and second, they are instrumental in discovering 'objective treasures' in other cultures.[128]

Susan Wolf claims diversity itself is a value. Wolf claims that though we might find that some cultures have more intrinsic, objective value than others (and in order to find out what is of value in every culture we need to study the culture intensively), there is also value in simply having more diversity reflected and recognized in a multicultural society, as this leads to tolerance and respect. It leads people to not expect others to be like themselves, and not to be afraid of difference. Diversity (of, for example, stories/literary and artistic styles) "could constitute the beginning of a truly multicultural heritage. When one child with this exposure encounters another, she neither expects him to be the same as she nor sees him as alien or foreign".[129] It teaches us that 'different' does not necessarily mean 'alien' or 'foreign' and is not something to be feared. This would lead to reciprocal recognition. Difference is in itself important, and this is why we should allow and even encourage as many of the instantiations of the capabilities to flourish as possible. Tolerance may teach us how we should consider other people with generosity and respect for difference so we would not oppress in the first place.

Tolerance is important as a value in my ethical framework, as the fact that I need the practical freedom of others for my own freedom means I have to be tolerant of their values in order to enhance my agency. This was explained in more detail above, and amounts to the claim that others who are not identical to the self open up more possibilities for the self through their projects. The tolerance of others which multiculturalism preaches should, however, not extend beyond certain boundaries (in opposition to the relativist who would claim that it has to extend to all practices of other cultures), as in cases where real harms are being committed to a sector of society through a denial of their combined capabilities. Qualified tolerance is also important as it is a necessary condition for discovering 'objective treasures'.

'Objective treasures' are objective values and projects we might find in a different way of life or cultural context. In terms of my ethical framework, objective treasures would include Wolf's examples of literary and artistic excellence in other cultures. Objective treasures in terms of my project would also include the discovery of different valuable specific instantiations of the capabilities. The importance of objective treasures for the argument against relativism is that the recognition of objective treasures provides the agent with more options, more projects and values she can adopt as her own. The failure to recognise objective treasures would be a feature of relativism, as the values and project of the other are not regarded as a viable option for the self.[130] This multiplication of valuable options is compatible with the capabilities approach, and can allow for the enhancement of agency.[131] Taylor's

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[127] Wolf 1992: 83.
[128] Taylor 1992: 69, Wolf 1992: 84.
[129] Wolf 1992: 82.
[130] This point will be discussed again in Chapter 4. It amounts to the same claim Gunnings makes with regards to relativism emphasizing distance, and for this reason it is not able to deal with culturally challenging practices adequately.
[131] The general idea is that the more options are available to an agent, the more this allows for the enhancement of agency. This is qualified by the fact that the options available could all be bad options, and by the fact that it is possible that the agent might

position does, however, not articulate guidelines as to what would allow us to judge whether something in a different culture is objectively valuable or not. The ethical framework I set out in chapter 1 allows us to judge from a standpoint of embodied subjectivity and a shared human nature. Though we should learn from the other, it is imperative that we always keep our nature in mind, and what, according to this nature, the necessary conditions to be able to lead a flourishing life are. Though it is possible to come to the realisation that capabilities might be brought to functioning in different ways from the ones we were accustomed to, the capabilities themselves remain valuable for the same reasons. The fact that we can discover 'objective treasures' in other cultures means it is possible to evaluate different traditions in a reasonably objective way. Objective treasure would in this context denote instantiations of the capabilities. The claim that there are objective treasures in other cultures can for this reason support a universal framework of value, as found in the capabilities.

I have argued from Taylor's claim about the relation between recognition and identity, that it is possible to have a universal framework of value, while still emphasising the importance of difference. This means that a relativist conclusion would not follow from the premises. I now turn to a discussion of Taylor's second claim, that it is universal human potential which is valuable.

Taylor's second assertion supports Nussbaum's claim that it is important to make sure all people have the material, educational, health, and emotional support to be able to lead lives which they deem to be an instantiation of the good life. Taylor's position is in this way closely linked to Nussbaum's capabilities approach. The reason we ought to respect people is that they have the potential to lead certain types of lives. For this reason we should set in place the background conditions constitutive of people being able to lead a flourishing life. The person might still decide not to embody certain of the values set out in the capabilities approach. The important point is that they have the ability to lead a life which instantiates the capabilities they deem valuable concretely; rights cannot stay on a purely abstract, legislative level. To be able to lead a flourishing life should be a real option, one which can be actively pursued and brought to fruition.

Taylor would not endorse accepting all practices and values of different cultures blindly (as the respecting of historical and cultural difference of the relativist would). Rather than respecting all possible practices and values before investigating the affects these have on people's ability to lead a flourishing life, as the relativist would propose, Taylor claims we should study cultures with an assumption that they will have something of value for us to learn, some objective treasures. This position then has the advantage of escaping the unethical position of ignoring possible suffering of others, which the relativist position is in danger of subscribing to. This danger is overcome by the assumption that all human cultures would have something important to say about, and to, all human beings. Taylor claims we should aim to broaden our horizons without prejudice: he states that

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actually become paralyzed by choice. As a general rule then, it is beneficial to multiply *valuable* options for the agent. The possibility that an agent might become paralyzed by choice is more problematic, but I do not think it invalidates my account, as the amount of choices to become paralyzing would not come into play with the oppressed, as their options are so limited. It is also not a necessary condition that too many options might paralyze an agent, rather a mere possibility.

> …real judgements of worth suppose a fused horizon of standards…they suppose that we have been transformed by the study of the other, so that we are not simply judging by our original familiar standards. A favourable judgment made prematurely would be not only condescending but ethnocentric. It would praise the other for being like us.[132]

Judgements which are not based on a deep study of the other would be condescending. The blind acceptance of all parts of all cultures as having intrinsic value is, in effect, more condescending than critically engaging with other cultures, since it denies that other cultures are worthy of critical engagement on an equal footing. The fact that there are disagreements and dialogue between members of the same culture should furthermore alert us to the fact that cultures are not homogenous. The willingness to engage with other cultures in order to broaden our horizons and adjust our standards of judgement as we learn from other cultures is the moral goal we should aim for. The goal of respecting difference thus seems to presuppose that there is a universal framework of value, as the valuing of difference without any *attention* to the actual difference amounts to a condescending attitude. The very value the relativist claims is important, namely, the respecting and valuing of historical and cultural difference, would then demand that we do not adhere to cultural relativism.

I have dealt with the first objection from the relativist to my account, namely, that it ignores cultural and historical difference. I now turn my attention to the second objection from the relativist, namely, that my account would neglect autonomy.

3.3 **Cultural Relativism: Objection 2 - Neglecting Autonomy**

The second standard objection the relativist has to a universal account of measuring welfare such as the capabilities approach (and thus to my account of oppression on which it is based), is that it neglects autonomy. This amounts to an accusation that any universal account of oppression would be imperialistic and paternalistic. Nussbaum sets out the objection as follows,

> The objection is that by determining in advance what elements of human life have most importance, the universalist project fails to respect the right of people to choose a plan of life according to their own lights, determining what is central and what is not. This way of proceeding is 'imperialistic'. Such evaluative choices must be left up to each citizen. For this reason, politics must refuse itself a determinate theory of the human being and the human good.[133]

The objection amounts to the claim that any interference in another culture (where the agents we identify as oppressed do not see themselves as oppressed) would be imperialistic and paternalistic, since it would deny the agents in that culture the capability of practical reason (in choosing their own functioning vectors). Deciding what is good for the agents in question without consulting their opinion on what the flourishing life entails amounts to paternalism (as we would decide what is good for those agents) and imperialism (as we would be imposing our own values on the other culture).

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[132] Taylor 1992: 70-71.
[133] Nussbaum 1999: 38-9.

3.3.1 **Nussbaum's Response to Objection 2**

Nussbaum gives three separate responses to the above objection. The first response is that a respect for choice is "built deeply into the list itself, in the role it gives to practical reasoning, to the political liberties, and also to employment, seen as a source of opportunity and empowerment."[134] The view Nussbaum argues for can allow for the value of preserving different cultures, but only in so far as these cultures respect the capabilities of all their members. Nussbaum's capabilities approach focuses on people's abilities lead flourishing lives. It is concerned with the capability to function as opposed to being concerned with functioning itself since it places importance on the role of practical reason and choice in embodying capabilities. Once it is clarified that the capabilities approach has as its aim the enhancing of autonomy, the relativist objection that the approach neglects autonomy seems misguided.

Nussbaum's second response is that it is important to realise that choices are not made in a vacuum. Social, material and cultural contexts can either deny or support certain choices. She argues that "[i]f one cares about autonomy, then one must care about the rest of the form of life that supports it and the material conditions that enable one to live that form of life."[135] This means her approach's concern with the capabilities purports to be a superior way of enhancing choice compared to the "narrower concern with spontaneity alone, which sometimes tolerates situations in which individuals are cut off from the fully human use of their faculties."[136] Spontaneity in this context would refer to the absence of coercion or force with regards to the choice, and it thus does not take the structuring of desires or the rest of the agent's life into account. The danger is that a narrower concern with spontaneity can lend support to oppressive situations, where the aim is, in fact, the enhancement of agency.

