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**MASTER THESIS: FEMINISM AND MULTICULTURALISM**  
**THE COMPATIBILITY OF WOMEN'S RIGHTS AND THE**  
**RIGHTS OF MINORITIES**

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## **Abstract**

The research question addressed in this thesis is whether the rights of women are compatible with the special group rights demanded by cultural minorities? Because minorities do not have to assimilate into a majority culture, scholars have debated the compatibility of feminism and multiculturalism. Some have attempted to find a solution to the tension between the concepts, while others remain convinced that the conflict between feminism and multiculturalism is irresolvable. The objective of this thesis is to show that women's rights and the rights of minorities are reconcilable so that a possible conflict between them can be resolved. The work of Susan Moller Okin serves as a starting point of the analysis, since she argues for the incompatibility of the two concepts. Scholarly work by Will Kymlicka and Monique Deveaux serve as basis to demonstrate that feminism and multiculturalism can be reconciled without infringing either on women's rights or on the rights of minorities. The analysis demonstrates that multiculturalism and women's rights are reconcilable, as the apparent conflict between them can be resolved by using proposals for solution provided by Kymlicka and Deveaux.

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## **Chapter 1**

### **Introduction**

Scholars and Politicians often discuss whether feminism and multiculturalism are compatible when applied to real life. The liberal feminist political philosopher, Susan Moller Okin is often seen as the founder of this debate and is convinced that both theories are not compatible, because traditional practices of most cultures are a threat to women (Okin, 1999, p.12). On the opposite side are scientists such as Will Kymlicka and Monique Deveaux who remain of the conviction that feminism and multiculturalism are reconcilable. They justify that due to peaceful negotiations in which all interests are represented and due to non-discrimination tests possible conflicts are avoidable. For these reasons, the aim of this thesis is both to demonstrate on the basis of a discussion of the most important approaches that the rights of women can be reconciled with the rights of minority groups. By means of all arguments this thesis seeks to show a critical approach on Okin's argumentation.

Traditionally, both feminism and multiculturalism have been seen as progressive things from which societies benefit (Okin, 1999, p.10). For example, the living together of various cultures was often seen as enrichment because it promotes acceptance for different cultures. Equality between men and women in both private and public spheres and the peaceful coexistence of different cultures and religions have been widely recognized as excellent social changes by Western states. In general feminism can be defined as the belief that men and women should enjoy the same rights and respect so that women are not disadvantaged by their sex (Okin, 1999, p.10 and Haslanger et al., 2015). In this thesis multiculturalism refers to “a body of thought in political philosophy about the proper way, [in this case group-differentiated rights] to respond to cultural and religious diversity” (Song, 2014).

While the history of feminism can be traced back to the eighteenth century, the concept of multiculturalism emerged during the 1970s and was first used in Canada. Before this time, most majority societies claimed that minorities should give up their cultural heritages completely to assimilate into the larger society. Since this course of action was recognized to be wrong, multiculturalism succeeded in several social policies to improve the situation of minorities. For

example, because Arab men held it in their home countries, they received the right to polygamous marriage in France (Okin, 1999, p.9). Discussions started about the compatibility of feminism and multiculturalism because the rest of the French population did not receive the right of polygamy. Furthermore, the tradition of polygamous marriages is a clear threat to women, because first only men have the right to marry several women. Women do not have the right to marry several men in patriarchal cultures. Second, the living together of a harem harms women, because it is an emotional threat for them to share their only husband with other wives which finally decreases the well-being of women.

### **1.1 Current State of Research**

As implied earlier, the opinions among scholars vary in this discussion. Scholars such as Okin and Chandran Kukathas argued that the two concepts are not reconcilable. While Okin identified the demand of group rights as a threat to women, Kukathas did the opposite (Kukathas, 2001). On the contrary, academics such as Kymlicka defended the rights of cultural minorities and provided a framework in which the well-being of both parties is considered. However, within this debate the question arose whether the concepts are compatible, and, if not, which rights should dominate.

Okin was one among several feminists and multiculturalists to be concerned with the relationship of multiculturalism and feminism. Nevertheless, her essay “Is Multiculturalism Bad for Women?” (Okin, 1997) opened the door to many discussions among academics and in the public media like no other work. For instance, the *Boston Review* published several responses to Okin’s essay so that a flourishing debate could arise. This essay was often referred to as *provocative* and therefore various scholars such as Bhikhu Parekh commented Okin’s essay. For this reason, two years later together with her article, “Is Multiculturalism Bad for Women?” fifteen responses, from leading thinkers about feminism and multiculturalism, to her essay were published in the book *Is Multiculturalism Bad for Women?* edited by Nussbaum, Howard and Cohen. In general, the critiques raised in the responses can be classed into four different categories: first a group that

agrees with Okin's argumentation. A second group generally disagrees with Okin's argumentation. A third group criticizes Okin for being culturally imperialistic. Finally, some academics argue that the tension between multiculturalism and feminism does not need to exist, because the concepts are reconcilable.

Though other authors, such as Iris Marion Young, are equally concerned with the relationship between multiculturalism and feminism, Okin's argumentation serves as a basis for this thesis because her contribution is often seen as the starting point of the contemporary academic debate (Satz & Reich, 2009). For Okin and her supporters, the central question for discussion is how a state can give minority groups special rights when those groups accept equality between men and women neither in theory nor in practice (Okin, 1999, p.9). Okin does not define the terms *minority cultures or minority groups*, but one can identify that she refers to non-Christians and non-whites in western societies (Purkayastha, 2000). By using these terms, this thesis also refers to ethno-national groups. It is clear to Okin that certain cultures, especially minority cultures, conflict with feminism, because most women are treated with unequal respect within these cultures. The protection of individual or women's rights has a higher priority for Okin than the protection of minority group rights (Okin, 1999, p.11).

Okin's essays and arguments have been criticized for several reasons. Among them is the charge that her monolithic thinking about feminism and multiculturalism leads her to the unjust conclusion that feminism and multiculturalism are irreconcilable. Various approaches have tried to demonstrate that the conflict is not as deeply rooted as Okin suggests. Liberal theorists, for instance Kymlicka, and deliberative democrats such as, Deveaux, have both developed a response to Okin's concerns. Furthermore, both approaches consider her main point of critique: that internal minorities, especially women, are disadvantaged by granting minorities special rights. Both theorists often refer in their approaches to *internal minorities* and not only to women, even though they often emphasize the case of women. For them internal minorities, are powerless members or rather the minority within the minority group. Since women belong to the powerless members of the groups, the

formulation *internal minorities* applies to women. Because these two theories are considered to be predominant, they play a central role in the argumentation of this thesis.

Kymlicka is one of the most prominent liberal defenders of multiculturalism because he developed the most influential theory of multiculturalism and group-differentiated rights which is based on the fundamental values of liberalism (Song, 2014). He demands special group rights for minority cultures. For Kymlicka and his supporters, group rights are important for human development and individual well-being (Kymlicka, 1995, p.40). To give minority groups special rights would lead to equality between minority cultures and the majority culture, which in the end would benefit all cultures (Kymlicka, 1995, p.37). Even though Kymlicka only demands special rights for groups which are internally liberal, Okin remains convinced that there is a deeply rooted conflict between multiculturalism and feminism. According to Okin, cultural theorists tend to ignore the rights of women in multicultural societies.

Devaux can be seen as Okin's main antagonist with regard to the deliberative democratic approach. She argues that it is “no option to be pro-women and against cultural rights” (Devaux, 2006, p.3) but that one must instead negotiate to find a political compromise. Her strategy is to ask all participants of the conflict (women, the majority society and minority cultures) how they understand the conflict and how it can be solved. In this way, she clarifies the interests of the powerless and powerful members, and reconciles herself to both schools of thought (Devaux, 2006, p.10).

The goal of this study is to unravel the complex relationship between multiculturalism and feminism by demonstrating a more balanced framework in which feminism and multiculturalism can be reconciled on several grounds. This would consequently show that Okin prematurely and unjustly concluded that the concepts are incompatible.

## Chapter 2

### Objective of this Thesis

The research question of this thesis is the following: Are the rights of women compatible with the special group rights demanded by cultural minorities? In order to determine whether women's rights and special group rights are compatible, this thesis analyses both Okin's exploratory approach and the most dominant of the approaches that criticize her point of view (i.e., liberal- and deliberative-democratic approaches). The objective of this thesis is to show, via analysis of the three approaches, that feminism and multiculturalism are reconcilable and that there consequently exists no conflict between them which cannot be solved. The term 'reconciliation' is used to "refer either to a process or to an outcome or goal. Reconciliation, as an outcome, is an improvement in the relations among parties formerly at odds with one another. The nature and degree of improvement [...] is a matter of disagreement among theorists, [...] two parties will count as reconciled only if [...] the outcome of reconciliation is oriented toward a future marked by peaceful and or just relations" (Radzik and Murphy, 2015).

At first sight, it may seem that multiculturalism and feminism have certain conflicts. Okin's examples of cultural traditions that threaten women—such as clitordectomy—are daunting and give readers the impression that her point of view is correct. However, though her examples are terrible and demonstrate that conflicts between women's rights and group-differentiated rights can occur, they do not imply that the two rights are incompatible. Even Okin says that not all aspects of multiculturalism create problems for feminism (Okin, 1998, p.664). Therefore, special emphasis is placed on the aspects Okin recognizes as problems for the relation between women's rights and group-differentiated rights.

In order to answer the research question, Susan Moller Okin's feminist critique of multiculturalism is evaluated. Her article, "Is Multiculturalism Bad for Women?" plays an important role in her approach because it received the most attention and contains the most important arguments. Nevertheless, the rest of Okin's work concerning the relationship between



feminism and multiculturalism is also analysed and reviewed in chapter three of this thesis. The liberal approach of Kymlicka and the deliberative-democratic approach of Deveaux are introduced next, and their arguments are used against Okin's approach. Finally, it is concluded on the basis of Kymlicka's and Deveaux's work that feminism and multiculturalism are reconcilable, and that Okin was wrong to conclude that there is a conflict between the two concepts.

## Chapter 3

### Analysis of Susan Moller Okin's Approach

In chapter three of this thesis Okin's arguments why there is a conflict between feminism and multiculturalism are analysed. Four articles written by Okin are evaluated because they contain all arguments by Okin why women's rights and group-differentiated rights are not compatible. Therefore, these articles serve as the basis for the following analysis. Furthermore, they best demonstrate Okin's point of view regarding the relationship between feminism and multiculturalism. Moreover, one can see how she developed and changed her arguments over time.

