

OXFORD STUDIES IN DEMOCRATIZATION

# GENDER JUSTICE, DEVELOPMENT, AND RIGHTS

Edited by  
MAXINE MOLYNEUX and  
SHAHRA RAZAVI

# Gender Justice, Development, and Rights

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MAXINE MOLYNEUX

and

SHAHRA RAZAVI

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*Series Editor:* Laurence Whitehead

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Oxford Studies in Democratization is a series for scholars and students of comparative politics and related disciplines. Volumes will concentrate on the comparative study of the democratization processes that accompanied the decline and termination of the cold war. The geographical focus of the series will primarily be Latin America, the Caribbean, Southern and Eastern Europe, and relevant experiences in Africa and Asia.

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## Preface

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The 1980s and 1990s saw the collapse of authoritarian regimes in many parts of the world. This revitalized the debate over democratic and participatory governance and gave a major impulse to human rights agendas. In this context, women's movements flourished as strong advocates of women's rights and attained a considerable number of legal and institutional advances. And yet the last two decades of the twentieth century also saw the ascendance of neo-liberal agendas in many parts of the world, with regressive social and economic consequences. This has placed significant constraints on the substantiation of human rights in general, and women's rights in particular.

From their diverse regional perspectives, the contributions to this volume reflect on the gender content of the new policy agenda and how it has been translated and contested in disparate local contexts. The volume grows out of a two-year (1999–2001) research project at the United Nations Research Institute of Social Development (UNRISD) in Geneva. Some of the commissioned papers which appear here were presented and discussed at an UNRISD Workshop that took place in New York on 3 June 2000, coincide with the General Assembly Special Session for the Beijing Plus Five Review. At this meeting, six members of the research team, and the editors of the volume, presented their work on issues of gender justice, development, and rights. The immediate output from the Workshop was a short report circulated at the Special Session of the General Assembly. Later, the edited version of the report was published as an issue of the UNRISD Conference News series, *Gender Justice, Development and Rights: Substantiating Rights in a Disabling Environment*.

Financial assistance for the preparation of this manuscript, and the UNRISD Workshop in New York, was provided by the Swedish International Development Agency (Sida) and UNRISD's core funders, the governments of Denmark, Finland, Mexico, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom.

Thandika Mkandawire  
*Director*  
UNRISD

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M. M., S. R.  
*December 2001*

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## Notes on Contributors

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CECILIA BLONDET is Minister for the Advancement of Women and Human Development in Peru. Previously, she served as the General Director of the Instituto de Estudios Peruanos. She is a member of the board of directors of TRANSPARENCIA, a civil association created to oversee the electoral process in Peru. She is also a member of the Steering Committee of the Civil Society Project (Ford Foundation and the IDS-Sussex). Since 1985 her main research area has been gender and politics, on which she has published widely.

DIANE ELSON is Professor of Sociology at the University of Essex, UK. Previously, she worked for the United Nations Development Fund for Women (UNIFEM) and for Manchester University where she was Chair in Development Studies. Her current research and teaching interests are in global social change and the realization of human rights with a particular focus on gender inequality. She edited *Male Bias in the Development Process* (1995); co-edited Special Issues of *World Development* on *Gender, Adjustment and Macroeconomics* (1995); *Growth, Trade, Finance and Gender Inequality* (2000); and the *UNIFEM Report on Progress of the World's Women* (2000).

ANNE MARIE GOETZ is Senior Fellow at the Institute of Development Studies, Sussex, UK. She has written extensively on gender and institutions, including *Getting Institutions Right for Women in Development* (Zed, 1997). She has also done research on the gender implications of credit programmes in rural Bangladesh.

SHIREEN HASSIM teaches Political Studies at the University of the Witwatersrand in Johannesburg, South Africa. She has worked on the South African women's movement for several years, and has lectured and published in this field. During 1999, she was a member of the Gender and Elections Reference Group of the Electoral Institute of South Africa, and co-edited the *Elections* bulletin. She is a member of the Advisory Board of Womensnet, a website for women.

JACQUELINE HEINEN is Professor at the University of Versailles St-Quentin-en-Yvelines and at Sciences Po-Paris. She is Director of the magazine *Cahiers du genre* and a member of the Printemps-CNRS



workshop. Her main area of work is on state politics and citizenship in Central and Eastern Europe, with a particular focus on Poland. She is currently directing an international comparative study on gender and local democracy in seven countries of the European Union. Her recent work includes 'Les politiques sociales et familiales' (in *Dictionnaire critique du féminisme*, Paris: PUF, 2000).