The final response Nussbaum provides is to emphasise that the list is "of capabilities, not a list of actual functions, precisely because the conception is designed to leave room for choice."[137] Making opportunities available actually enhances rather than eliminating choice. It is not always straightforward to judge when a person has a capability, and, in some cases, she claims the best strategy is to look at actual functioning, when it is absent, cautiously inferring the capability is also absent. Yet the conceptual distinction remains crucial, and where it becomes apparent that an agent actually has the combined capability, there is no grounds for interference. Nussbaum argues that it is a positive aspect of the capabilities approach that it is aimed at capability and not functioning, since this gives people the freedom to choose their own functioning vector. One exception to the capabilities approach's goal to enhance capability instead of functioning, she admits, is education, because of its importance for the development and availability of future possibilities and capabilities. She writes "[e]ven in the rare cases in which the [capabilities] approach will favour compulsory measures - particularly in primary and secondary education - it does so because of the huge role education plays in the opening of other

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[134] Nussbaum 1999: 49.
[135] Nussbaum 1999: 50.
[136] Nussbaum 1999: 50.
[137] Nussbaum 1999: 49.

choices in life."[138] Education is thus an instance where the capabilities approach would recognise the need to focus on functioning. The goal of the capabilities would then not be the mere availability of education which agents might choose to utilise. Instead, education would be compulsory according to this approach, and would not prescribe a situation in which agents could decide education is not an important feature necessary for their lives to flourish.

3.3.2 **A Problem with Nussbaum's Response - Aiming for Functioning in the Instance of Education**

Nussbaum's first and second responses seem unproblematic, and it can be added to her response that my account of oppression would be able to identify oppression where it is present in a paternalistic guise, identifying where the capability of practical reason of agents are denied. As my account of oppression allows for oppression to be perpetuated without individual intentions, it is able to identify oppression in instances where the individual agents involved have only benevolent intentions.

Nussbaum's final response does, however, not deal with the objection satisfactorily. The exception she cites of primary and secondary education being an instance where the capabilities approach is not justified to aim for functioning rather than capability points to a possible problem. It is the aiming at functioning instead of capability with regards to education which is interrogated in this section and the next. If it becomes clear that the aiming at functioning instead of capability is justified, the position of relativism might still be preferable in order to respect agents' autonomy.[139] The problem is that if the education she has in mind is cross-cultural (i.e. alien to the traditions of the culture in question), the concentration on functioning in this case could be classified as cultural domination. The reason education is especially important in this context, and why I deal with this problem here, is that education shapes and moulds subjectivity and values. Nussbaum presents a notion of human nature which seems to be already constituted to a large degree, which is problematic. By an assumption of an already constituted human nature, I mean she does not take into account the extent to which the education process influences our value-formation. I regard a large part of our nature as determined by our embodied subjectivity. But Nussbaum does not take into account that the promoting of functioning, instead of the capability, of education, can instil values in agents which might be alien to their culture. The problem highlighted with this objection can be better illuminated through an example. The imposition of Western education on peoples like the Australian Aborigines and the Southern African San teaches a particular way of life (in particular an attachment to material things), reinforcing Western values. The imposition of Western education on these people may lead to two things: first, that the education these people are already receiving (and have received for centuries) may be undermined. Second, it implies that, even if traditional education is not undermined completely, the new type of

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[138] Nussbaum 1999: 49.
[139] The first two responses Nussbaum gives would however still hold, and it might be argued this would be sufficient in order to show a universal approach such as the capabilities approach does not neglect autonomy. As the fact that the list aims for capability instead of functioning would be the strongest response to relativism, that there are exceptions to this might be problematic. If it can then be shown that the final response is sound, this would strengthen my case considerably.

education is portrayed as superior. I thus regard Nussbaum's insistence on functioning in the sphere of education as the result of her underestimation of the extent of value and subjectivity formation in the education process. Consequently, it is necessary to justify her claim here in a way which does not disregard the formation of values in the education process. If it is possible to justify aiming at functioning instead of capability in the instance of education which would not undermine autonomy, it is not necessary to resort to the relativist position in order to enhance autonomy. For this reason I will examine cross-cultural education as a particular instance of possible oppression in the next section.

3.3.3 **Solving the problem with Nussbaum's Response – Positive alienation**

I will argue in this section that relativism is not and adequate response to oppression, since it seems to rely on a static notion of culture. The problem raised in the last section (that the aiming at functioning instead of capability in the sphere of education neglects value and subjectivity formation in the education process) can be solved by employing some insights from Abiola Irele. I develop some of his arguments and claims in order to justify why education (even cross-cultural education) can reasonably be seen as an area where aiming for functioning rather than capability is appropriate. Nussbaum's reply referred to above will be expanded, and the imposition of (even cross-cultural) education[140] in will, in some cases, be justified. The scenario envisaged here is one in which a foreign culture imposes education alien to the culture which receives the education. Is it possible to argue that this is not, in fact, oppression on my approach? Whether the cross-cultural imposition of education is oppression would depend on the circumstances and particular situation. I will expand on exactly what procedure needs to be followed in order to ascertain whether an imposition of education would be oppressive or not in Chapter 4.

I will deal here with one scenario in which I will argue that the imposition of cross-cultural education is, in fact, justified. When a foreign culture imposes education on another, this might be criticised as being the cause of alienation. The agent in the other culture would recognise and relate to herself in ways which were impossible before, and which might remove her from her cultural roots. In Marxist theory, alienation is seen as something negative, as a removal from one's authentic self and interests. In this way it is possible that the agent might experience removal of herself from her true self and interests when faced with imposed cross-cultural education.

Irele argues that alienation can be positive and that cultures are not static but rather incorporate ideas and values from each other. This analysis departs from the usual connotations of alienation as used in its Marxist context. Irele, following Hegel, argues that alienation also has a

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[140] This would include primary, secondary and tertiary education, as well as adult education by development workers, where the necessity for the relevant education was carefully examined and justified (by both the argument from positive alienation I give in this section, or through the process of imaginative understanding I explain in Chapter 4). The possibility to justify aiming at functioning instead of capability does however not necessarily mean that traditional cultural education is inferior per se. It is merely a reminder of the importance of taking the context of education into account, and where there has been a rupture between the pre- and post-colonial, it would insist on the recognition that pre-colonial education would be insufficient for the current context, even though this does not make pre-colonial education less valuable objectively speaking. Ideally some of the traditional education might still continue concurrently with post-colonial education.

positive significance. "In its creative potential, alienation signifies the sensitive tension between the immediate closeness of the self and the reflected distance of the other."[141] This positive aspect of alienation is what will be utilised to argue that aiming for functioning instead of capability in the sphere of education is justified.

Irele claims that "we need to take charge of our objective alienation by assuming it as intention so as to endow it with a positive significance."[142] The argument for the positive evaluation of alienation is that since there can be no return to a pre-colonial societal structure, the experience of alienation must be utilized as a means of creating new values compatible with contemporary societal structures. To deny the influence of cultures on each other in our contemporary context is to deny the complete rupture between the pre- and the post-colonial; this means we should recognize the creation of a new context and meaning within which we now operate. Alienation, Irele concludes, is therefore not completely negative, but has positive significance precisely because it allows integration within humanity without the integration resulting in uniformity. This account however still allows for negative alienation, if the alienation involved cannot be endowed with a positive significance. In this context Irele however argues that this is not the case. Alienation in its positive aspect would then amount to the self being confronted with alternatives, which can be disruptive, but positive nonetheless. In accordance with these claims, imposed education would not be oppressive if it has taken into account the contemporary context and if the education would allow the agents who are the target of this education to develop capabilities which were not available before. This means that the focusing on education as a function is merely an instrumental means of enhancing the agency of the agents involved.

Irele furthermore argues from empirical premises against the notion that cultures are static. This is further support for the argument against cultural homogeny raised earlier in the chapter. The argument from empirical evidence concludes that cultures are dynamic and always shifting, and that any allusion to cultures being static is mistaken. As cultures are not static internally (and have always been subject to cross-cultural influences) cross-cultural fertilization and the exchange of ideas should not be seen as wrong in the modern context. Instead, cultures ought to be allowed to incorporate ideas from each other. This would not lead to a single culture, but would rather be the recognition that some ideas become the intellectual property of all humanity, and that the refusal of such ideas would be to our own detriment. In other words, if it can be accepted in the African context that science and technology have improved the quality of people's lives, and if it is accepted that modern African institutions should be based on political and social ideas which took shape elsewhere, then there seems no justification for the rejection of other areas of experience simply because of their association with Europe.[143] For this reason cross-cultural education would be warranted in certain circumstances, because not having access to ideas which would be useful in our current context would limit our opportunities.

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[141] Irele 1992: 224.
[142] Irele 1992: 214.
[143] Irele 1992: 119 Note that this claim does not amount to an argument for the supremacy of western culture, as its scientific and technological supremacy is not only contingent and particular, but also derived from other cultures.