Before it can be started with the analysis the term feminism has to be clarified, since it is of crucial importance for Okin's argumentation. Okin defines *feminism* as "...the belief that women should not be disadvantaged by their sex, that they should be recognised as having human dignity equal to that of men, and that they should have the opportunity to live as fulfilling and freely chosen lives as men can" (Okin, 1999, p.10). Though Okin has often been criticized for her oversimplified treatment with the role of women within cultural minority groups, few concerns have been raised against her definition of feminism. Therefore, Okin's definition serves as basis for this thesis.

#### 3.1 Okin's Critique

We will first consider the 1994 article, "Gender Inequality and Cultural Differences" (Okin, 1994). This article deals with the tension between traditions or cultures and women's rights and was Okin's first work about women's rights and cultural rights. Therefore, it is still much related to her earlier book, *Gender, Justice and the Family* which was published in 1989. According to Okin (1994), there was a need to consider differences between women, because feminists have in the past concentrated mainly on their own classes and races (p.13). Okin shows why it is necessary to look at differences between women from different cultural backgrounds. She assumes that all women have to deal with the same problems, but that women from poor countries are more threatened by them than Western women. For instance, poor women often work several hours each day but are

still dependent on their husbands. In comparison, Western women become less dependent on their husbands if they work outside the household. This example shows that the situation of poor women is worse than the situation of rich women. Therefore, we in the Western part of the world have a certain responsibility to help poor women, because poor women cannot critically analyse their lives in order to change their situations (Okin, 1994, pp.13-14).

Already in this article, Okin stresses the importance of looking at the individual situations of women and not at the household or the groups in which they live. Furthermore, as in previous work, she refers to the need to change the dichotomization of the public and private sphere—a theme that she also takes up in her later work. The problem is that women's role in the private sphere is often ignored, and that there is no balance between women's public and private lives (Okin, 1994, p.10). Okin concludes by arguing that, because all women have to deal with similar problems, the theories developed in industrial countries can be applied to all cultures and religions.

According to Okin (1999), people have too quickly assumed that both schools of thought, feminism and multiculturalism, are good things and that they are compatible (p.10). For this reason, she wrote the two articles “Multiculturalism and Feminism: Some Tension” which was published in 1998 and “Is Multiculturalism Bad for Women?” which was published in 1997. Her aim of these articles was to demonstrate the sources of tension between the two concepts and to emphasize reasons why a liberal state should protect women's rights rather than cultural rights. The arguments of the two essays are very similar to each other, but the essay Multiculturalism and Feminism: Some Tension” is written in a less provocative manner to avoid misunderstandings (Okin, 2005, p.69).

Okin points out that it would harm women if minority cultures were given special rights that equalize their opportunities within the majority culture, because many cultural practices prevent women from living a good life as they wish it (Okin, 1999, p.14). These traditions most often neglect the well-being of women and even sometimes cause deaths (Okin, 1998, p.679). For instance, women sometimes die due to cultural practices such as female circumcision. *Special rights* are rights which are granted only to certain members of the population and which are not applicable

to the whole population. These rights are, for example: to be excluded from certain general laws or from the guarantee to be politically represented (Okin, 1998, p.662). Okin offers two main arguments for her belief that the Western world should avoid giving minority cultures special rights. First, too little attention is given to differences between group members—especially to those between men and women. In public, it is often the case that only the powerful members of the groups are represented. Okin stresses that it is important that a voice be given to the powerless members—which include women, because their interests are rarely represented by the powerful members. Second, defenders of multiculturalism seem to ignore the private sphere. But it is especially important for discussions about group rights to consider the private sphere, because most of the practices that harm women happen in private sphere (Okin, 1998, p.666). The more is expected from women within the private sphere, the fewer the opportunities women have in the public sphere. The granting of special rights to minority groups has great consequences for women, because their lives are lived mainly in the private sphere. Therefore, the private spheres of minority groups play a huge role with regard to gender inequality.

For Okin, gender inequality exists all over the world (Okin, 1999, p.16). However, the primary difference between East and West is that equality between men and women is at least legally guaranteed in the West (Okin, 1999, p.16). With the Eastern cultures Okin refers to patriarchal cultures, because in her opinion most cultures of the East are illiberal (Okin, 1999, p.16). Since Okin often puts the East against the West in her work, she refers by using the term *West* to more liberal cultures. Nowadays, greater gender equality can be found in the West than in the East. The Eastern part of the world is still more patriarchal. In the East, women's rights are neither guaranteed in theory nor in practice.

This difference is exactly Okin's problem with a multicultural society. When minority cultures get special rights, there is an increased risk that women from the East will not be treated in the same way as women from Western cultures, with the result that poor women are less protected in the West (Okin, 1999, p.20). Additionally, there is a danger that the level of gender inequality

will again rise due to the bad influence of the patriarchal cultures. According to Okin (1999), there is no reason for unequal treatment between Western and Eastern Women (p.19). She hopes that minority cultures will become as emancipated as Western cultures so that gender equality will be at least guaranteed by law. Okin refers to the fact that all cultures were once patriarchal but that some made progress and are now less patriarchal than others.

To provide empirical support for her arguments, Okin cites the example of France, when Arab men received special rights which harmed women. At the end of the twentieth century, France granted minority cultures special rights such as polygamous marriages. The right to polygamy was only offered to French Arab men and not to the remaining part of the French population. Okin reports that feminist members of minority cultures felt threatened by this right. Thus, the example of France provides evidence that tension exists between multiculturalism and feminism (Okin, 1999, p.9).

Okin states that everyone should have the opportunity to live a good life according to his or her interpretation of what a good life is. However, women who are born into a patriarchal minority culture have no equal opportunity to live a good life. Thus, because it prevents them from living as they wish to live, multicultural society is a threat to women. Moreover, women's opportunities within minority groups are limited, because for most groups the aim is the control of women by men (Okin, 1999, p.13). Most cultures seek to control women's sexual life and their reproductive capabilities to ensure that their lives will be concentrated on the private sphere (Okin, 1998, p.667). Cultural practices such as clitoridectomy makes it easier for men to control women.

According to Okin (1998) group rights “are rights to guaranteed political representation, rights to public subsidies for cultural activities or education, and rights to be exempt from certain generally applicable laws” (p. 662). Even though Okin is convinced that women’s rights and group-differentiated rights are not reconcilable, she argues that it is better that young women (instead of old women or men) negotiate with liberal states about group rights, because in that case the tension between multiculturalism and feminism would grow smaller (Okin, 1998, p.683). Furthermore, the

interests of young women will be more limited by special group rights, because these rights often give more power to group leaders (Okin, 1998, p.648). Young women are not as influenced by cultural traditions as old women, because older women often support men in the oppression of women, because a culture and its traditions are more important for older than for younger women. In contrast, young women are sometimes very interested in different lifestyles, which trigger the wish for a change. For these reasons, young women are important to discussions about group rights (Okin, 1999, p.24).

Moreover, for the discussions about group rights with liberal states, two other factors need to be considered. On the one hand, the degree to which a culture is patriarchal has to be taken into account. As already stated, all cultures were once patriarchal, but some changed and became more tolerant. Therefore, it has to be determined to what extent a culture has or has not changed. On the other hand, the willingness of a culture to become less patriarchal plays a role in the discussions (Okin, 1998, p.677).

### **3.2 Clarification of Okin's Arguments**

This section seeks to evaluate the last essay Okin wrote about the relation between feminism and multiculturalism. Additionally, all arguments which support Okin are summarised and clarified, because they serve as basis for the following analyses. "Multiculturalism and Feminism: no simple question no simple answer" which was published after her death in 2005, mainly deals with a review of her arguments to clarify some misunderstandings of her previous work. For instance, she stressed that she did not simply conclude that multiculturalism is bad for women since it is very difficult to answer this question (Okin, 2005, p.71). Though she did present new arguments for why there is a conflict between the two concepts her main points of critique concerning the relation between feminism and multiculturalism remain the same namely:

- In patriarchal cultures, men oppress women. Because special group rights help men oppress women, they would worsen the situation of women.

- Group rights threaten women because only powerful members of patriarchal groups—usually men—demand special group rights, and, accordingly, because men alone are represented in negotiations with liberal states about group rights. Therefore, feminism and multiculturalism are in conflict.
- Special group rights have more impact on women than on men, because the lives of women are concentrated in the private sphere. However, women's voices are not included in negotiations with liberal states when group rights are being considered.
- Most of the practices that harm women happen in the private sphere. As a result, liberal states cannot really know whether a culture is liberal or illiberal.
- There is tension between feminism and multiculturalism because the granting of special group rights increases the risk that gender inequality will increase in the West due to the bad influence of the patriarchal cultures.
- Everyone should have the opportunity to live a good life; but patriarchal cultures do not give women the opportunity to live good lives according to their own interpretations (Okin, 2005).

Furthermore, she was more concerned to find a solution to the conflict and did not focus much on explaining why there is a conflict between the two concepts. The main difference between the previous articles and this one is that Okin distinguishes between countries that have suffered from oppression by colonial powers and countries that have not. According to Okin, the main difference between these countries is that women who have suffered under colonial powers have reasons to identify with their culture or religion (Eisenberg & Spinner-Halev, 2005, p.87).

It needs to be underlined that for Okin not all aspects of multiculturalism are a threat to women (Okin, 1998, p.664). However, the above-mentioned arguments make clear that, according to Okin, multiculturalism is not always a desirable thing and that there is a conflict between the two political aims.

## Chapter 4

### Analysis of Kymlicka's Liberal Approach

As mentioned in the introduction, in the past minorities had to give up their cultural heritage and assimilate into the majority culture. Over time, minorities were no longer willing to assimilate into the majority society. On the contrary, minorities today seek recognition for their cultural traditions by demanding special rights. Since the 1970s the assimilation model is abolished in most of the Western states which nowadays tolerate the cultural heritage of minorities and try to protect it (Kymlicka, 1995, p.14).