AÍDA HERNÁNDEZ CASTILLO has a Ph.D. in Anthropology (Stanford University, 1996) and is Researcher-Professor at the Center for High Studies in Social Anthropology (CIESAS), Mexico City. She has carried out research projects in different regions of the state of Chiapas with Mexican peasants and Guatemalan refugees and published three books and several articles on gender, ethnic identity, legal anthropology, and religion. In 1997, she won a National Prize in journalism for an essay on the impact of the war on indigenous women and one of her books won the Fray Bernardino de Sahagún national prize for the best research in social anthropology.

MAZNAH MOHAMAD is the 2001 Visiting Chair in ASEAN and International Studies at the Munk Centre for International Studies, University of Toronto. At the University of Science Malaysia, she holds the position of Associate Professor in Development Studies. She is also a member of the Board of Directors of the International Women's Rights Action Watch of the Asia-Pacific, a regional NGO monitoring the implementation of CEDAW. Her recent publications include, *Muslim Women and Access to Justice: Historical, Legal and Social Experience in Malaysia* (editor, Penang: WDC, 2000) and 'At the Centre and Periphery: Contributions of Women's Movements to Democratisation' (in Loh and Khoo (eds.), *Discourses and Practices of Democracy in Malaysia*, Curzon Press, 2001).

MAXINE MOLYNEUX is Professor of Sociology at the Institute of Latin American Studies, University of London. She has published widely in the field of gender, politics, and development, and has acted as consultant to the UN and to international and regional NGOs. Her recent books include *Women's Movements in International Perspective: Latin American and Beyond* (Palgrave, 2000); *The Hidden Histories of Gender and the State in Latin America*, ed. with Elisabeth Dore (Duke University Press); and *The Politics of Gender and Rights in Latin America*, ed. with Nikki Craske (Palgrave, 2002).

MARTHA NUSSBAUM is Ernst Freund Distinguished Service Professor of Law and Ethics at the University of Chicago, with appointments in the Law School, the Philosophy Department, and the Center for Gender Studies. Her books include *Cultivating Humanity: A*

*Classical Defense of Reform in Liberal Education* (1997); *Sex and Social Justice* (1999); and *Women and Human Development: The Capabilities Approach* (2000).

PARVIN PAIDAR works in international development, currently with UNIFEM in Afghanistan. Her research interests include gender and social development issues in developing countries. She has written on Iran and Islam from a gender perspective. She is the author of *Women in the Political Process of Twentieth Century Iran* (Cambridge University Press, 1997).

ANNE PHILLIPS is Professor of Gender Theory at the London School of Economics (LSE), and has served as Director of the Gender Institute at the LSE. Her publications include *Engendering Democracy* (Polity Press, 1991); *Democracy and Difference* (Polity Press, 1993); *The Politics of Presence: The Political Representation of Gender, Ethnicity and Race* (OUP, 1995); and *Which Equalities Matter?* (Polity Press, 1999).

STÉPHANE PORTET is currently working on a thesis in sociology on the gender dimension of part-time work in France and Poland. He is in charge of research at the University of Warsaw for the European network 'Women in European Universities'. He is a member of Sagesse-Simone group at the University of Toulouse-le-Mirail. His work includes 'Le Temps partiel fait-il toujours mauvais genre? La Dimension sexuée du travail à temps partiel en France et en Pologne' (Mémoire de DEA, University of Toulouse-le-Mirail, 1999); 'Intégration de la Pologne à l'Union européenne et rapports de genre' (with Jacqueline Heinen, *Lien social et politique RIAC*, 45, 2001).

SHAHRA RAZAVI is Research Coordinator at the United Nations Research Institute for Social Development (UNRISD), Geneva. She is the editor of the books, *Gendered Poverty and Well-Being (Development and Change/Blackwells, 2000)*; *Shifting Burdens: Gender and Agrarian Change under Neoliberalism* (Kumarian Press, 2002); and co-editor with Carol Miller of *Missionaries and Mandarins: Feminist Engagement with Development Institutions* (Intermediate Technology Publications, 1998). She is editing a Special Issue of the *Journal of Agrarian Change*, on Agrarian Change, Gender and Land Rights (Jan./April 2003).