Irele's ideas can be employed to avoid the possible problem with the capabilities approach to welfare raised earlier, namely, that it ignores value formation in its aim for functioning instead of capability in the instance of education. Despite the fact that subjectivity and values are formed through education, to say that education should stay 'traditional' in every society is to ignore the fundamentally active creation of culture. Culture is not static, ideas can become the intellectual property of humanity, and do not stay forever linked with the culture in which they first originate. To give cultures the possibility to select and absorb ideas and values they deem worthwhile from other cultures should be respected. Not only is it necessary to learn from each other's cultures (and it is important to note the West must become more reflectively open to the lessons of other cultures, recognising other cultures' contribution to its own worldview), but we must also recognise that it is on the basis of universal values that communities are built. As cultures are not static, the imposition of education from 'outsiders' can be acceptable, as long as it is clear that the imposed education would allow for more opportunities in the given context. Enriching the lives of others can thus be a justification for cross-cultural education, however, this would have to be done with great care and thought. The procedure of imaginative understanding I argue for in the final chapter would have to be employed in order to make sure the education does not become imperialistic or paternalistic.

In a global, as well as a local, context, it is important to emphasize Nussbaum's point that an identity can only hold weight in a person's life if that identity is positively embraced by the person, if the person has all the tools to make an informed choice about whether to embrace this identity or not. The aim should then always be for the greatest possible autonomy for the agents concerned. It then becomes apparent that the cultural relativist position fails to take into account autonomy (precisely the objection they would raise against a universal account) as the position would determine that the values of a certain culture would bind all agents within that culture, whether the agents have embraced those values themselves or not. People "must be shown to have accepted the norms of a particular culture through the exercise of practical reason, with all the central human capabilities available to…[them], before those norms can be held to bind [them]".[144] This means there must be the right to exit from practices within a cultural context. Under this definition, the practices of certain cultures should be recognized as forcing a specific identity on individuals without allowing them right of exit or alternative ways of living. To assume that cultural identity (of others) is a static thing is a condescending way of treating people who are, at core, similar to us, and as education opens up new possibilities for people, it is justified that in this case we should aim for functioning rather than capability.

The cultural relativist position would be guilty of treating the cultures of others as static, as it is assumed that the 'traditional' values of other cultures are the ones which ought to bind agents and justify their values. This is a condescending manner of relating to other cultures, as Western culture is acknowledged to be dynamic and forever changing. As a result, relativism would be guilty of denying the autonomy of the agents involved, as they would deny them the capability of practical reason. If the

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[144] Charlesworth 2000: 72.

capability of practical reason was respected, it ought to be clear that the introduction to other values and instantiations of the capabilities may be encouraged. This would allow agents the choice of right of exit from traditional values, yet it must be emphasised that the education ought to be very sensitive not to impose foreign values, but merely to present foreign values as a possibility.

3.4. **Conclusion**

In this chapter I responded to two separate objections from cultural relativism. The first objection, that a universal approach based on the capabilities neglects historical and cultural difference, was shown to be flawed. The second objection, that a universal approach based on the capabilities neglects autonomy, was countered by emphasising the importance of practical reason in the approach. It was also pointed out that since the capabilities approach has capability and not functioning as its aim, the accusation that it neglects autonomy is misplaced. Aiming for capability was, however, qualified, and it was argued that it is justified in certain contexts to aim for functioning in the instance of (even cross-cultural) education. This chapter has responded to the above objections from relativism in order to demonstrate the inadequacy of the 'hands-off relativism' response to oppression in other cultures. Hands-off relativism is an insufficient response to oppression in other cultures, as it would have the undesirable effect of ignoring the suffering of others. The possibility nonetheless remains that a universal approach such as mine might become imperialistic and paternalistic in its application. As the position I am advancing aims not to become neo-imperialistic, this possibility will be countered by the introduction of a methodology to responding to oppression in other cultures. In order to ensure the account does not become neo-imperialistic, a rich interaction with the cultures in which the capabilities are deemed to be absent is necessary. This demands a certain approach to liberation, and for this reason, a way of thinking about others when tackling the task of liberation will be set out in the final chapter.

CHAPTER 4: LIBERATION – A METHOD OF ETHICAL ENGAGEMENT

4.1. **Introduction**

As it is still possible for a universal approach to oppression such as the one I have been arguing for to become imperialistic or paternalistic in its practical application, it is necessary to argue for a manner in which the approach ought to be applied which will acknowledge this possibility. This chapter argues for an approach to interference which would not result in neo-imperialism. Neo-imperialism would claim that it is justified to interfere in other cultures without a thorough examination of the values inherent in the targeted cultures. Neo-imperialism, as I am using the term, has two subcategories, paternalism (neglecting autonomy) and imperialism (neglecting difference). This chapter argues that neo-imperialism is unjustified, as the 'liberation' which would result from interfering in this way would not amount to true liberation, as it denies the autonomy of the agents targeted for liberation. Interference can, however, still be justified on my approach. The need for the use of imagination in cross-cultural liberation projects is explored, and shown to supplement our rational faculty in important respects. The manner of thinking about the project of liberation (and about agents who are affected by the project) required for the project not to be imperialistic or paternalistic I call 'imaginative understanding'. Imaginative understanding is a process of engaging with or thinking about others which would aid ethical cross-cultural liberation. The method will be constructed by using aspects of 'world-travelling', 'cross-cultural understanding' and 'openness to the other'. This process will ensure liberation projects do not ignore relevant differences of context, or the autonomy of the agents in the other culture in question.

4.2. **Liberation, Imperialism and Paternalism**

As I have argued in chapter 2, our goal in identifying and fighting against oppression ought to be to enhance agency. As this is our goal, the project of liberation will be affected by the aim. Intervention in other societies, even in the guise of development work, frequently ends up being imperialistic and insensitive to difference. However, not intervening can amount to an indifference to others' suffering, which is also not the correct ethical response.

Oppression involves denying someone combined capabilities because the person is perceived to be part of a group which either does not have (from the oppressors' perspective) some of the basic capabilities necessary for combined capabilities, or they have the basic capabilities but do not (from the oppressors' perspective) merit concern, and for this reason do not deserve to have these developed into combined capabilities. For example, in the case of colonialism, people were denied the right to political participation because they were perceived as 'natives'. The definition of 'native' included not having some basic capabilities (for example capability 6 - practical reason) in the oppressor's view. This illustrates how, even if the motivation might in some cases be benevolent (as in the case of paternalistic colonialism), the denial of capabilities because of group membership is wrong.

According to my account it is wrong to say some groups do not have certain capabilities, or to claim that they do not deserve to have their basic capabilities developed into combined capabilities. The danger is, however, that once oppression is identified and it becomes clear that interference is necessary, the liberation could be done in a way that is paternalistic (denying people autonomy) or imperialistic (denying the importance of difference) and thus become neo-imperialistic.

On the account of oppression I have been exploring, we cannot ever act for the other's liberation through methods which enforce a certain conception of the good life (i.e. enforce a certain type of functioning we deem valuable[145]) without undermining our own project of liberation. The reason for this is that the capability of practical reason (architectonic capability 6) would be denied if our goal is a specific functioning vector for the people involved. Denying practical reason leads to a type of 'liberation' which is neo-imperialistic as it is both paternalistic (as the liberators assume they know what is best for the oppressed) and imperialistic (as the liberators do not value the difference inherent in the culture of the oppressed if they prescribe a specific functioning vector they deem valuable). Sonia Kruks argues that "[w]e cannot liberate other people. All that we can hope to do is to act on their situation, to reshape their exteriority, so that their freedom ceases to be closed in on itself and can assume its own transformative project".[146] The exteriority Kruks argues for here might be cast in terms of a social environment which would foster and develop people's internal and combined capabilities. This means people can only liberate themselves, and all we can do is to help set up the material and social conditions which could make liberation possible. In terms of my dissertation this means liberation is defined as the act of setting up the conditions necessary for the development of the capabilities which will lead to the enhancing of agency (and thus autonomy) of the oppressed. Liberation from a third person (outsider's) perspective involves developing the right conditions for the development of the combined capabilities necessary to enhance the oppressed peoples' agency.

When people have all the combined capabilities, they should be allowed to choose their functioning vectors themselves, in order to retain the capability of practical reason. To try and force a specific functioning vector on people would contradict the project of liberation; since it is the enhancing of agency (or the availability of positive freedoms) we ought to aim for in a project of liberation. In this sense, trying to act for someone or determining their functioning vector could never be classified as 'liberation'. My claim is that imaginative understanding is necessary for true cross-cultural liberation, for without approaching the problem of oppression in another culture with imaginative understanding, the 'liberators' would not have the sensitivity necessary for the project not to be neo-imperialistic. The next section will clarify what type of imagination is involved in imaginative understanding.

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[145] As I argued in the last chapter, education is a possible exception to this rule. Even in the case where liberation projects are in the form of education, the method I argue for here will have to be utilized, in order to see whether education is the best course of action to take, and also in order to determine what type of education would be the most beneficial.
[146] Kruks 1998: 57.