Because granting special rights can have bad consequences for powerless members of minority groups, however, liberals have developed a solution for problem. Will Kymlicka is the most prominent defender of multiculturalism and group rights. Okin criticized him for his position. Kymlicka thinks that Okin's, "way of opposing feminism and multiculturalism is regrettable [because] both are making the same point about the inadequacy of the traditional liberal conception of individual rights" (Kymlicka, 1999, p.32). Kymlicka criticizes Okin's monolithic and stereotypical thinking about multiculturalism. Especially since Kymlicka opposes internal restrictions and supports only group-differentiated rights with the aim of external protections, it is most likely that Okin misinterpreted Kymlicka's approach and recognizes all demands of group-differentiated rights as threat to women (Kymlicka, 1999, p.31). For these reasons, the aim of Chapter four is to analyse the liberal approach by Kymlicka, who in this chapter will be used as main antagonist to Okin, to reconciling both concepts.

#### 4.1 What is Multiculturalism?

The main aim of this part is to clarify the meaning of multiculturalism, because several scholars asserted that Okin's definition of multiculturalism is one reason for her wrong conclusion that there is a conflict between the two concepts (Okin, 1999). To agree on a definition of multiculturalism is more difficult than to agree on a definition of feminism. Okin defined *multiculturalism* in a wider



social economic and political context as, "...the claim, made in the context of basically liberal democracies, that minority cultures or ways of life are not sufficiently protected by the practice of ensuring the individual rights of their members, and as a consequence these should also be protected through special group rights or privileges" (Okin, 1999, pp.10-11,).

Okin's definition is strongly related to the demand of special rights by minorities. To clarify her definition, she offers some examples of group rights: "group rights so claimed are rights to guaranteed political representation, rights to public subsidies for cultural activities or education, and rights to be exempt from certain generally applicable laws" (Okin, 1998, p.662). Some scholars, such as Bhikhu Parekh, have criticized Okin for her narrow definition and have agreed that her definition is one reason why she is convinced that feminism and multiculturalism are in conflict (Parekh, 1999, p.72) Because of this, the definition of multiculturalism with the aim of demonstrating that cultural rights and women's rights are reconcilable needs to be investigated.

Kymlicka's concept is chosen because its basic structure agrees with Okin's such that both are comparable. For instance, both definitions refer to the same kind of multiculturalism and both are defined with regard to group-differentiated rights. In addition, Kymlicka presents sophisticated argumentation for his definition of multiculturalism. It is assumed that his precise explanation of multiculturalism provides a better basis than Okin's to show that feminism and multiculturalism are compatible.

According to Kymlicka, it is of crucial importance to distinguish between two types of cultural diversity when one defines *multiculturalism*, because these are the most common sources of cultural pluralism (Kymlicka, 1995, p.23). The first type is comprised of *national minorities* that were previously self-governing cultures but that now occupy a particular territory within the majority culture with which they share a common language. The second type, *ethnic groups* are immigrants which share a common culture and language but do not occupy a certain territory within the larger society (Kymlicka, 1995, p.10). Both types of cultural diversity play a huge role in Kymlicka's definition. In contrast, Okin just mentions a few examples of minority cultures without

providing any explanation of them (Okin, 1998, p.662). It seems unimportant to Okin which kind of minority claims group rights, because no matter which group women belong to, under no circumstances they would demand such rights. However, it will be shown in the course of this thesis that the type of minority group is significant, because not all groups demand the same rights and the same rights cannot be granted to all types of minorities.

#### **4.1.1 Group Rights**

For Kymlicka and Okin, the definition of *multiculturalism* is closely related to the rights minorities demand. Contrary to Okin, Kymlicka gives a detailed definition of them. He calls special group rights *group-differentiated rights* and distinguishes between three different rights minorities can claim (Kymlicka, 1995, p.26). The first form of group-differentiated rights to which Kymlicka refers are *self-government rights*. Only national minorities can claim self-governing rights, because ethnic groups normally do not occupy a territory within their new country. They mainly want to ensure independence for the free development of their culture. Sometimes they even desire complete displacement from the majority culture. With self-governments rights, national minorities primarily aim political autonomy or territorial jurisdiction (Kymlicka, 1995, p.27). Because national minorities occupy or once occupied a territory within the larger society, federalism is one way to grant them self-governing rights. Federalism allows national minorities to be the majority culture within their territories, so that they have power within their federal states.

Kymlicka calls the second form of group-differentiated rights *polyethnic rights*. These rights are often granted to ethnic groups to integrate them into the majority culture (Kymlicka, 1995, p.30). Polyethnic rights generally aim to help immigrants express their cultural uniqueness. They might involve exemption from generally applicable laws for the ethnic group (Kymlicka, 1995, p.31). Islamic pupils who do not have to participate in physical education during Ramadan provide an example.

The third form of group-differentiated rights to which Kymlicka refers, are *special*

*representation rights*, according to which political representation of minority groups is guaranteed. National minorities and ethnic groups think that this right should be granted to them because they are disadvantaged in the political process and because their interests are rarely represented in politics. This guarantee should be realized by leaving a certain number of seats in the legislature free for minorities (Kymlicka, 1995, p.32).

Kymlicka concludes that a state is multicultural if either national minorities or ethnic groups live within it (Kymlicka, 1995, p.18). It is often the case that both types of cultural diversity exist in a state. Moreover, national minorities and ethnic groups do not seek the same types of group-differentiated rights. For this reason, one should differentiate between national minorities and ethnic groups; otherwise misinterpretations and criticism can result. Kymlicka provides a far more precise definition of the components of a multicultural society than Okin, though both refer to similar types of minority groups and special rights. Heretofore, only the group rights were evaluated, but the intention of these rights plays as well a central role in the debate about feminism and multiculturalism. Therefore, the following section deals with the intentions of special rights.

#### **4.2 The Intention of Group Rights**

This part investigates Kymlicka's distinction between internal restrictions and external protections. From a traditional point of view, women's role in society is limited to the private sphere. This is mainly due to their reproductive capabilities. Though the situation of women has improved on the whole, it has not improved in all cultures. Minority cultures remain more patriarchal than larger societies (Okin, 1999, p.14). With the formulation *larger societies* this thesis refers to Western societies which are according to Okin less patriarchal such as the US. In patriarchal cultures, women are more disadvantaged than they are in less patriarchal cultures. Their lives are often controlled by men (Okin, 1999, p.21).

For these reasons, Okin gives two main arguments for her conclusion that women's rights and cultural group rights are incompatible. First, group-differentiated rights have a negative impact

on the private sphere of minority groups (Okin, 1998, p.664). According to Okin (1999), most of the discrimination against women takes place in the private sphere because the cultural traditions, which harm women such as clitoridectomy, are mainly practised within the private sphere (p.21). Second, it is not only the impact of special rights on the relationship between the groups that has to be considered, but also the impact on the group members of the several groups.

Women mainly belong to the powerless members of a cultural group, and the leader of a group belongs to the powerful. Since leaders only claim special rights, Okin concludes that women would not seek cultural-group rights, because these rights threaten them (Okin, 1998, p.662). For these reasons, it is important to put special emphasis on the consequences of granting group-differentiated rights in the private sphere. It seems that these arguments are of importance for Okin's conclusion that feminism and multiculturalism are incompatible.

Kymlicka provides an answer to Okin's concerns by distinguishing between two types of reasons a group might seek group-differentiated rights: *internal restrictions* and *external protections* (Kymlicka, 1995, p.35). The term *internal restrictions* refer to relations and restrictions between the members of one cultural group. For example, if a member does not want to follow the religion of the group, this can be seen as threat to the whole group. Therefore, the group could demand the rights of self-government with the aim of employing internal restrictions to force its members to believe in a particular religion. Okin and Kymlicka both agree that minority groups might use the power of the liberal state to oppress its members when they claim a group-differentiated right with the aim of internal restriction. In contrast to Okin's claim that defenders of multiculturalism ignore intra-group relations, Kymlicka has demonstrated that he neither ignores the role of women within these groups nor overlooks the danger of group-differentiated rights with the aim of internal restrictions. He refers to examples of possible group-differentiated rights which serve as internal restrictions, such as cultural practices that harm women (Kymlicka, 1995, p.40).

Even though he agrees with Okin that group rights should not harm women, he is in conflict with Okin when he states that internal restrictions are rarely demanded. It happened in the past that

religious communities demanded those rights, cultural traditions that infringe basic human rights are not allowed (Kymlicka, 1995, p.42). Okin suggests that most of the group rights demanded threaten women. However, only self-government rights and polyethnic rights can serve the aim of internal restrictions, because with these rights group leaders could oppress women (Kymlicka, 1995, p.38). Contrary, the right of special representation only ensures that groups have a voice within the majority culture, which cannot be used to oppress women. It has to be clarified that the aim of this thesis is not to answer whether Okin's main concern is the fact that minorities claim special rights. Though, part 4.5 deals with the reasoning of a possible right of minorities to claim group-differentiated rights.

The second type, *external protection* refers either to rights that protect minority groups against each other or to rights that protect minority groups against the majority society (Kymlicka, 1995, p.35). All three kinds of group-differentiated rights can be used to protect national minorities or ethnic groups from majority cultures (Kymlicka, 1995, p.38). Okin argues, however, that too much focus is put on group-differentiated rights with the aim of external protection. This could be justified by two facts: on the one hand, external-protection rights do not create the same injustices that internal-protection rights create, because they only ensure the protection of minorities (Kymlicka, 1995, p.36). However, if a right to external protection would create disadvantages for other groups, this right would be refused (Kymlicka, 1995, p.152). On the other hand, national minorities and ethnic groups mainly claim external-protection rights.

For these reasons, it is reasonable that much emphasis is put on group-differentiated rights with the aim of external protection. Okin is not convinced that Kymlicka's differentiation between internal restrictions and external protections is feasible to protect women from discrimination. However, some scholars argued that the right to exit would be a realistic option to reconcile feminism with multiculturalism. For this reasons, the right to exit is discussed in the following section.

### 4.3 The Right to Exit

The right of individuals to exit their cultures is a highly disputed topic within the debate about feminism and multiculturalism. For this reason, this part deals with the question whether the right to exit is a solution to a possible conflict of feminism and multiculturalism. Chandran Kukathas is the most predominant liberal defender of the right to exit, because this right provides the normative foundation for his theory (Fagan, 2006, p.6). According to Kukathas (2001), the right to exit should be the only fundamental right granted to all cultural groups (p.90). First, this right is of crucial importance because neither liberal nor illiberal minority groups have to assimilate into the majority culture. Consequently, there is no risk that these cultures die out, because with the right of exit as fundamental right, all cultures can continue to practice their traditions. Kukathas' theory is based on the assumption that minorities want to be left alone and that a liberal state should therefore not intervene in the internal affairs of a minority group. Second, cultural minority groups put special emphasis on the fact that they are recognized as voluntary associations (Kymlicka, 1995, p.238). However, without determining the right to exit as the only fundamental right, a minority group would not be recognized as a voluntary association.