VERÓNICA SCHILD is Associate Professor of Political Science at the University of Western Ontario. Born in Chile, she studied in the United States and Canada, obtaining a Ph.D. in Political Science from the University of Toronto. She is the author of articles on the Chilean women's movement in a time of political transition,

and most recently on gendered citizenship formation in neo-liberal Latin American contexts. She is currently working on a book on the women's movement and neo-liberal state formation in Chile.

RAMYA SUBRAHMANIAN is a Fellow at the Institute of Development Studies, University of Sussex working on social policy and gender issues. Her particular focus is on primary education, and the intersections between livelihoods, poverty, and household strategies for investing in education. She is also interested in education policy processes and decentralization of education management. She is the co-editor with Naila Kabeer of *Institutions, Relations and Outcomes: A Framework and Case Studies for Gender-Aware Planning* (Kali for Women 1999; Zed 2000).

AILI MARI TRIPP is Associate Professor of Political Science and Women's Studies at the University of Wisconsin-Madison, USA. Her publications include *Women and Politics in Uganda* (2000); *Changing the Rules: The Politics of Liberalization and the Urban Informal Economy in Tanzania* (1997); and a co-edited volume with Marja-Liisa Swantz, *What went Right in Tanzania? People's Responses to Directed Development* (1996). She is currently writing a book on women and politics in Africa with Joy Kwesiga and has published numerous articles and chapters on the politics of ethnicity and religion in Africa; economic and political reform in Africa; and transformations of associational life in Africa.

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## Introduction

*Maxine Molyneux and Shahra Razavi*

The 1990s were a landmark in the international human rights movement and saw many positive changes in women's rights as well as in human rights more broadly. This collection of theoretical and empirical studies reflects on these gains, and on the significance accorded in international policy to issues of rights and democracy in the post-cold war era. It engages with some of the most pressing and contested of contemporary issues—neo-liberal policies, democracy, and multiculturalism—and in so doing invites debate on the nature of liberalism itself in an epoch that has seen its global ascendancy. These issues are addressed here through two optics which cast contemporary liberalism in a distinctive light. First, by applying a 'gender lens' to the analysis of political and policy processes and, by deploying the insights gained from feminist theory, this volume provides a gendered account of the ways in which liberal rights, and ideas of democracy and justice, have been absorbed into the political agendas of women's movements and states. Second, the case studies contribute a cross-cultural dimension to the analysis of modern forms of rule by examining the ways in which liberalism—the dominant value system in the modern world—both exists and is resisted in diverse cultural settings.

The twelve chapters—whether theoretical and general, or case studies of particular countries—reflect on a key moment in international policy-making. The collapse of authoritarian regimes in the Soviet Union and Eastern Europe, in Latin America and other parts of the world, gave issues of rights and democracy a major impulse, and simultaneously revitalized debates over development policy. The cluster of UN summits held in the 1990s provided NGOs with a public forum and stimulated debate, both domestic and international, over policy. In these various policy arenas, women's movements and their representatives were active participants. The decade saw the growing size and influence of an international women's movement,

one linked through regional and international networks and able to collaborate on issues of policy and agenda setting. At the same time, the return to civilian rule in many previously authoritarian states presented women's movements with an opportunity to press for political and legal reform at the national level. By the end of the decade all but a handful of the world's states had signed up to the proposals for gender equity contained in the Beijing Platform for Action, and to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), one of the most significant bodies of international law pertaining to women.<sup>1</sup> In their reports to the United Nations' mid-term review meeting in 2000 to assess progress many governments claimed to have put in place policies that were achieving positive results. Quota systems had brought more women into parliaments; many discriminatory laws had been amended or scrapped; women had attained new rights in the family and assurances that existing rights would be respected. Political reforms such as decentralization had increased local participation and had brought many more women to leadership positions at community and government levels.<sup>2</sup>

In much of the world, however, these advances in political and legal rights were not matched by significant progress in the achievement of greater social justice. Throughout the 1980s and 1990s income inequalities rose in all but a few states, while poverty remained a persistent, even a growing, phenomenon in many countries both developed and developing. The new economic model introduced from the mid-1970s had brought high social costs and a mixed record of economic achievement. This *ambivalent* character of the record of the 1990s lies at the heart of the international policy agenda. This rests on two central elements: the consolidation of a market-led development model; and a greater emphasis on democracy and rights. The extent to which these two elements could be reconciled or came into conflict has been the subject of much scholarly and political debate in the period since. It was the issue that dominated the discussions of the international women's movement at the 1995 global summit on women held in Beijing, and it has continued to perplex participants in subsequent regional mid-term reviews. At these meetings as government representatives reported on the not insignificant progress that had been made in improving women's rights, NGOs and women's movement representatives deplored the disabling economic and social conditions that helped to keep large numbers of women in a state of poverty and deprivation.