4.3. **Why the need for imagination?**

This section investigates the need for imagination for cross-cultural liberation projects. I argue that rationality alone is not enough for ethical behaviour in the sphere of liberation; rather it needs to work in conjunction with imaginative understanding. Rationality and imagination would then both be necessary for ethical liberation projects. Rationality alone, on this account, has a tendency towards neo-imperialism.

It could be argued that rationality is always sufficient for our interaction with others in projects of liberation. Some theorists have argued for positions which would determine that unethical behaviour (and thus oppression) is due to a deficiency in rationality. Anthony Appiah, for example, claims that the premise necessary in order to justify the unethical treatment of others, namely 'they are inferior', requires irrationality because there is counter evidence available to refute this claim. Appiah claims that many of us are unable to forfeit beliefs which "play a part in justifying the special advantages we gain (or hope to gain) from our positions in the social order."[147] This is a motivated irrationality, and this inability to change one's beliefs when faced with appropriate evidence is what he calls a cognitive incapacity.[148] The unethical agent would then be seen as having some kind of dysfunction in rationality and, because of this, Appiah claims that perhaps treatment would be a more appropriate response than punishment. He claims that it is only to be expected that reasonable people would insist on substantial evidence when giving up or forming beliefs which are central to their cultures. But it is when evidence is resisted that we can judge there is a prejudice. He also claims that prejudice "may threaten an agent's autonomy, making it appropriate to treat or train rather than to reason with them."[149] Appiah thus identifies limits of rationality and rational argument in the context of cognitive incapacity. Evidence may be given to the agent, but despite the sufficiency of the evidence, the agent seems unable to accept it and change her worldview accordingly. The agent might well be motivated by a distorted world view such that the evidence she accepts is structured by the agent's desires. Thus, deficiency in rationality is the problematic feature in these agents, and if rationality were intact, the agent would not act in such an unethical manner. 'Rationality' is used here as a thin concept, meaning 'being able to draw the correct conclusions from premises'. In order to illustrate the inadequacy of rationality alone in cross-cultural interference, I examine apartheid ideology as a possible rational stance.

I agree with Appiah that sometimes it is indeed motivated irrationality which is responsible for unethical cross-cultural interference. But there are cases in which motivated irrationality alone might not be able to explain such interference. For example, during apartheid there was a vast propaganda campaign in order to have people believe the premise that some people are inferior. Coupled with this, the empirical evidence people had access to supported this propaganda, not because the targeted groups of people *are* actually inferior, but because their situation prohibited them from developing skills and capabilities. The propaganda might even be so effective that the oppressed people themselves

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[147] Appiah 1990: 7.
[148] Appiah 1990: 8.
[149] Appiah 1990: 9.

might start believing that they are in fact inferior. This reasoning led to, for example, separate and inferior education for black people. It is true that some of the people involved in these education projects might have had benevolent intentions. The capabilities of groups are denied because of their group membership, and this would therefore be classified as oppression on my account. Believing that some people are inferior, the premise which Appiah claims is irrational, might however be argued to be the 'rational' conclusion in this context. Appiah would claim that the premise necessary in order to justify the unethical treatment of black people at this time would require irrationality, as the premise 'all blacks are inferior' would be subject to ample counterevidence. The counterevidence is, however, in this instance only available, I want to argue, with the use of imaginative understanding.

The people in power in the apartheid regime's premises were incorrect, yet they could arguably still be said to be 'rational' in the sense that they drew the correct conclusions from their premises. The irrationality or cognitive incapacity would, however, lie with the inability to see the falsity of their premises. I hope to show that a solution to this cognitive incapacity has to include the development of one's imaginative understanding, rather than merely a focus on rationality. In this case rationality alone would then be insufficient for true liberation. The inability of these agents to see the falsity of their premises is the lack of imaginative understanding.

Imaginative understanding is useful in this context in two ways. First, it will enable the agent engaged in imaginative understanding to identify what would count as the denial of capabilities on the basis of group membership. Second, it would enable the agent to identify where oppression is not present, despite the fact that it might have appeared to be present. Imaginative understanding is then a useful means of being able to ascertain when there is an instantiation of a capability which we were not familiar with. Imaginative understanding can also help us to ascertain whether the agent we suspect not to have a certain capability really does not have this capability, or if she has the capability but is instantiating it in a way which we would not have thought it could be instantiated.

It is important to note that I am not arguing that the imagination alone is sufficient for ethics. Imagination also makes vast atrocities possible. In the above example of apartheid, the engineers of apartheid had to employ their imagination in order to imagine an apartheid utopia. This type of imagination is, however, not what I mean by imaginative understanding. The role of the imagination within ethics and politics as I conceive it focuses on the Aristotelian notion of its selective and discriminatory capacities, rather than its ability for free fantasy. "Its job is more to focus on reality than to create unreality…"[150] Azar Nafisi writes that imagination is a form of empathy, and that "carelessness, a lack of empathy… [is] the biggest sin… [because it means] to be blind to others' problems and pains. Not seeing them means denying their existence."[151] This is the type of imagination I have in mind when I refer to imaginative understanding.

The correct (true) premises can be generated by imaginative understanding as it engages with the other in a way which would foster identification, while not ignoring or under-emphasising difference.

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[150] Nussbaum 1992: 77.
[151] Nafisi 2003: 132.

The identification would not be superficial, and would be able to take into account dissimilarity as well as similarity. The combination of rationality (to be able to come up with a conclusion which follows logically from one's premises) with imaginative understanding (to generate true premises) is what I will argue is necessary to ensure true cross-cultural liberation.

Note that I am not claiming that imaginative understanding will always be necessary to generate true premises in the context of liberation or development projects. In some cases, statistics or other empirical evidence might provide us with the correct premises. My claim is, rather, that in a cross-cultural scenario, where there is the danger of cultural insensitivity, imaginative understanding ought to be employed in order to ensure true liberation, as imaginative understanding would be able to supply us with more and better information. Imaginative understanding is then not necessary for true liberation, however, imaginative understanding combined with rationality would be sufficient for true liberation. My claim is then that imaginative understanding can provide us with information which, depending on the circumstances, might be vital information in the context of cross-cultural liberation projects.

4.4 Embodied subjectivity and Imaginative understanding

In *Love's Knowledge*, Nussbaum claims that in order to understand the other,

> …the only procedure to follow is…to imagine all the relevant features, as well and fully and concretely as possible, holding them up against whatever intuitions and emotions and plans and imaginings we have brought into the situation or can construct in it.[152]

The capabilities approach seems to depend on us being able to recognise the complexity of others (particularly with regards to the multiple realisability of the capabilities), as well as their inherent basic capabilities. Our similar embodiment is, I will argue, an entry point into the possibility of imaginative understanding which allows us to take the complexity of situation into account. We can start from our experiences in a body similar to other bodies, and from there start to imagine what experiences in a different situation, but in a similar body, would be like.

The realisation that our embodiment is responsible for the development of the capabilities, and that we all share a similar embodied subjectivity, ought to alert us to the fact that if combined capabilities are absent in agents with a similar embodied subjectivity, this has to be due to the fact that they have not had the right material and social conditions in place in order to develop their capabilities. In order to identify what exactly could be the cause of the failure to develop the capabilities, it is often the case that one needs to engage in the method of imaginative understanding. The ability to do this will give us, through our faculty of rationality, the ability to generalise from our specific case (that the capabilities are important in my own life) to the knowledge that the combined capabilities are important for all beings who share my embodied subjectivity.

Imaginative understanding is an activity, with a certain result, namely, the generation of right (true) premises. Imaginative understanding includes a type of identification with the other, which starts with

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[152] Nussbaum 1992: 74.

the recognition of our shared embodied subjectivity, but this does not mean the other and her values are reduced to one's own values. The identification is for this reason not a shallow one, but is a means of thick identification. I will argue that this identification starts with the recognition of our similar embodied subjectivity.

Imaginative understanding is a process of engagement resulting in a particular product, namely, the right (moral) premises. Its object is the understanding of the other which will lead to ethical cross-cultural interference. It is not imagination *simpliciter*, but a particular type of imaginative engagement. It is a particularly important tool (and sometimes an ethical requirement) for liberators to have in order to ensure the success of their project. Imaginative understanding is not an interactive process as it is a way the liberator can think about the other (it is not a conversation or dialogue), but the premises it generates are geared towards the right kind of actions.

I will now elaborate on the method of imaginative understanding. This method is often necessary for ethical liberation projects. The further removed someone's experience might seem from mine, the more true liberation projects will rely on gaining an understanding of our similar embodied subjectivity, and therefore our similar basic capabilities. Once we have realised that others have the same basic capabilities we do, we can generalise from this that they ought to have their basic capabilities developed. This would allow for true liberation which is not paternalistic or imperialistic, even if these individuals are removed from us through cultural, geographical or other boundaries. Imaginative understanding not only enables a recognition of the other as human, but also enables the recognition of different ways of *being* human.