Obviously, Kukathas' and Kymlicka's points of view are opposed. While for Kymlicka, group-differentiated rights are of crucial importance for individual freedom and autonomy, Kukathas seeks the self-determination of minorities without taking into consideration whether these groups are liberal or illiberal. Therefore, his opinion conflicts strongly with that of Okin, who would never accept an illiberal group. However, is the right to exit the overall solution to the risk created by group-differentiated rights contain when granted to national minorities and ethnic groups, as stated by Okin?

According to Kymlicka, the right to exit provides a way to prevent powerless members of minority groups from oppression within their own group (Fagan, 2006, p.3). In this way, the right to exit would be the instrument to ensure the protection of the individual autonomy of the members. Individual autonomy is of crucial importance for Kymlicka's defence of group-differentiated rights,

because autonomy provides individuals with the context of choice. This aspect of his defence is outlined in section 4.4 of this thesis. However, for Kymlicka, the right to exit is not of such great importance as for Kukathas. In general, the relation between national minorities or ethnic groups and the majority culture should be determined by negotiating peacefully to find a common ground. Therefore, Kymlicka states that only in extraordinary circumstances should a liberal state intervene in the internal affairs of a minority group (Kymlicka, 1992, p.144). If an illiberal group claims special rights, Kymlicka suggests that both parties should negotiate to find a least an arrangement for living together. In this case the right to exit can be seen as a way to ensure that no individual is oppressed. In general, the relation between the majority culture and minorities should be determined by a dialogue aimed to ensure the well-being of all individuals (Kymlicka, 1992, p.145).

Kymlicka and Okin both doubt that groups denying women the right to go to school or other basic rights will grant women or other powerless members the right to exit. According to Okin (2002), women do not have a realistic right to exit, though she states that individuals should be free to leave their cultures (p.206). Due to the fact that women's lives are mainly concentrated in the private sphere, they often have no access to education. Consequently, women have no chance to live independent lives, because without education they lack most of the skills that are needed to find jobs, and they also lack social skills such as critical thinking. For this reason, unequal access to education negatively affects women's opportunities to exit their cultures of origin (Okin, 2002, p. 216).

However, not only access to education, but the general fact that women's life mainly takes place in the private sphere and that their lives are controlled by men makes the right to exit unrealistic for women. Arranged marriages result in the fact that women have children very early and, compared to the West, are occupied with childbearing for a very long time. On the one hand, it is more difficult to leave the culture with children. Due to the emotional bond between a mother and her children, a woman would not leave her children to leave her culture. On the other hand, women are relatively old when they come in the climacteric period of their lives. Probably by the age of

forty or older, women are more influenced by the cultural traditions and have lost the will to leave (Okin, 1999, p.22). Older women are more influenced by their culture, because they lived for a long while under the patriarchal conditions of their culture and therefore there is a high probability that they have accepted the cultural practices over time. Furthermore, older women have more experience of life, which could lead to the fact that they are more respected by group members that consequently leads to a higher social position within the group. For these reasons, the likelihood that old women leave their own culture is relatively low, since they adapted and accepted the patriarchal attitude towards life.

Though Kymlicka criticizes Kukathas for not considering the fact that an illiberal group would rarely give the right to exit, he argues that so long as a member of a group does not leave, he or she indirectly agrees with the rights of the group (Fagan, 2006). This implies that all members must have the right to exit. With regard to the right of exit, Kymlicka's argumentation seems to be slightly inconsistent. On the one hand, he recognizes the right to exit as temporary solution if women are discriminated against. According to Kymlicka this right is a fundamental liberal ideal, because it protects the autonomy of the group members (Fagan, 2006, p.5). While on the other hand, for him the right to exit is unrealistic within illiberal groups, because he doubts that a minority group which does not allow girls to go to school would allow them to leave their culture (Fagan, 2006, p.9).

Nevertheless, Reitmann also agrees with Okin that the protective role of exit has limited capacity to be realized due to material and psychological obstacles (Reitmann, 2005, p.193). In her argument, Okin fails to consider the emotional bond women have with their cultures. The right to exit could be seen as validation to ensure the well-being of all individuals, but it cannot be seen as solution. In most illiberal groups, the right of exit is probably not allowed. For liberal groups, individual freedom is a central aspect; therefore, members probably have the right to exit from liberal groups. For these reasons, Okin is right to recognize that the right to exit is unrealistic (Okin, 2002, p. 223).



#### 4.4 Freedom and Autonomy

Nowadays, cultural diversity is rarely regarded as enrichment by Western societies. Western majority cultures often see the cultural practices of minorities as a threat to women, especially when the media reports about honour killings or forced marriages (Phillips & Saharso, 2008). However, Kymlicka states that group rights and women's rights are compatible, and that group-differentiated rights are of crucial importance for individual well-being. Therefore, this section examines why it is important to reconcile feminism and multiculturalism.

Though Kymlicka and Okin argue for different points of view, both offer liberal arguments. According to Kymlicka, liberalism requires both freedom within minority groups and equality between minority and majority cultures. Kymlicka stresses the importance of two liberal key principles which are of crucial importance for his defence of group-differentiated rights: *autonomy* and *freedom*. Not only are these two fundamental principles good reasons to grant minorities special rights, but a liberal state can only allow group-differentiated rights that are consistent with autonomy and freedom for individuals (Kymlicka, 1995, p.75).

In order to incorporate members of minority groups into the political community of a larger society, they need—besides the common basic rights of a citizenship—special group-differentiated rights that are officially accepted (McDonald, 1996, p.292). Therefore, the freedom of individuals can be enlarged by granting minority cultures special group rights. Liberals such as Kymlicka refer to freedom, “to move around within one's societal culture, to distance oneself from particular cultural roles, to choose which features of the culture are most worth developing, and which are without value” (Kymlicka, 1995, p.90).

However, individual freedom is linked with belonging to one's own culture. The modern world is divided into different societal cultures (Kymlicka, 1995, p.76). Therefore, individual well-being is dependent on the membership of the societal culture. Kymlicka states that the components of a societal culture include a territory, a shared language and common institutions (Kymlicka, 1995, pp.76-77). In contemporary times, a societal culture is embodied in private and public

spheres, according to Kymlicka. In order to guarantee the survival of minority societal cultures, group-differentiated rights are necessary, because these rights promote access to societal cultures. The connection between freedom and culture is of high importance, because freedom is a crucial condition of a secure cultural membership. Without belonging to a societal culture, freedom would not be meaningful to individuals (Bhuiyan, 2011, p.131). Because societal cultures are concentrated on a given territory, only national minorities tend to have societal cultures (Kymlicka, 1995, p.80). Ethnic groups do not own a certain territory in a new country, and therefore seek mostly to assimilate into the larger society to find in this way their individual freedom.

As mentioned at the beginning of this section, freedom is as important as autonomy for liberals: “Individual autonomy is an idea that is generally understood to refer to the capacity to be one's own person, to live one's life according to reasons and motives that are taken as one's own and not the product of manipulative or distorting external forces” (Christman, 2015). Not only freedom but also autonomy requires membership in one's own societal culture, because cultural membership gives individuals the precondition needed to develop autonomy and self-realization. Consequently, to protect societal cultures with group-differentiated rights is also important for individual autonomy (McDonald, 1996, p.297).

#### **4.4.1 Context of Choice**

Freedom and autonomy also give individuals opportunities to make choices from among different options. Societal cultures provide their members a context of choices and make various options meaningful to individuals (Bhuiyan, 2011, p.131). Some scholars, such as Okin, underestimate the importance of membership in a societal culture. These scholars suggest either that there is only one culture within a country or that it would be better to only have one culture that all minorities have to assimilate.

However, why is it important that people should be able to freely choose their lifestyle? History has shown that the demand that minorities assimilate into larger society is a threat to their

cultural heritage, because there is the danger that their culture will die out. Okin does not recognize that all individuals, also members of minority groups, should be free to choose a life they identify as good. It seems that, at least for women, she decides what a good life is, because first she assumes that it is better for women when their culture is extinct (Okin, 1999, p.22). Second she argues that women are better off when they assimilate into majority cultures. According to Kymlicka, it is important that people are able to assess what is good or bad. Lacking knowledge of alternative ways of life, one is unable to judge one's own life as good or bad (Kymlicka, 1995, p.81). To be able to judge, individuals must gain new information about various lives and have new experiences. For these reasons, membership in one's own societal culture provides the precondition for making judgements about one's own life and improving it so that individual freedom is enlarged. As a precondition for judging what is good or bad, people need the capacity to critically evaluate the information they receive. Unfortunately, women from minorities are also disadvantaged in terms of education.

Since girls from minorities often get a chance at only basic education; sometimes they never go to school, though critical thinking is a capacity that is especially promoted at schools. Therefore, it could be difficult for women from minorities to determine what a good life is, because they cannot evaluate their experiences. Furthermore, the question is whether the group leaders would allow women to experience different ways of life or if they will restrict women's context of choice. For these reasons, there exists the risk that women would only have partial access to their individual freedom and that this would weaken one of the most important arguments by Kymlicka. Nevertheless, if the fact that women's lives are concentrated on the private sphere really avoids them from finding their freedom and autonomy is analysed in chapter six.

#### **4.5 The Luck-egalitarian Argument**

One could argue that if minorities would not claim special rights, Okin would not argue that there is a conflict between feminism and multiculturalism. Therefore, this part aims to clarify why

minorities have or have not a right to demand group-differentiated rights. In his argumentation for group-differentiated rights, Kymlicka also moves to the luck-egalitarian approach to defend group-differentiated rights (Song, 2014). According to luck egalitarians, people are not responsible for the situations they are born into. National minorities did not choose to be minorities within larger states. By emigrating to another country, ethnic groups consciously decide to live as minorities within another country. Therefore, national minorities are not responsible for the fact that they are disadvantaged within the larger society, but ethnic groups are liable for their situations. Consequently, to grant ethnic groups minority rights cannot be easily allowed by a liberal state.