This ambivalent character of the new policy agenda forms the backdrop to the chapters in this volume. In much of the world,



and with serious social consequences in many poorer countries, the new economic policies have failed to deliver the hoped-for prosperity. Inaugurated under conditions of harsh stabilization and structural adjustment they succeeded in ending hyper-inflation, but at an unacceptable social cost, as incomes, wages, and employment went into sharp decline. While enthusiasm for the 'market fundamentalism' that reigned during the 1980s has waned, and the Washington-based financial institutions as well as many governments apply their economic prescriptions with more caution, the results are hotly contested. A comparison of regional growth rates for the period 1960–80, when developing countries were pursuing *dirigiste* policies with those for the 1980–2000 period, when they were enticed to 'open up' to world markets (Weisbrot *et al.*, 2000), provides little support for those advocating further trade and financial liberalization. Moreover, rising income inequalities, coupled with widespread poverty in many countries, have been accompanied by record levels of crime and violence. Meanwhile states have downsized, abdicating former responsibilities in the domains of economic and social policy, just at the moment when they are most needed to play a coordinating function between public and private provision. Where not starkly inadequate, welfare delivery under the new schemes has been patchy.

By the end of the 1990s therefore, following the financial crises that gripped the former Soviet Union and East Asia, the optimism that accompanied the spread of democracy in the South and in the former socialist economies had begun to ebb. The new millennium entered its first years amidst the unravelling of peace accords, growing communal violence, environmental setbacks, and a global crisis occasioned by terrorism and war. If this was not enough to set back human rights agendas, it had already become apparent that, despite the dynamism of the human rights movement, a wide gulf remained between the articulation of global principles and their application in many national settings. Much the same could be said of democratization; the hopes invested in democracy as the most effective system for the delivery of social justice dimmed when confronted with the uneven trends in the post-authoritarian transitions across different regions. The gap between global principles and outcomes is particularly striking in the case of gender equality, women's rights and access to decision-making power: for all the advances noted earlier, these have been modest when judged against the standard of equality.<sup>3</sup>

Faced with this record, many have come to question the significance of the much-heralded global turn to democracy and human rights. Some have argued that this has represented a new form of Western hegemony, the sweetener for the bitter pill of neo-liberal



adjustment and rising inequality; some believe that it amounted to little more than empty rhetoric with little content or effect. This critique, persuasive in regard to welfare and equality, is often linked to a critique of the use of human rights to legitimize policies of 'humanitarian intervention'. But others, both scholars and activists, including many NGOs working with poor communities and with women, have argued that democracy and human rights provided the only effective means to challenge inequality and to advance programmes that would promote greater social justice and more equitable development.

This debate over what has been termed liberal internationalism, whether framed as an engagement with neo-liberalism, the new development agenda, or globalization, continues apace and it is at once evident that many of the questions posed of the record of the last few decades are far from new. Indeed in many ways it represents a contemporary refiguring of a much older concern about the limits and the potential of liberal systems of governance to effect meaningful reform and to promote social justice. Much of course depends on what is understood by liberalism, itself a contested analytic terrain and of variable historical presence. Even what is taken as the founding principle of liberalism, that of individual freedom, has generated argument over its interpretation in the domains of philosophy, economics, and politics. Yet, if liberalism, both political and economic, has achieved a qualified dominance over other values, incorporating all but a few states into an increasingly interdependent global system, this has not resulted in a process of homogenization of legal or political culture, or in institutional arrangements. Western liberal states might share similar conceptions of law and governance that have shaped their institutions accordingly, but history has left its mark on the state-society relations that have evolved in each case, with corresponding variations in the policy domains of welfare and economic management.

### *Organization of the Volume*

This book is divided into four parts. In Part I, which provides a theoretical engagement with some of the principal themes of the volume, Martha Nussbaum, Diane Elson, and Anne Phillips examine different aspects of liberalism and consider some challenges to its neo-liberal or contractarian form. Nussbaum's critique of utilitarian liberalism and Elson's analysis of neo-liberal approaches to state-society restructuring argue for a greater role for the state in public welfare, while Phillips examines the implications for gender equality of multicultural claims to citizenship and democracy. From their