4.5. **The Method of Ethical Engagement**

The method of imaginative understanding, (which would exclude imperialism and paternalism in liberation projects) will be constructed through using aspects of Maria Logunes' 'world-travelling'[153] (with the modification and application of this method by Isabelle Gunnings[154]) Richard Bell's 'cross-cultural understanding'[155] and Beauvoir's 'openness to the other'.[156]

Logunes argues that the method of world-travelling is a necessary condition to be able to treat others ethically, especially in multi- or cross-cultural contexts. The 'worlds' Logunes refers to can be different cultures, different worldviews, or even different values. I might have to travel to a different 'world' in order to be able to engage with my neighbour, if the person has different values and had a dissimilar upbringing. World-travelling is a type of perception which enters the world of the other and learns the discourse of that world. It is seeing both yourself and the other agent (whose world you are travelling to) as both of you are as constructed in her world, and witnessing "her own sense of herself from within her world."[157] The experience of world-travelling means having "the distinct experience of

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[153] Logunes 1987.
[154] Gunnings 1991-2.
[155] Bell 2002.
[156] Beauvoir 1962.
[157] Logunes 1987: 8.

being in different worlds, and of having the capacity to remember other worlds and ourselves in them."[158] Logunes sees this world-travelling as a skill we all have and can develop to a greater or lesser extent, but which members of minority groups in a culture are especially adept at, out of necessity. This tool can be applied to contexts where it is necessary to understand the other. Logunes considers world-travelling as a personal skill, and investigates the possible positive consequences it could have between women of different worlds in the context of feminism. World-travelling then requires skills we already have to be developed into a mature state.

Isabelle Gunnings utilises Logunes' concept of world-travelling, and applies it to a political context. She investigates whether one can be respectful of different perspectives and worldviews, and yet still be able to criticise these perspectives.[159] She answers this question in the affirmative, as long as the focus is on "multicultural dialogue and a shared search for areas of overlap, shared concerns and values."[160] Gunnings develops a three pronged methodology, based on Logunes' world-travelling, in order to deal with what she calls 'culturally challenging phenomena'.

The methodology is meant as a means of overcoming 'arrogant perception'.[161] The arrogant perceiver emphasises difference. There is a distance between the self and the other which makes the other 'different'. The distance between subjects is not completely focused on difference. The similarity recognised is, however, deemed as being instantiated as inferior or flawed in the other. Despite the fact that respecting the separateness of the 'other' is necessary in order to overcome arrogant perception, there is a danger of perceived unrelatedness. Though agents cannot escape their fundamental relations with others, on Beauvoir's scheme of freedom, as argued in chapter 1, they can deny in bad faith that there are any similarities between the self and the other. If the self and the other are completely unrelated in this way, there is no foundation for shared values. Gunnings claims that the relativist position is, in this way, flawed. It over emphasises distance, and thus sees the other as completely unrelated to the self.[162]

Culturally challenging practices (such as female genital surgeries) require "a complex vision of independence and connectedness. The distance that arrogance involves must be bridged, but the interconnectedness built must be both complex and preserve independence."[163] The skill or methodology of world travel must be performed with an attitude of 'playfulness' which denotes a willingness and openness to travel without the intent to judge. As Gunnings expresses the methodology, it has three steps:

1. Be clear about the boundaries and ramifications of one's own will and interests i.e. understand one's own historical context;
2. Understand how as an outsider one impacts on the 'other's' world and…perceived by the other i.e. see yourself as the 'other'…might see you;

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[158] Logunes 1987: 11.
[159] Gunnings 1991-2: 190.
[160] Gunnings 1991-2: 191.
[161] Gunnings gets this term and concept from Marilyn Frye, who developed it in feminist philosophy, as a way to describe the perception of males towards females in a patriarchal system.
[162] Gunnings 1991-2: 202.
[163] Gunnings 1991-2: 198.

3. Recognise the complexities of the life and circumstances of the 'other', i.e. see the other…her world and sense of self through her eyes.[164]

The first step is intended to help the traveller recognise the autonomy of the other. The second and third steps are aimed at recognising interconnectedness. Step 2 requires an investigation of both the historical and personal details of the traveller's association to the other. Step 3 requires an examination of the other's cultural context, and searching for similar practices in one's own culture (which might be viewed as culturally challenging from the other's perspective).

Gunnings applies this methodology to the case of female genital mutilation (FGM). The first step (seeing oneself in historical context) leads her to two insights: the recognition that FGM is a practice which crosses cultural boundaries, and "the fact that genital surgeries have been performed in Western countries as well."[165] FGM was practiced as a treatment for 'female disorders' such as mental illness, hysteria, masturbation and lesbianism. It was only discontinued in the 1930's in the USA. The second insight Gunnings gains from performing step 1 is that even though the practice of FGM has been discontinued in Western culture, the mind-set and beliefs which provide rationalization for the surgeries are still, for the most part, in position in current Western culture.[166]

The second step (seeing yourself as the other sees you) leads her to investigate how westerners are perceived by third world women. The perception of imperialism, as well as racism, needs to be taken into account in any approach towards engaging, as a westerner, with these women, as "[w]estern articulations of concern over the contemporary practice of genital surgery in third world nations are often perceived as only thinly disguised expressions of racial and cultural superiority and imperialism."[167] This is the macro relationship which has to be taken into account. There is also the micro perspective of seeing oneself as the other sees you. This involves the realisation that non-Westerners can view several Western cultural practices as culturally challenging too.[168]

The third step (seeing the other in her own context) involves the understanding that any single practice is part of a complex and organic social situation. In order to understand the complexity of the social situation, two things need to be done: one was mentioned above - examining one's own culture and identifying practices which might be culturally challenging to the other. Examples of practices which could be viewed as culturally challenging from the non-westerner's perspective are cosmetic breast surgery and eating disorders such as anorexia and bulimia. Cosmetic breast surgery involves substantial health risks, and is performed for similar (aesthetic) reasons to ones cited for FGM. Anorexia and bulimia can, understandably, appear horrific to people in a context where malnutrition due to poverty is the order of the day. The second part of this step involves examining the situation which gave rise to the practice of FGM. The voluntary participation and support of the practice by women might easily be classified as 'false consciousness', but it is important to note it can just as

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[164] Gunnings 1991-2: 194.
[165] Gunnings 1991-2: 205.
[166] Gunnings 1991-2: 205.
[167] Gunnings 1991-2: 212.
[168] Gunnings 1991-2: 212.

easily be viewed as a rational decision for women in this context. The women supporting the practice are in a position in which there is no guarantee that the social and economic situation of women would improve with the abolition of FGM. For this reason they may justifiably be cautious to "risk having 'the whole fabric of society come apart'."[169] Even for feminists in the African arena who agree the practice ought to be phased out, FGM is but one of many problems facing women and might not be a first priority. From her analysis, Gunnings concludes that the best way of dealing with FGM in our current context is through educational programs focusing on the health problems related to FGM.

Logunes' notion of world-travelling (as modified by Gunnings into a political tool) is a promising way of trying to understand others. I would like to add to this account in order to construct the process of imaginative understanding. I make explicit some necessary conditions for step 3 of world-travelling, and add a fourth step to the process. Step 3 has three necessary conditions I make explicit, namely, emphasis on our shared embodiment, focus on the individual, and translation. I finally add an extra step to Gunnings' methodology, the step of identification.

Step 3 (seeing the other in her own context), has the necessary condition of an emphasis on shared embodied subjectivity. Recall from chapter 1[170] that Beauvoir argues for a fundamental desire of 'openness to the other' in the mode of desire-to-disclose being. It is this sensitivity or openness to others and the world which is necessary for the ethical response to other cultures through the method of world-travelling. This generosity[171] is something we all have, yet we can deny it in bad faith. Denying the desire-to-disclose-being in bad faith means that

> …not all relations with others involve … mutual affirmation. There has to be a choice of such relations - what Beauvoir calls a choice of 'generosity' on the part of the persons concerned. Moreover, for such choice to be possible, a certain objective condition also has to be met: there must be equality between them. By equality Beauvoir means, above all, social equality: equal power and equal access to those material means which are necessary for the projects.[172]

Beauvoir's 'openness to the other' is an important aspect of imaginative understanding (or revised world-travelling). I take her perspective as important since she highlights the corporeal aspect of generosity. We share similar bodies and I argued from this that we share a similar embodied subjectivity. If some of the material and social conditions for the expression of the capabilities have not been met in the context of the other, then it is only possible to understand how this might affect the other through focusing on our shared embodiment. The focus on our shared embodiment is the entry point into understanding the other. From this one can build up an accurate enough picture of the other in order to attempt to see her as she understands herself in her own context. The focus on our shared embodied subjectivity is therefore necessary to perform step 3 of world-travelling. In order to be able to see the other as she sees herself it is necessary to focus on my own embodied subjectivity, as well as that of the other.