One should consider that national minorities often have a closer relation to the majority culture, because they usually occupy a territory which belongs to the majority culture or which is geographically closely related to the majority culture (Kymlicka, 1995, p.14). In contrast, ethnic groups can emigrate to a majority culture that can have completely different norms and values. For this reason, the risk that women are discriminated against is higher within ethnic groups than within national minorities. On the one hand, ethnic groups have a smaller chance to receive group rights because they decided to emigrate. Consequently, not through birth they got into the disadvantaged position in the majority cultures. On the other hand, as Kymlicka (1995) argues, ethnic groups mostly seek to assimilate into larger society (p.114). Consequently, the circumstance that ethnic groups have fewer opportunities to get group-differentiated rights reduces the possibility that women's situations will be worsened due to these rights.

However, how should one treat the situation of the children of immigrants? They also did not decide to emigrate to another country and to live under unequal circumstances within a minority culture. It is often the case that even second or third generation immigrants are not completely integrated within the larger society. Due to this fact, their situation also involves inequalities for which they are not responsible. For this reason, a liberal state should be very attentive when descendants of ethnic groups claim special rights, because there is a higher risk that women will be harmed by these rights if the generations of the ethnic group have not assimilated into the majority.

Nevertheless, group-differentiated rights are needed to balance differences between minority cultures and majority cultures. National minorities and parts of ethnic groups are disadvantaged in their cultural market places and with regard to political recognition (Kymlicka, 1995, p.116). Group rights would help to eliminate disadvantages which exist due to circumstances that are not self-chosen. For example, external-protection rights could help members of minority groups live and work under the same conditions as members of the majority culture, but in their societal culture.

Consequently, all individuals whose inequality within society comes from situations that are unchosen should have the opportunity to demand group-differentiated rights to achieve equal treatment with the members of majority cultures. Though granting these rights involves costs for the larger society, according to luck-egalitarians these rights should be granted (Kymlicka, 1995, p.122).

Is it really right to risk that the level of gender inequality rises in the majority culture to balance differences between minorities and the larger society? Okin asserts that to give special rights to minorities is to threaten Western feminists who have worked on the equality between men and women for a very long time. Most of the minority cultures are more patriarchal, and their unjust treatment of women could have bad influence on parts of the larger society. Furthermore, women from minority groups will be less protected than women from the larger society. Therefore, group-differentiated rights can lead to unforeseen inequalities between the groups. Additionally, women did not choose to be born into patriarchal cultures in which their lives are controlled by men (Okin,1999, p.22). Instead of balancing women's inequalities, their situation will be even worse. It would better to leave the situations of the groups as they are, because in this way women's disadvantages will at least not be higher than those of men. However, women would of course be better off if the patriarchal cultures would die out, because in this way they would no longer be disadvantaged by the fact that they are born into patriarchal cultures (Okin, 1999, p.22).

With regard to the luck-egalitarian argument, it can be argued that as long as inequality in access to cultural membership comes from circumstances that are not self-chosen, members of

minority groups have the right to demand equal treatment with members of the majority culture even though accommodation of the minorities burdens the larger society. (Kymlicka,1995, p.109). Because ethnic groups are largely excluded from the right to demand group-differentiated rights on the basis of the luck-egalitarian argument, there is little risk that women will be harmed by special rights. Consequently, Kymlicka's luck-egalitarian argument provides a justification why minorities should get special rights and that there is only a small risk for women to be discriminated against by these rights. Even, the small risk could be eliminated if the solutions provided by Kymlicka and Deveaux are suitable to prevent or solve a possible conflict between feminism and multiculturalism.

## Chapter 5

### The Deliberative-democratic Approach

The problem that internal minorities in general and women's rights in particular pose to the special rights of cultural minorities is recognized by both liberal theorist and democratic theorists. It is not the aim of this thesis to compare the liberal approach with the democratic approach in order to determine which best solves the problem of gender inequality within cultural minority groups. However, the aim of this thesis is to demonstrate that women's rights and group-differentiated rights are compatible.

The deliberative-democratic approach is used as evidence in addition to the liberal approach which shows that both kinds of rights are reconcilable. Since women do have a multiplicity of identities—for instance, they are women, members of a patriarchal group, and Muslims—this approach demonstrates that no woman has to decide between her rights as women or her rights as member of a cultural minority, as suggested by Okin. In general, both approaches are compatible with each other, because they share a common ground. For example, Kymlicka puts much emphasis on communication and negotiations between the groups such as democratic theorists do (Deveaux, 2006, p.94). Since both approaches share a common ground, there is good reason to also consider the deliberative-democratic approach with regard to the problem of gender inequality within cultural minority groups.

Sarah Song (2014) has described the deliberative-democratic approach as an alternative to the liberal approach. Liberals like Kymlicka emphasise the extent to which the cultural traditions of minorities should be tolerated by a liberal state or the manner in which these cultural practices can be reconciled with liberal principles. Democratic theorists, on the other hand, concentrate on the voices, needs, interests and identities of the affected parties (Song, 2014).

The political theorist Deveaux is one of the most prominent defenders of the deliberative-democratic approach. Deveaux and Okin reflect on each other's work. Furthermore, like democratic theorists such as Seyla Benhabib, Deveaux also includes illiberal groups within the deliberation

process between the affected parties. This is the pivot of Okin's problem with the approval of group-differentiated rights. Therefore, Deveaux is used as main antagonist to Okin's point of view with regard to the democratic-deliberative approach.

For Deveaux and other democratic theorists, the basis of their approach is to ask how the affected parties—in this case women and cultural minority groups—understand the conflict (Song, 2014). Many conflicts are rooted in unnecessary misinterpretations. By clarifying the position, misinterpretations can be prevented. Moreover, through debating about the conflict, participants can shape their own social and cultural futures. One of Okin's main concerns is that women belong to the powerless members of cultural minority groups and that, especially within patriarchal cultures, women have no voice because their lives are controlled by men. The deliberative-democratic approach ensures that the voices of women are heard and that their interests are taken into consideration (Song, 2014). Of course, requirements such as the equality of all participants are adhered to these debates.

Furthermore, for deliberative democratic theorists, it is of crucial importance that no person affected by this conflict is excluded from the debate. Powerless members play a central role within these debates, because the overall aim is to propose a final outcome that includes all interests and is therefore satisfactory to everyone who is affected. Deveaux identifies three preconditions that should ensure that all parties are included in the debate. These three principles are analysed in detail in section 5.1.1.

Deveaux and Okin both agree that women's lives are often limited to the private sphere. Okin argued that the effect of special rights on women is ignored by defenders of multiculturalism because they do not consider the private spheres of the groups. Consequently, democratic theorists stress the importance for women of clarifying circumstances within the private spheres in order to solve the conflict (Deveaux, 2006, p.93). Because the private sphere plays a central role within the debate about feminism and multiculturalism, it is of crucial importance to understand its relations. Sometimes it is difficult to include all participants of a cultural minority group within the debate.



But it is not absolutely necessary to do; if all interests are represented, the preconditions of negotiation have been met.

### **5.1 The Amended Model of Political Deliberation**

Even though Deveaux agrees with other democratic theorists about the fundamental principles of the deliberative-democratic approach, her opinion differs in some respects. For this reason, her approach is called *the amended model of political deliberation*. In agreement with many democratic theorists, she argues that the scope of democratic activity is much wider and that the basis of democratic inclusion therefore has to be reconsidered (Deveaux, 2006, p.95). This means that deliberation can take place at different levels. On the other hand, her approach is more political and she focuses more on a type of democratic deliberation that engages the interests and needs of the group members (Deveaux, 2003, p.3).

Due to her politically oriented model of deliberation, Deveaux seeks political compromises through negotiations between parties. Obviously, to negotiate is one of the most important aspects of this approach. In this way, all parties can give concrete reasons for why particular practices have to be supported. Of course, opinions vary. Nevertheless, all interests and practices have to be presented, because otherwise the outcome of the debate would not include all voices. Democratic tools for negotiating include bargaining and compromise (Deveaux, 2003, p.13). According to Deveaux (2003), these tools provide the best opportunity for solving the conflict between women's rights and cultural group rights (p.14).

The key feature of the amended model of political deliberation is the principle of democratic legitimacy (Deveaux, 2006, p.107). This principle demands the inclusion of all different voices from members of the cultural minority groups (Deveaux, 2003, p.12). It is of crucial importance that the different opinions of the participants are included within the negotiations. Otherwise, a debate with the aim to reconcile the affected parties would not make sense. Moreover, within these debates, group members do not simply present their points of view; all standpoints are subjected to

critical reflection. In this process, all participants also reflect their own practices. These help them to set priorities when they have to agree on a compromise. Therefore, reflection is helpful in identifying a common basis between parties (Deveaux, 2006, p.104).

However, in rare cases, when the state has already recognized a group as illiberal only participants whose practices are considered as illiberal or harmful to internal minorities are included in the negotiations (Deveaux, 2006, p.98). In this instance, Deveaux is slightly inconsistent within her own argumentation. On the one hand, she aims to include all interests in the debate; on the other hand, she argues that sometimes only the powerful leaders that are a threat to women are to be included within the negotiations. Though it is doubtful whether a majority culture can speak for disadvantaged women and represent all their interests, the protection of women is guaranteed because a liberal state would never agree on a compromise that entails risks for women.

### **5.1.1 The three Principles of the Amended Model**

The amended model of political deliberation consists of three normative principles: the non-domination principle, the principle of political equality and the principle of revisability (Deveaux, 2006, p.113). The principle of non-domination ensures that powerful members of a group do not have the capacity to silence powerless members and exclude them from dialogue. The second normative principle, political equality, first states that all participants must have the same real opportunities to engage in the deliberative-debate and decision-making process. Because deliberative inequalities can be rooted in unequal access to resources, the second aim of this principle is to prevent members from influencing the debate or decision-making process through power or wealth. The principle of political equality is especially important, because it ensures that there are real opportunities for the participants. The third principle, revisability, allows that solutions which were once reached can be revised at a later point. In this way, all affected parties have the opportunity to first agree on a general compromise and to converge at a later point. Group dynamics change; if it is not possible to change the compromise accordingly, participants will be

reluctant to compromise (Okin, 2005, p.80).

These normative principles set the foundation of the deliberative-democratic approach: namely, political dialogue. By putting the members of the groups at the centre of the debate, all participants are treated with equal respect. This procedure is also consistent with the liberal approach (Deveaux, 2006, p.120). Furthermore, all parties are equally informed about the interests of all participants so that the roots of the conflict are clear to everyone. In this way, an equal opportunity is provided for minorities to shape the future of cultural practices (Deveaux, 2006, p. 123). Additionally, the amended model of political deliberation provides a possible solution to Okin's concerns, since women get a voice. Hereby, their lives are no longer concentrated to the private spheres, because they participate in the debates.