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[169] Gunnings 1991-2: 223.
[170] See Chapter 1 pp 3-5.
[171] The concept of generosity is inspired by the way generosity is used in Diprose 2002
[172] Kruks 1998: 49.

There is a second necessary condition for step 3, the emphasis on looking at *individual* agents in order to explore complexity. Step 3 requires a recognition of the complexities of others and their situations. I maintain that it is useful to focus on individuals in order to start understanding the true complexity of the situation of the other culture. The reason it is easier to focus on individuals when trying to understand the context of the other from her own perspective is that, in order to understand the complexity of the other, it is necessary not only to investigate the macro political situation she finds herself in, but also the micro situation. On a micro scale, the possible reasons for actions of agents in the foreign culture need to be examined. If step 3 is not performed by at least looking at some individuals within the cultural context we are examining, it would be easy to forget that cultures are made up of people like us in the most basic respects, and that we cannot understand 'culture' as completely abstracted from the people who live it. One has to focus on the individual in order to fully appreciate and grasp a culture, and only then is it possible to generalise and abstract from this to formulate the policies and implement the strategies to improve the quality of life of the oppressed. I am not proposing that culture does not encompass more than merely the individuals who are members of that culture. Culture also incorporates a shared history, shared memories, shared institutions and ways of doing things (for which the original justification might be forgotten or lost) to name but a few. These aspects would also have to be given attention, but my emphasis here is on the fact that it would be useless to examine only these aspects without a proper examination of some individuals in the culture as well. This focus is a means of checking our natural impulse to abstract, so that we do not lose sight of our subject matter.[173]

'Translation' is the third necessary condition for step 3 (seeing the other in her own context) I wish to make explicit. The notion of translation can provide a guideline towards 'seeing the other in her own context.' Richard Bell argues in *Understanding African Philosophy* that for cross-cultural understanding, what is important is "awareness of differences between cultures…and how understanding may pass between them."[174] For Bell we are able to understand the other, never completely, but nevertheless close enough to still grasp her. This is not complete understanding, as it seems impossible to experience the world completely from the other's perspective. While it is not possible to take up the other's perspective entirely, it is possible to perform step 3 through 'translation'. Rather than attempting to take up the other's perspective entirely, we must recognise that the base values and primary mechanisms from which we operate are universal, and then we can add on the particulars of the person we are aiming to understand. For cross-cultural understanding to be possible, we must be prepared to see the world in novel ways,[175] and attempt to create new categories for understanding. Thus, through engaging the other in dialogue, it is possible to find similarities between us, some common ground. To do this we should not only appreciate and acknowledge our own cultural and historical context, but also the cultural and historical context of the other, not reducing the other's

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[173] This idea is was used in a different context in by Louden 1998: 489.
[174] Bell 2002: 2.
[175] This could be paralleled to Beauvoir's category of the desire-to-disclose-being.

values and context to our own. Understanding becomes like 'going up to someone'. This metaphor of going up to someone is explained by Bell as the translation of the other's experiences into my own, more familiar experiences. It is important to note the metaphor of translation here. Translation emphasises that it is possible to reach an approximate understanding of another language, even though nuances and details might not be captured. In other words we should always be aware that the understanding of others is always, precisely, a translation, and make provision for this in our interactions. An example of this process of translation would be of a westerner going to a foreign culture, and being received in a community by a welcome ritual. Though the actual ritual might be completely alien to the visitor, she might be able to understand the process through relating it to similar practices in her own culture, for example the welcome mat she has at her front door, and the etiquette of offering guests something to eat or drink when they call. Note this does not immediately reduce the welcome ritual to similar practices in her own culture, but provides an entry for the visitor to be able to start understanding and engaging with the experience. There is the danger of turning the other's experiences into my own, but this is not what the process of translation aims for. Thus, Bell writes that "in approaching another's practice(s) we in turn find the room in ourselves to see connections, new aspects of the other's life with our own, and possible appropriations of the practice in our life."[176] Gunnings makes a similar point when she claims, "[l]ooking at ourselves as others might see us ultimately deepens our view of ourselves."[177]

What Bell's account does not emphasise is the importance of our similar embodied subjectivity as an entry point into the process of translation. The process of translation needs our similar embodied subjectivity and the recognition thereof as an entry point. Embodied subjectivity is necessary for translation as it provides the universal basis from which we can approach an understanding of the other. It provides the universal mechanisms and values which we all share from which it is possible to construct a comprehensive enough picture of the other's worldview in order to start making sense of it. Recognition of our embodied subjectivity is then a necessary condition for focus on the individual, which is in turn a necessary condition for the process of translation.

The final adaptation to the methodology of world-travelling, which will complete the process of imaginative understanding, is the addition of a fourth step that I call the 'empathic process of identification'. This step involves four parts, namely, thin identification, dissonance, empathy, and thick identification. The agent in the process of attempting to imaginatively understand the other needs to complete this final step in order to reach imaginative understanding of the other. The first part of the empathic process is thin identification. This involves identifying a value (X) she shares with the other she is attempting to understand. The second part is one of dissonance; the agent identifies dissonant or contradictory values in the worldview of the other to the ones she endorses. These would be the culturally challenging phenomenon in the other's culture the agent is engaging with. From this information as it is apparent the other holds some values the agent has, and also some which the
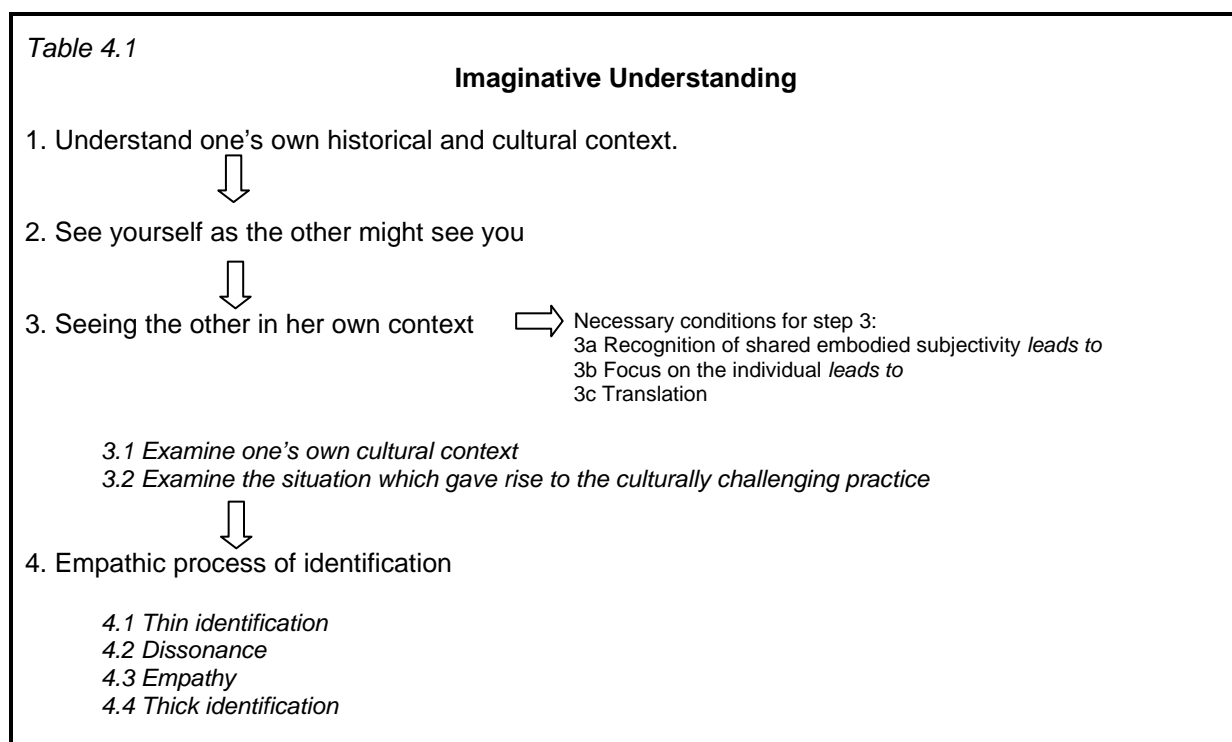
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[176] Bell 2002: 9.
[177] Gunnings 1991-2: 212.

agent rejects, the third part of the empathic process follows. The third part is empathy; the agent tries to understand how the other can hold her values coherently by imagining the experiences (thoughts, feelings and actions) of the narrative of the other's life, from the other's point of view. The final part to the empathic process is thick identification. This involves an interrogation into why my value system does not include values which the other consistently holds with value X. This might either lead to a reassessment of my own value system, by incorporating some values of the other, discarding value X, or to the realisation that the other does not hold value X consistently with her other values. Values are intricately related and inform each other, and they can thus not be judged in isolation. The methodology of imaginative understanding can be summarised in the following table:

Table 4.1
Imaginative Understanding

1. Understand one's own historical and cultural context.

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2. See yourself as the other might see you

⇩

3. Seeing the other in her own context   ⇨   Necessary conditions for step 3:
3a Recognition of shared embodied subjectivity *leads to*
3b Focus on the individual *leads to*
3c Translation

3.1 Examine one's own cultural context
3.2 Examine the situation which gave rise to the culturally challenging practice

⇩

4. Empathic process of identification

4.1 Thin identification
4.2 Dissonance
4.3 Empathy
4.4 Thick identification

The imaginative engagement with others' perspectives allows for trying to "grasp the reality of the other as a possibility for myself."[178] Trying to apprehend the other's reality will mean that if we engage with the other with imaginative understanding, then we will see the humanity, and perhaps different ways of *being* human, of the other. This can make people realize that the other is 'just like me in many respects'. Though the people involved may be from different cultural, ethnic, social and economic backgrounds, at base humanity's core values are the same because of our similar embodied subjectivity. To get to know the other, one also gets to know oneself by finding experiences similar to the other's within one's own experience. The method therefore aims to show how imaginative

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[178] Noddings 1984:15.

understanding is necessary in order to "take on the other's reality as possibility and begin to feel its reality"[179] as this will lead me to act towards the other as a person.