## **Chapter 6**

### **Discussion and Inferences**

Heretofore, the three approaches were only analysed without giving an answer to the research question. Therefore, this chapter first discusses all three approaches, because a debate is necessary in order to make a conclusion. Here, all pro and contra arguments provided by Okin, Kymlicka and Deveaux are assessed. Second, chapter six provides inferences of the debates and consequently gives an answer to the research question “Are the rights of women compatible with the special group rights demanded by cultural minorities?”

### **6.1 Debates on all three Approaches**

#### **6.1.1 Debate on the Definition of Multiculturalism**

Kymlicka and Okin both refer to the same type of multiculturalism, both define multiculturalism with regard to special rights and both give examples what these rights are. Therefore, the first impression could be that a narrowed definition of multiculturalism is not as bad as suggested by some scholars. Actually, it is sufficient which type of group demands rights and which kind of rights can be claimed. This is all one has to know to recognize that special rights are a threat to women, because the type of group gives insight about whether a group is patriarchal which in the end sets the condition for granting or not granting special rights.

Unfortunately, Okin does not provide a neutral definition of *multiculturalism* with which it would in theory be possible to show that group-differentiated rights and women's rights are compatible. Okin states that multiculturalism is the “claim” that minorities are not adequately protected (Okin, 1999, pp.10-11). The term “claim” refers to a statement which is not proven yet. Therefore, by using the word “claim”, Okin implies that it is not true that minorities are not sufficiently protected and therefore require special rights to ensure their protection. Thus the definition Okin offers namely “...the claim, made in the context of basically liberal democracies, that minority cultures or ways of life are not sufficiently protected by the practice of ensuring the individual rights of their members, and as a consequence these should also be protected through special group rights or privileges” (Okin, 1999, pp.10-11) cannot be used to show that both

concepts are reconcilable. This is incomprehensible, especially because she admits that not all aspects of multiculturalism are incompatible with feminism (Okin, 1998, p.664). Consequently, the question arises why she does not provide a definition with greater scope. In contrast, Kymlicka's definition is neutral. In short he argues that a state is multicultural if either national minorities or ethnic groups which claim group-differentiated rights live within it (Kymlicka, 1999, p.32). His definition does not guide the reader to take a given position in the debate about women's rights and group rights. Because it enables one to take a position freely, Kymlicka's definition provides a better basis to investigate the relationship between feminism and multiculturalism.

Furthermore, Okin mentioned that there are different group rights, but she did not define or explained in detail what these rights are and what they seek (Okin, 1998, p.664). However, as demonstrated in section 4.2, it is clear that not all group-differentiated rights have the same aim. Consequently, without a clear definition of the special rights a minority group can demand, it is unjust to state that group-differentiated rights are a threat to women. Furthermore, if the intention and exact meaning of these rights is unknown, it is possible that some harm women while others improve their situation. For this reason, a precise definition of group-differentiated rights is needed. But is Kymlicka's explanation of group-differentiated rights sufficient for determining which rights improve and which worsen the situation of women?

Though it is known that national minorities aim to become more independent when they claim the right to self-governing right, the purpose behind this right is unclear. For example, to grant national minorities the right to self-government could mean that they will oppress women within their federal state. While Okin would welcome the assimilation of minorities into the majority culture—because, according to Okin, larger societies, which are for Okin most of the Western countries such as the US, are less patriarchal as the minority culture—she does not appreciate the polytechnic rights which seek the expression of cultural uniqueness that harm women (Okin, 1999, p.14). With the definitions provided in section 4.1, the consequences for groups and their members are rarely foreseeable. Furthermore, the problem is that special rights, which are

originally granted to balance inequalities between minorities and the larger society, can enable groups to discriminate against women almost legally in the private sphere. The majority does not have to find this out, because insight in the private sphere is rarely possible. While, Kymlicka's definitions of group-differentiated rights are very revealing, these definitions do not include the impact on group members. Nevertheless, Kymlicka did not only define what these rights are, but also the intention of these rights. For this reason, the following section discusses Kymlicka's distinction between internal restrictions and external protections.

### **6.1.2 Debate on Internal Restrictions and External Protections**

Within this debate, the question arises if this distinction between internal restrictions and external protections is really a solution to the problem that group-differentiated rights can be a threat to women. Okin obviously does not think that Kymlicka's solution successfully avoids negative consequences for women, because her essays that deal with the relationship between feminism and multiculturalism were published after Kymlicka made this distinction. The consequences of group-differentiated rights with the aim of external protection are not foreseeable. The jurisdictional power given through external protection could be also used for internal restrictions (Shachar, 2001, p.30). According to Okin, the main problem remains: sex discrimination against women takes place mainly in the private sphere. Whether a minority groups oppresses its members or not is not always known to a liberal state, such that it is sometimes difficult to assess the impact of these rights.

Furthermore, to what extent is it possible to realize Kymlicka's solution in real life? Not only Okin, but other scholars such as Eisenberg and Spinner-Halev doubt that a liberal state could differentiate between external protections and internal restrictions in reality, because it is not easy to separate both collective rights from each other (Eisenberg & Spinner-Halev, 2005, p.5). It is difficult to differentiate between the two rights, since external rights can be used to oppress the own members. Furthermore, Okin regards Kymlicka's definition of internal restrictions as unsuited for real life, because a state would need an omnipotent overview to grant a special right without risk

and therefore it is unrealistic to realize Kymlicka's approach (Okin, 1998, p.678).

However, opponents of group-differentiated rights should consider that members of groups first have individual rights and second have collective rights (Green, 1994). Though liberals are convinced that the interference of the state should be limited, the well-being of individuals is most important. Consequently, a liberal state has the opportunity to intervene in the internal affairs of a group if this group uses its power to reduce the individual well-being of its members (Kymlicka, 1992, p.144)

Kymlicka introduces the distinction between internal restrictions and external protections with the aim of avoiding a threat to individual members of minorities by granting them special rights. For him, a liberal state must not accept internal restrictions, because this would violate the autonomy and equality of individuals. Since autonomy and the value of equality are two fundamental pillars of liberalism, this is not acceptable. It shows that Okin and Kymlicka can agree on certain points concerning the handling of special group rights. Moreover, Kymlicka stresses that the aim of a multicultural citizenship is not to harm powerless members of minority cultural groups, but to provide groups with external protection and thereby give them equality in the larger society (Eisenberg & Spinner-Halev, 2005, p.4). However, since Okin is convinced that all cultures threaten women, because no gender equality exists in any culture, no culture, even no majority culture, in the world could receive external protection rights because all are illiberal in certain aspects (Okin, 1999, p.22; Shachar, 2001, p.67).

But if all cultures even in Western culture—has rights which disadvantage women, why does Okin put her emphasis on rights for minority groups and not on all cultures? It seems that Okin overlooks that there are also rights granted to minorities which improve the situation of women. In general, it seems that Okin weakens her argument by stressing that no gender inequality exists, because this would mean that her claim that women are better off if their culture extinct would not solve a possible conflict between feminism and multiculturalism.

Additionally, every culture demands some commitments from its population. The duty to

vote is an example found in some countries (Kymlicka, 1995, p.36). Of course, it is a different thing to demand traditional gender roles than to demand that one participates in elections, but it should be taken into consideration that all cultures expect certain things from their members. Therefore, a liberal state might demand from a minority group to sacrifice illiberal practices.

Because most demands by national minorities and ethnic groups are in terms of external protection, Okin's concerns are without reason. In the event that a group claims rights in terms of internal protection, a liberal state would refuse this demand. Kymlicka (1995) states that immigrants do not generally receive any freedom to indulge in cultural practices that harm women (p.42). For Kymlicka, individual well-being is of crucial importance, so that he only allows special group rights to be granted to minorities that do not oppress individuals. Additionally, it should be considered that a liberal state has the opportunity to intervene in the internal affairs of minorities if they discriminate against women.

Even though, Kymlicka's distinction between internal restrictions and external protections limits the risk that women are threatened by special rights, Okin would still argue that there is a tension between feminism and multiculturalism. Therefore, the following section stresses the importance for individuals to live within their culture of origin, which would require the reconciliation of the two concepts, because otherwise the minorities have to assimilate into the majority culture or have to leave this culture.

### **6.1.3 Debate on the Importance of Freedom and Autonomy**

Another question which arises in this debate is this: why do individuals need access to their own cultures? To assimilate into the majority culture could have certain advantages, including a smaller chance of being discriminated against. Furthermore, the government could subsidize integration by paying for language courses (Kymlicka, 1995, p.86). In general, assimilation is a possible but very costly process. Cultural membership is not only important to individuals due to freedom and autonomy; it also shapes their self-identity. In addition, the personal conditions of minorities have to



be taken into consideration. For example, there is the risk that older members of minorities would not survive the assimilation process because they are used to the norms and values of their own societal culture and because large changes in one's life are often hard to accept.

If one assumes that women made their bad experiences within a minority culture as Okin argued, it could be incomprehensible for one to understand why women should have access to their own cultures or why they should want to stay in their cultures. It could be asserted that all women would be willing to integrate into a less patriarchal majority culture because they would likely identify a life in a less patriarchal culture as better and would also find their freedom within the larger society. Okin gives the impression that granting individuals their freedom in this way is connected with high costs for women (Okin, 1998, p. 678). Because individuals can only gain their freedom through their cultural membership, which is dependent on group-differentiated rights, one must decide between women's freedom and the freedom of all members of the minority groups. According to Okin, access to societal cultures is a zero-sum game for women.

However, Kymlicka claims that the freedom, autonomy and equality that individuals get within their own cultures are most important to them. Consequently, by granting special rights women will also find their freedom and develop autonomy and self-respect within their own cultures, because a liberal state will not give illiberal groups access to societal cultures. Nevertheless, from Okin's viewpoint it could be as well asserted that through their disadvantaged social position women almost have no opportunity to develop autonomy and to find their freedom.

One should consider that it is more difficult for women than for men to leave their cultures and to find freedom within another, since their lives are concentrated on the private spheres. On the contrary men have the opportunity to get impressions of various cultures, because they can freely choose between the public- and private spheres (Kymlicka, 1995, p.89). For this reason, men would have an advantage if they have to orient themselves in a new culture. Besides the fact that powerful members often do not allow women to leave their cultures, women also have emotional bonds with their cultures, because the own societal culture shapes their self-identity and provides them with

meaningful options as discussed in section 4.4. Consequently, it is not only important that women gain access to their societal cultures and that these cultures are protected. It is also important to reconcile women's rights and cultural group rights to offer women the opportunity to find their freedom and develop autonomy and because women have a multiplicity of identities. They are for instance a woman, a mother, a member of a cultural group or a student. Through reconciliation of feminism and multiculturalism, women would find their freedom, because their identities would be compatible. From no single point of view would it be possible to demand from women that they must decide between their rights as women and their rights as members of their own societal culture, because this would again constitute discrimination against women as men do not have to make such decisions. This would also not be within the meaning of Okin.