Imaginative understanding is often a necessary condition for cross-cultural understanding in the specific context where we suspect the other might be oppressed. What is evident about this approach is that it is an active attempt at and process of cross-cultural understanding. It emphasises the work that needs to be done in order to understand others, yet it does not claim that just because it might be a difficult process it is impossible. In the next section I illustrate how this method of ethical engagement would not lead to imperialism or paternalism in the liberation project. I look at an example[180] of how this method may be used in order to analyse Beauvoir's reaction to the Algerian war.

4.6. **Beauvoir and the Algerian war – An Illustrative Example**

For cross-cultural understanding as explained above to lead to cross-cultural ethical treatment of others, I argue the agent must possess imaginative understanding. Imaginative understanding is therefore a necessary feature of an ethical response to people from other cultures. I use Beauvoir's reaction to the Algerian war to illustrate how cross-cultural engagement by imaginative understanding can respond to wrongs in another culture without imperialism or paternalism.

The Algerian war (1954-1962) was fought between France as the colonial power and Algerians determined to win their independence from France. French officials tortured liberation fighters, and the French government turned a blind eye, even though France was subject to four treaties prohibiting torture.[181] The French public reacted to the war with apathy. Beauvoir became involved with numerous campaigns supporting the decolonisation of Algeria.

Beauvoir, in her campaign against the war, was explicit about her own historical and cultural context (step 1) when engaging with the situation and people in Algeria. She realized it was not her war, and all she could do to support the people in Algeria was to raise consciousness about the atrocities and torture committed by France against Algerians. Rather than going underground, she used her professional, historical and cultural context in writing articles, organising and signing petitions and speaking to people in positions of power in France.

She imagined how others saw her (step 2), and through this she realized her complicity with the French government's atrocities despite her opposition to the official policies in this particular instance. She not only imagined how she was seen by Algerians as she walked through their midst, namely, as a French colonial woman benefiting from the status quo. She also realised that the French authorities saw her as a threat to their project in Algeria. Being able to imaginatively displace herself fostered a feeling of co-responsibility for the actions of her government, as well as realising what

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[179] Noddings 1984:16.
[180] For another example of the employment of imaginative understanding, see Krog 2002: 210-216 She describes a man who was willing to imaginatively displace himself into the place of the police, but was denied imaginative understanding from them.
[181] Murphy 1995: 273.

actions she could take to bring justice to the situation. She fully accepted responsibility for how Algerians would see her.

She also recognised the complexities of others (number 3 of the method), in this case of the Algerian Freedom fighters, and their situation. The necessary conditions for this step (3a) recognition of shared embodied subjectivity, (3b) focus on the individual and (3c) translation can be interpreted to have been fulfilled by Beauvoir in the following way.

The first necessary condition, recognition of our embodied subjectivity, was performed through Beauvoir's perception of the complexity of all people's situations, which is enhanced through her understanding of our ambiguous situation as embodied subjects. Claudia Card writes that the central ambiguity with which Beauvoir is concerned is that of our embodied subjectivity; of a being who is,

> …on the one hand, conscious, a choosing subject, an agent, and on the other hand (at the same time), an object of perception (both others' perceptions and one's own), at the mercy of forces beyond one's control…As situated beings, all humans share this fundamental ambiguity of being at once subject and object…Failure to acknowledge and appreciate either facet of human ambiguity produces failures of ethical responsibility and of compassion.[182]

Having this understanding of the situatedness of human being, Beauvoir would have applied it to the Algerian liberation fighters. She would have realised that they are agents at the mercy of forces beyond their control, yet that their actions were an expression of their freedom as well as a desire for a social situation which would be more conducive to their practical freedom.

The second necessary condition, focus on the individual, was also in place in Beauvoir's dealings with the Algerian war. Murphy argues that "Beauvoir believed she could best expose the common criminal practices through an individual situation."[183] This is why she took up the cause of the Algerian liberation fighter Djamila Boupacha. Boupacha was accused of planting a bomb during the conflict, and confessed to the crime. Beauvoir wrote an article (banned by the government in Algeria), demanding an investigation into Boupacha's case. She disclosed that Boupacha confessed to the crime under torture, and that the case disclosed had to be investigated. She signed petitions, gave speeches, and rallied the French public opinion. Beauvoir, furthermore, wrote a preface to a book on Boupacha authored by Gisele Halimi, Boupacha's lawyer. Beauvoir emphasised the complexity of Boupacha's situation, for example her relations to other people and her desire to be educated (step 3). This showed that the portrayal of liberation fighters to the French public (as dangerous terrorists) by the French government was simplistic and one-sided. Through introducing Boupacha to the public as an individual with a complex situation, she transformed Boupacha from just another name in a newspaper to a creature of flesh and blood, and created the impetus for the French public to recognise her humanity.

The third necessary condition for step 3, translation, can also be argued to have been present in Beauvoir's response to the war. Taking up an individual case emphasised the embodied subjectivity of the other, and in this way Beauvoir was able to give the French public an entry point into the process

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[182] Card 2003: 14-15.
[183] Murphy 1995: 272.

of translation, necessary in order to understand the situation and cultural context of the other. She "affirms the collective by affirming the individual. Djamila Boupacha is important because every rebel is important."[184] It is important to note that Beauvoir's actions were focused on exposing the embodied subjectivity of an individual other, which would be an entry point into the process of imaginative understanding for other French citizens, and through doing this giving them access to the process of 'translation'. Through translation Beauvoir could make sense of the situation of the liberation fighters and their desire for a context in which their practical freedom would be enhanced.

Step 3.1 (examining one's own cultural context) led Beauvoir to draw comparisons between the occupation of France by Nazi Germany, and the occupation of Algeria by France. The similarity in the situations allowed for an understanding of the fervour with which the Algerians fought for their freedom.

Beauvoir also performed Step 3.2 (examining the situation which gave rise to the culturally challenging practice). The culturally challenging practice in this case was the struggle of the liberation fighters, which most French citizens thought to be unnecessary. The parallels in the situations between occupied France just over a decade before and occupied Algeria meant that the struggle became an understandable phenomenon for her.

It can also be argued that Beauvoir engaged in the empathic process of identification, even though this is more difficult to identify, as the empathic process is an internal one.[185] The first part of the empathic process, thin identification (4.1) involves the identification of a value the agent shares with the other. Beauvoir might have identified the shared valuing of political freedom, as well as bodily integrity, with Boupacha. The second part, dissonance (4.2), involves the identification of a value the agent and the other does not share, in this case the value would have been the violent struggle for liberation by the liberation fighters which Beauvoir might not have shared. Even though Beauvoir was not opposed to violence as a last resort against injustice, she might have thought there were still other options available to the Algerians. The third part of the empathic process, empathy (4.3), might have been performed in Beauvoir's imagining how the liberation fighters might have held their values coherently, through imagining the experiences of the Algerians from their own point of view. The final part of the empathic process is thick identification (4.4). This involves a reassessment of one's value system. Beauvoir might have examined why the liberation fighters thought that violence was their only hope in this situation. Even though she might have realised that this might have been the case for the Algerians, this was not the case for her, and this led her to the political campaigning (as opposed to *her* engaging in violence) for the decolonisation of Algerians, and taking up the cause of Boupacha.

The imagination is therefore central in order to understand Beauvoir's position with regards to oppression. As her treatment of the Djamila Boupacha case shows, the perception of the other's embodied subjectivity is central to treating her in a humane way. "In representing Boupacha, Beauvoir

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[184] Murphy 1995: 281.
[185] For this reason I will speculate about the possible process Beauvoir went though in the next few paragraphs.

and Halimi needed ways to render a Muslim woman visible to French culture."[186] The lack of imagination renders the lives and subjectivities of others invisible to us. Imaginative understanding is necessary in order to render these people's lives, and their suffering, joys and sorrows, tangible and visible to us. And we can only properly understand the other as she actually is, namely, as an embodied subject. It is through engaging in this manner, through employing imaginative understanding, that imperialistic and paternalistic attitudes can be avoided in projects of cross-cultural liberation.

4.7. **Liberation without Imperialism or paternalism**

How, then, is it possible to approach cross-cultural liberation projects without a neo-imperialistic attitude? It is not my aim to give practical judgments on when a cross-cultural liberation project would be imperialistic or paternalistic. To expect an assertion on practical plans for action would be misunderstanding the emphasis of the current project. My aim was rather to give a guide to engagement which has to be applied to each context specifically in order to come up with practical guidelines. Engagement with many projects of cross-cultural liberation would need to, I have argued, employ imaginative understanding in order for it to be sensitive to all the aspects of the particular situation. Imaginative understanding is meant to show that the boundaries of culture need not be an obstacle for understanding the other as human. Once the other is understood in this rich way, the practical plans for liberation would be affected by the understanding.

The importance of embodied subjectivity in this context is that it allows for a point of entry into engaging with the other which is grounded in this situation we all share. By understanding the other as an embodied subject just like myself, I will refrain from imposing values and circumstances on them, since I will, through this method, truly respect the autonomy of the other. This does not mean interference where oppression is present is never justified. In fact, it would point towards interference in cultures where some of the population is oppressed. Ignoring the suffering of others where we can be sure oppression is present (as a certain group is being denied capabilities), would not be the correct ethical response. Engaging in the process of imaginative understanding both with the victims of oppression as well as the oppressors would make it an ethical prerequisite that we do interfere. The interference would, however, have to be sensitive, through taking the context of the victims into account, as the method of imaginative understanding does. Through this process, interference would not result in imperialism or paternalism. Making available the conditions to develop the capabilities would amount to this type of liberation, yet even the provision of capabilities would have to be preceded by engagement in imaginative understanding.

There are different types of interference, and some forms would be easier to justify than others. It would be easy to justify interference, where a sub-group in society sees themselves as oppressed, and appeals for help and support to outsiders in their struggle for liberation. Interference which involves outsiders judging a certain group to be oppressed (where the group concerned do not

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[186] Murphy 1995: 287.

see themselves as oppressed), is more difficult to justify. An example of this would be of a particular community, in which women are allowed little freedom of choice or movement. The women in the situation might not perceive themselves to be oppressed, and might argue they are leading flourishing lives. Could we, for example, justify interference in the form of education in this case?[187] I have argued in chapter 3 that aiming at functioning with regards to education in certain circumstances can be justified. What would have to be established is whether education, which might lead the women to the realisation that there is more freedom for women in other cultures, be an unacceptable form of interference in this context. It must be carefully examined whether the situation is an example of our lack of imagination in understanding their position and how the capabilities are actually present in a different specification, or if the combined capabilities are really absent. I would argue that interference would be acceptable if the women are being denied combined capabilities, and not merely different instantiations of the capabilities. In order to ascertain whether the denial is of a combined capability, or of a particular instantiation of it, the process of imaginative understanding would have to be employed.

My dissertation has revealed that despite it being difficult to react in this way to oppression, since it requires much more active engagement on the part of the would be liberator with the individuals that are affected, it is not impossible. In fact, the process of imaginative understanding involves skills all agents have to a greater or lesser extent, and which can be developed.

4.8. **Conclusion**

This chapter advanced an argument against a neo-imperialistic approach (which includes paternalism and imperialism as subcategories) to oppression. I have argued that on my account of oppression, liberation cannot have imperialistic or paternalistic consequences, as this would undermine the project of liberation. The possibility of interference without imperialistic or paternalistic consequences, which I have set out in this chapter, demands that we ought to liberate in a fashion which is not imperialistic or paternalistic, as the neo-imperialistic position actually undermines true liberation. The methodology I proposed would then deny that the neo-imperialistic approach is the correct one to take in the liberation project. In order to avoid imperialistic or paternalistic attitudes (which would neglect the autonomy and difference of the other), I explored a method of engaging with other cultures which would preclude these attitudes. The method is aimed at cross-cultural understanding of the complexity of myself, how the other sees me, how the other sees herself, and the empathic process of identification. I have labelled this type of engagement imaginative understanding.

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[187] I thank Sally Matthews for this example.

CONCLUSION

The concern of this dissertation was to address two related issues regarding oppression. I first investigated the concept of oppression and attempted to give a definition for it which would allow one to be able to identify oppression in different contexts and cultures. The second issue I addressed was, once oppression has been identified, how one ought to approach the project of liberation without it becoming imperialistic or paternalistic.

The first part of the project argued for a universal definition of oppression based on our embodied subjectivity. I combined aspects of Beauvoir and Nussbaum's theoretical positions to generate an ethical theory which would be able to deal with the problem of how to identify and respond to oppression. I identified two criteria for being able to identify oppression. First, oppression necessarily involves the denial of capabilities, and second, it necessarily involves discrimination on the grounds of perceived group membership.

The second part of the project examined how liberation ought to be approached in order for it not to become imperialistic or paternalistic. In order to scrutinize this question, two objections against a universalistic approach to oppression were raised. The two objections were, firstly, that a universalistic approach such as the one I have been arguing for ignores historical and cultural difference. The second objection claimed that a universal approach such as the one argued for in Chapter 2 neglects autonomy. In responding to these objections, and concluding that my definition of oppression does not have either of the above defects, it was recognised that the approach might still be prone to imperialism or paternalism once applied in practical liberation projects. In order to address this problem, an approach to liberation, namely, imaginative understanding, is advanced in the final chapter. In order for liberation projects not to become neo-imperialistic in their application, we have to endeavour to truly understand the situation of the oppressed, which should inform the means and manner of liberation. The cultural relativist as well as the neo-imperialist positions both end up neglecting the enhancement of agency, which I have argued ought to be the aim of liberation. The cultural relativist position would neglect the other's agency, as it would ignore the inability of some agents in other cultures to develop their capability. The neo-imperialist position would neglect the enhancing of agency, as it would aim at functioning instead of capability. The imposing of certain specific values on the other culture would also result in the denial of the architectonic capability of practical reason, as it would deny agents the right to deliberate about what their own conception of the good life would entail.

The general ethical framework set out in the first chapter might have a role to play in development ethics, as does the methodology of imaginative understanding. Development might be set out in terms of the enhancement of agency, and, as this is the case, development projects which deny difference (imperialism) or the autonomy of the target agents (paternalism) would be unethical, and would not reach the goal of development.

As embodiment plays a key role in the account of oppression and liberation I have argued for, it is interesting to note that the importance of embodiment might not have been exhausted during the course of this dissertation. It is possible that our body language and gestures infuse our subjectivity, and might be a more integral part of our subjectivity and identity than even this account has acknowledged. Merleau-Ponty discusses habit as a type of sedimentation of action, which is grounded in our physical intelligence, to become pre-reflective when we are not attending to the action. Cultural identity, for example, is partially constituted by the practices of a culture, and this includes a specific body language and discourse of gestures. The body is treated as subject, as a mediator of the world, and therefore has overall intentions (which might be conscious or not). In the case of habitual action, our bodies act in accordance with our overall intentions, but without our conscious control. As embodied subjects our intentions are not purely thought and mind, but find expression through our bodies. This means that if the gestures of someone with certain intentions are internalized by others, then the actual intentions and worldview of that person would slowly but surely be adopted as well, even if it is not on a conscious level. Merleau-Ponty's work on child psychology[188] could be useful in order to explain why gestures might be so important. The forming of subjectivity is a kind of habituation, and the gestures which are imitated by the child during early years have a profound impact on her subjectivity and intentions. It is then possible to argue that prejudice can be pre-reflective, as the agent might have adopted (negative) gestures from the bodies with which she inhabits social space. Gestures and habits are a constitutive part of oppressive situation, and might play a role in the perpetuation of that oppression. Agents might express habitual hostility or superiority in their gestures they do not adhere to strongly themselves. If this is the case, the implication would be that prejudice might be eradicated through a careful education of gestures.

The purpose of this project was to provide an account of oppression and a methodology to be applied by liberators to ensure that their projects do not undermine the autonomy of the agents the projects are aimed at liberating. My central contribution, the methodology of imaginative understanding, is, in essence, a set of guidelines for a form of imaginative deliberation. As I have set it out, imaginative understanding is a political tool for liberators to ensure the ethical soundness of their projects. The methodology I have advanced could, however, possibly have larger implications for ethics in general. The concept of imaginative understanding might in fact be a general ethical requirement, and not just a requirement of cross-cultural liberators. If it is the case that the methodology has this broader scope, it would mean that the performing of ethical duties would not be sufficient to lead an ethical life. The process of imaginatively deliberating would, if imaginative understanding is indeed a general ethical requirement, also have to form a part of the moral life. The process of imaginative understanding is difficult and taxing, but would have great rewards if in fact incorporated into a general ethical framework. The agent would achieve

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[188] Merleau-Ponty 1964.

real recognition or understanding, the kind of grasp of what is really at stake that comes from somewhere deep within her, from something that is a part of her.[189]

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[189] Nussbaum 1990: footnote 47 p 80.

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