#### **6.1.4 Debate on the Amended Model of Political Deliberation**

Okin has some concerns about the feasibility of the first two normative principles (Okin, 2005, p.83). Therefore, this section discusses Okin's concerns with Deveaux's model. The non-domination principle should ensure that powerful members cannot oppress powerless members by excluding them from the negotiations. Furthermore, the principle of political equality demands equal access to the debates for all members. However, according to Okin, Deveaux does not consider the fact that women often have no voice within their cultures and that powerful leaders are present in greater proportion than expected by Deveaux. This means a liberal state does not necessarily know that fewer women participate in the debate than is required. Therefore, it may be difficult to realize this model.

Even if the presence of men and women is balanced, there is no guarantee that women will not act under pressure (Okin, 2005, p.83). According to Okin, it is hard to find a democratic solution to the tension between feminism and multiculturalism as long as group leaders are appointed and not elected by the group. Okin nevertheless admits that the deliberative-democratic approach has the capacity to reconcile women's rights with cultural group rights if all three normative principles

are met (Okin, 2005, p.83).

Okin is right to doubt that the balance between powerful and powerless members is difficult to assess; but this uncertainty can be overcome. Okin suggests that older women are more patriarchal and that young women should therefore be present at negotiations about special group rights (Okin, 1999, p.24). If only a given number of participants are admitted to a debate, then democratic theorists should ensure that an equal number of young women from all social classes participate on one side, and that an equal number of men and older women attend the debate on the other side. However, it is difficult to find a solution to Okin's concerns that women could be put under pressure. In this case, the only opportunity is to rely on the principle of revisability. If it becomes known that the women who participated were put under pressure, this principle ensures that compromises and agreements can be revisited.

However, it is difficult to find a solution to Okin's concerns that women could be put under pressure. In this case, the only opportunity is to rely on the principle of revisability. If it becomes known that the women who participated were put under pressure, this principle ensures that compromises and agreements can be revisited.

One further advantage of the deliberative-democratic approach is that the inequalities which disadvantaged women face are not merely exposed through the deliberative-democratic approach. An open debate with all participants can also empower vulnerable members such as women by clarifying their needs and interests (Deveaux, 2006, p.126). Therefore, according to Monique Deveaux, her approach makes it possible to reconcile feminism and multiculturalism. Moreover, the possibility exists that women are not merely protected against the bad consequences of group-differentiated rights, but that they acquire more rights within their cultural groups. Though keen conflicts can exist between women and illiberal groups, the basic concept of the deliberative democracy is simple: all parties have to come together to eliminate tension or to at least find a compromise. Of course, the affected parties have to be willing to find an agreement; otherwise, a debate would be senseless.

To what extent can one expect willingness to find an agreement in a patriarchal group, however? Okin doubts that defenders of cultural practices that harm women will compromise with affected parties (Okin, 2005, p.83). These people have practiced their traditions for years and are convinced of their goodness. Therefore, there is no reason for them to approve a compromise

Unfortunately, Okin does not consider the fact that cultural minorities demand something from the majority culture and not vice versa. In order to get special protection by the state, patriarchal groups have to sacrifice some of their illiberal traditions. This means that they have to deliberate about whether they want special rights (to protect their language, for example) or if they prefer their traditional cultural practices over special rights. If these groups decide against group-differentiated rights, they must consider the possibility that the liberal state will not accept their illiberal practices and may interfere under extraordinary circumstances. Consequently, in my opinion it would be better for minorities and the majority culture to agree on an outcome. In this way, the minorities can protect their traditions in a manner that is consistent with liberal principles, and the majority culture can benefit from newly acquired cultural influence.

Negotiation helps to solve possible conflicts because patriarchal cultures must give up illiberal practices to receive special protection. Of course, this could also mean that an agreement between the parties allows for some illiberal practices. However, one has to take into consideration the fact that all participants—which include women and the liberal state—are aware of this fact and have agreed on it. Illiberal practices are acceptable as long as women agree to them, because they have actively decided on them. The principle of revisability makes it possible to renegotiate a compromise.

In the case of the liberal state, it should be remembered that, according to Okin, there are practices that harm women even in the West. Therefore, a liberal state would only grant illiberal practices that already exist in the West or which are similar to them. Nevertheless, even if the overall aim is to annihilate all illiberal practices, women are better off with the illiberal practices that are also accepted in the West than with those which are only accepted in the East. Additionally,

a final product of the debate concerns only the groups that negotiated; it does not automatically concern all minority groups that live within the liberal state. Therefore, only those women who debate and compromise have to accept illiberal practises.

Okin stated that she is “largely sympathetic with Deveaux’s model” (Okin, 2005, p.82). This model provides us with further opportunities for reconciling women’s rights and cultural rights. Of course, some criticisms can be raised against this approach. Deveaux herself states that it is not easy to find a way to solve inequalities within minority groups in order to reconcile feminism with multiculturalism (Deveaux, 2006, p.109). Kymlicka and Deveaux both argue that conflicts between women’s rights and group-differentiated rights are less common than feminists suppose.

## **6.2 Inferences - How to Reconcile Feminism with Multiculturalism**

Chapter four and five analysed two approaches that could solve a possible conflict between feminism and multiculturalism and considered arguments against Okin’s arguments. Section 6.1 put both, Kymlicka’s and Deveaux’s, argumentation against Okin’s and debated about all three approaches and examined their advantages and disadvantages. So far, this thesis has not answered the research question: “Are the rights of women compatible with the special group rights demanded by cultural minorities”? The aim of this part is to answer four questions which together demonstrate that women’s rights and group-differentiated rights are reconcilable. These four questions are the following: why do minorities have a right to demand special rights? Why are these rights compatible with each other? What can be done if a conflict arises between feminism and multiculturalism? Is there any guarantee that protects women’s rights if minorities violate the agreement made between women and the majority culture?

One could argue that Okin’s general problem with regard to the debate about feminism and multiculturalism is that minorities claim special rights. If minorities did not demand special rights, there would be no reason for Okin to complain that special rights worsen the situation of women within patriarchal cultures. In order to conclude that feminism and multiculturalism are compatible,

this thesis must first show that minorities have a right to claim group-differentiated rights.

Kymlicka argued that people should not be disadvantaged by circumstances for which they are not responsible (Kymlicka, 1995, p.124). National minorities are not responsible for the fact that they are minorities. Consequently, a state should grant them special rights to protect their cultures from extinction, because to reach equality is of crucial importance. It is important to reach equality because “every individual is entitled to the same rights and opportunities as every other” (Taylor, 1992). Minorities should demand group-differentiated rights even though special rights imply costs for the majority society, because individuals from the majority culture were lucky to be born into a rich society. In this way, the inequalities of birth would be balanced.

We now know why minority groups should claim special rights. But why are these rights compatible with feminism? In order to show that feminism and multiculturalism are compatible, one must understand the importance of group-differentiated rights for women. According to Parekh (1999), Okin fails to consider the possibility that not all women share her point of view (p.73). Even if some cultural practices harm women, culture is more than just a threat to women. Native cultures are important to women because they provide an “ultimate meaning of life” (Nussbaum, 1999, p.106).

First, it is only through access to their own societal cultures individuals can find freedom and develop autonomy. The membership of the own culture makes individual freedom meaningful to its members (Kymlicka, 1995, p.83). Without access to one’s own culture, one cannot find his or her freedom. Belonging to the own societal culture is not only important with regard to individual freedom; it also sets the basis for individuals to develop autonomy. Autonomy is of crucial importance to individuals because it enables them to live free lives. Therefore, one should not prevent a state from giving minority groups special rights, because members of minority groups have the same right to find freedom and develop autonomy as do members of the majority group. Furthermore, both principles are necessary for individuals to have a context of choice. Individuals who lack membership in the own culture cannot choose among different life options and evaluate

what a good or bad life is. Okin represents women from minority groups as victims of their cultures because they usually do not have access to education (Okin, 1999, p.22). The capacity to think critically about the own life is a precondition in order to be able to enjoy freedom and develop autonomy (Kymlicka, 1995). However, if women know that they are disadvantaged by their cultures, as Okin claims, then they have the capacity to think about their lives. Consequently, women from patriarchal cultures could completely enjoy the freedom and autonomy provided through access to their own societal culture.

Second, women's rights and group-differentiated rights are compatible because liberal states grant group rights only with the aim of external protection. As already stated, group-differentiated rights can have two aims: external protections or internal restrictions (Kymlicka, 1995, p.35). The main aims of group rights, —for instance the right of self-government, —is to protect minority groups from extinction. The whole debate about the compatibility of feminism and multiculturalism started because some patriarchal cultures demanded special rights to oppress their own members. However, Kymlicka argues that only group-differentiated rights with the aim of external protections should be granted (Kymlicka, 1995, p.38). Consequently, there is no reason for Okin to argue against the granting of special rights and to criticize defenders of multiculturalism, because even some defenders of group rights argue against illiberal groups. Moreover, if only liberal minority groups are allowed to get special protection and access to their own societal culture there is no risk anymore that group leaders will restrict its members their context of choice by banning them from gaining experiences in order to assess what a good and a bad life is.

However, Okin argues that discrimination against women takes place mainly in the private spheres of these groups. For this reason, states that grant special rights cannot know if they will be only used for external protections or if the actual aim is the internal restriction of group members. The fact that the discrimination takes place mainly within the private sphere makes it difficult for a liberal state to determine whether a minority group is liberal or illiberal.

Can the possible conflict between feminism and multiculturalism be solved so that the

concepts are rendered compatible? Both kinds of minorities—national minorities and ethnic groups—have a certain relation to the majority cultures they belong to. On the one hand, national minorities occupy a given territory within the larger society. On the other hand, ethnic groups have emigrated to the majority culture and therefore have a relation to the majority culture because they have to assimilate in a certain way to live within it.

For these reasons, both kinds of minorities are influenced by the norms and values of the majority culture. Because of this, the possibility that they remain patriarchal and will not accept some liberal values is low. Kymlicka and Deveaux both argue that very few minorities claim special rights with the aim of internal restrictions because, contrary to what Okin suggests, a smaller number of the groups are patriarchal (Deveaux, 2006, pp.31-32). There are particular cases in which religious groups have claimed special rights to oppress their members; but this does not happen often. Consequently, it can be stated that Okin's concerns are rarely comprehensible.

Chapters four and five of this thesis analysed options proposed by Kymlicka and Deveaux for resolving the conflict between women's rights and the rights of minorities. It will now be shown that these options would solve a possible conflict. First, the right to exit was proposed as solution to this debate by some scholars. With regard to the right to exit for women, however, Okin's concerns are justified. This right would only be a kind of contingency plan for women who are oppressed within their culture. Consequently, in my opinion it has much more importance for women who live in illiberal cultures than for women who live in liberal cultures. The right to exit is not realistic, however, because leaders of illiberal minority groups do not grant women the right to exit (Okin, 2002, p.206). Therefore, Okin correctly concludes that the right to exit provides women with no guarantee that they will not be discriminated against.

The second possible solution is restaging a new debate, as suggested by Deveaux. If there is a single case in which the rights of women conflict with the rights demanded by minority cultures, both parties can communicate about their points of view to find a compromise through debate. The two fundamental principles of the amended model of political deliberation provide the means to



reconcile feminism with multiculturalism. The non-domination- and political-equality principles ensure that all affected individuals have a voice in negotiations so that the outcome of discussions about group-differentiated rights will not be decided by wealth or political power (Deveaux, 2006, pp.132-133). Only under these conditions can debates between all parties occur.

The democratic-deliberative approach further demonstrates that feminism and multiculturalism can be reconciled, because it provides solutions to Okin's points of critique. First, it ensures the interests of the powerless members. One of Okin's main critiques is that women would not demand special rights and that only powerful leaders get a voice within negotiations (Okin, 1998, p.683). It is unrealistic to expect that all female members will participate in the debate; but as long as all interests are represented, participants can negotiate.

Second, since the principle of political equality ensures that no individual is advantaged by his or her power or wealth, the representation of different interests can be ensured not only between men and women but also between women. Okin argued that older women—who often have more power than young women—sometimes threaten gender equality because they are more influenced by their cultures (Okin, 1999, p.22). For this reason, older women cannot be allowed to use their social position to simulate a balanced representation of men and women during the negotiations about the group rights. In general, Kymlicka and Deveaux have both called on communication between the affected parties. The approach taken by Monique Deveaux proves that women's rights and group rights can be reconciled, because in this manner all interests are represented and a common basis can be found. One further advantage of this approach is that the participants themselves decide where to agree or disagree. Thus one cannot assert that a liberal state has forced the minority groups to accept certain norms and values.

To counteract Okin's claim that minority groups can break agreements or use external protections to oppress their members, some measures must be in place to protect women. In other respects, Okin would have been right to conclude that there is a tension between feminism and multiculturalism which cannot be reconciled. Therefore, this thesis will now demonstrate that

women can be protected even when minority groups misuse the rights they receive or break agreements. The approaches of Kymlicka and Deveaux both include guarantees that would protect women in the case of a violation of the agreement. The principle of revisability is fundamental for the deliberative-democratic approach. This principle ensures that agreements or compromises can be revised and changed (Deveaux, 2006, p.116). Originally, the principle of revisability was used to ensure that agreements can be changed if the interests of the groups changed or if parties could not agree on a compromise. In this way it is possible to revise the outcome of a debate if a group breaks the agreement.

Kymlicka supports negotiations between affected parties to find a common basis. If a group oppresses its members, a liberal state has the right to intervene into the internal affairs of a minority group. State intervention is not a measure that Kymlicka gladly supports (Kymlicka, 1992). However, during extraordinary circumstances, a liberal state is allowed to interfere. For these reasons, both measures demonstrate that women's rights and cultural group rights are reconcilable, because all possible conflicts between feminism and multiculturalism can be solved with the principle of revisability and the option of state interference.

This part has shown that feminism and multiculturalism are reconcilable for the reasons given above. First, fewer cultures are patriarchal than Okin suggests. Since one of Okin's main problems is that minority groups are usually more patriarchal than majority societies, the evidence that fewer minorities are patriarchal shows that her conclusion was prematurely drawn and influenced by her personal impression. Okin's monolithic and stereotypical characterization of minority cultures led her to the incorrect conclusion that an irresolvable conflict divides feminism and multiculturalism (Bhabha, 1999, p.79). Okin assumes that women's rights and group-differentiated rights are in conflict. In this way, she excludes the possibility that both schools of thoughts are compatible. This weakens her argument, because a convincing argument can be delivered only if one acts with caution and considers that one's own point of view could be wrong. However, Okin puts Western culture against Eastern culture and assumes that the Western part of

the world treats women better than the Eastern part. By making use of the dichotomy between West and East, she indirectly states that the West is an example for the East on the subject of gender inequality (Bhabha, 1999, p.83). Consequently, she does not take into consideration the possibility that her point of view is premature

Furthermore, Okin's argumentation is oversimplified (Nussbaum, 1999, p.105). For instance, according to Okin it is clear that all practices of patriarchal cultures are equally a threat to women. She easily asserted that the only solution to conflict is to ban all group-differentiated rights or to extinguish patriarchal culture. The fact that she did not consider options that would reconcile feminism with multiculturalism weakens her position, because in this way she did not consider possible opposition to her arguments. Moreover, Okin is inconsistent when she states that gender inequality also exists in the West but does not mention one Western practice that harms women. She focuses only on the practices of the patriarchal cultures, and this also weakens her argumentation.

Second, feminism and multiculturalism are reconcilable because if there are conflicts between the parties, both Kymlicka's liberal approach and Deveaux's amended-political-deliberation approach provide measures enough to solve the conflicts. Despite Okin's assertions, one could argue that Kymlicka's distinction between external protections and internal restrictions is not too narrow; nor are Deveaux's three principles unrealistic. In general, all three scholars (Okin, Kymlicka and Deveaux) agree that no cultural practice should be tolerated which oppresses individuals. Unlike Okin, Kymlicka and Deveaux offer a way to reconcile feminism and multiculturalism that does not harm individuals.

Though this thesis has shown that the right to exit is not realistic for women, there are enough other ways to protect women such as the principle of revisability. Discrimination against women will not be supported by granting minorities special rights. A state proves the structure of a minority group in detail before the rights are granted. If a state suspects that women are oppressed, it would take action to help them. Of course, the media makes it seem obvious that minorities treat their women differently than the majority does. But a person who deals with the problem of

feminism and multiculturalism in detail will recognize that granting group-differentiated rights supports the individual well-being of all members, and especially of women.

## Chapter 7

### Conclusion

The objective of this thesis is to show that women's rights and the rights of minorities are reconcilable. Therefore, the research question was: "Are the rights of women compatible with the special group rights demanded by cultural minorities"? Over the years, feminists and multiculturalists have attempted to remedy the tension between these rights. Different cultures will increasingly mix in the future and this trend will not reverse. Consequently, in order to ensure individual well-being, it is very important to find a way to reconcile feminism and multiculturalism. A perpetual present conflict would not only threaten the cultural minorities that live in larger societies; it would also harm the whole population, since everyone is affected by the cohabitation of different cultures. The conclusion first presents the main arguments to show that they answer the research question. Second, the contribution of this thesis to this field of study is investigated. Third, the limitations of this analysis and the need for further research are outlined.

Since the definition of terms is always the initial point of an analysis, this thesis has demonstrated that Okin's conclusion that there is an irresolvable tension between feminism and multiculturalism is partially based on her short and imprecise definition of *multiculturalism*. Because Kymlicka's more precise and neutral definition is presented in section 4.1, the analysis of this thesis was not limited to arguing for a certain position. Instead, this definition made possible a neutral debate of arguments for and against the compatibility of women's rights and the rights of minorities. Such debate is important if we are to reach a new conclusion and avoid stereotyping and oversimplification.

Furthermore, this thesis has shown that there is a need for individuals to have access to their own cultures. Because of this need, it is necessary that feminism and multiculturalism are reconciled. Individual freedom is most easily reached within a person's own culture. It is very difficult to develop autonomy in a foreign culture, because only one's own culture can provide the context of choice for a free life. Assimilation into a different culture is a very long process that often involves

the loss of important cultural heritage. Loss of cultural heritage harms individual well-being. However, the options provided by Kymlicka and Deveau— for instance to communicate about a possible tension and to differentiate between external protections and internal restrictions rights—make solution of possible conflicts feasible. According to Radzik and Murphy (2015) two parties, in this case feminism and multiculturalism, can only be reconciled if there is a disagreement among them. Furthermore, they count as reconciled if the future of the reconciliation is marked by peaceful or just relations. With regard to the feminism-multiculturalism debate it can be stated that they are reconcilable so that women can enjoy their freedom and all members of the minorities enjoy more equality. Since a possible conflict between feminism and multiculturalism could be solved and women's rights and the rights of minorities are reconcilable according to Radzik and Murphy, it could be concluded that the objective of this thesis is met.

Though being aware that the debate about feminism and multiculturalism cannot be solved easily, this thesis has shown that there is a way to reconcile the two concepts. I appreciate Susan Moller Okin for her inspiring work and for giving so much attention to this important debate. Nevertheless, this analysis shows that liberal states and minority cultures can see how find ways to compromise. In addition, this thesis leads to a better understanding of the different parties and has reduced some stereotypes—for instance, by arguing that fewer cultures are patriarchal than is suggested by Okin. These facts could simplify negotiations between liberal states and representatives of minority groups.

Though this thesis advances the debate about feminism and multiculturalism, there are still some unanswered questions. One limitation of the analysis is that it only shows that both concepts are compatible; it does not show which approach is better for reconciling women's rights with the rights of minorities. Therefore, further research is needed to determine which approach would better reconcile the two concepts. Moreover, for a further study it would be interesting to apply the approaches by Kymlicka and Deveau and to gather empirical evidence relevant to investigate the feasibility of reconciliation.

To conclude, a combination of the two approaches is the best way to reconcile women's rights and the rights of minorities. Of course, it could take a while to find a compromise; but living together peacefully should be everyone's aim in life, because everyone benefits from it. However, to be neutral means to have no prejudices, and the capacity to think critically and to reflect on one's own attitude are among the most important preconditions for the reconciliation of women's rights and the rights of minorities.

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