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Overcoming the Division Between Universalists and Cultural Relativists in the International Women's Human Rights Movement

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The division between universalists and cultural relativists is a major issue in any human rights debate. This divide can impede rational discussion and encourage arguments over theory rather than the practical issues at hand. Universalists believe that human rights standards are identical for everyone and that the same standards should be applied to all people and observed by all authorities. Cultural relativists, on the other hand, believe that human rights must be mediated by the values of distinct cultures and that every culture should be able to define and follow its own notion of human rights. This division exists within the international women's rights lobby, embodied most obviously in the division between white, middle-class, Western academics and non-Western activists. The universalist theory has dominated the international women's rights lobby, with some Western activists even appearing unaware of the alternative theory (Helly 176). However, there is strong opposition to universalism within the lobby. Cultural relativists argue that universalism is generally articulated by middle-class, heterosexual, Western women whose concerns do not represent the concerns of all women (Lugones and Spelman 498). There is no single "women's perspective" and attempting to create one, critics say, further suppresses marginalized groups.

Even though this deep division exists within the international women's rights movement, lobbyists presented a united front at the Second World Conference on Human Rights in Vienna in 1993. At the Vienna Conference, they successfully petitioned for the inclusion of important new language naming women's rights as human rights for the first time at the international level. This was a major accomplishment for the movement, making women's issues more visible and giving activists access to established human rights instruments to resolve their grievances. Identifying women's rights as human rights also empowered women as agents with legal claims acting on their own behalf, instead of as victims begging for rights from an unresponsive framework (Bunch, "Organizing" 146; McFarland 7). In this paper, I will address the follow question: how did universalists and cultural relativists in the international women's rights lobby work together for mutually acceptable progress at the Vienna Conference?

Although divided by race, class, culture, and

geography, the international women's movement was able to recognize certain issues of common concern. Activists focused specifically on these concerns during preparations for the Vienna Conference and at the Conference itself. They were able to compromise on potentially divisive issues, such as the usefulness of rights-based language and the struggle between different kinds of rights. This cooperative spirit was based on reciprocal dialogue and discussion, which was fostered well before preparations for the Vienna Conference began, starting during the UN Decade for Women.

THE DEVELOPMENT OF THE INTERNATIONAL WOMEN'S MOVEMENT

The international women's lobby has mushroomed since the United Nations Decade for Women in 1975-1985. This period marked the first time women's issues received serious attention at the international level. The conferences held during the UN Decade for Women laid the groundwork for communication and cooperation among members of the international women's lobby, which would prove to be the movement's vital foundation. The strategies exchanged and the relationships developed at the World Conferences on Women in Mexico City in 1975, in Copenhagen in 1980, and in Nairobi in 1985 would later be mobilized in preparation for the Vienna Conference in 1995.

In the years between the end of the UN Decade for Women and preparation for the Vienna Conference in the early 90s, much progress was made on issues that had only begun to be addressed at the 1985 Nairobi Conference. By the early 1990s, the international women's rights lobby had developed a number of prominent regional organizations and international networks, which facilitated communication BETWEEN THE VARIOUS MEMBERS (FRIEDMAN 22). WOMEN'S organizations became adept at information sharing, making especially efficient use of the Internet (McFarland 8).

Organized and coordinated women's organizations were already well-established when the time came to prepare for the Vienna Conference in 1993. The groundwork that had been laid over the past twenty years enabled the international women's lobby to seize control of the Conference, securing the inclusion of vitally important clauses in the Vienna Declaration.

CREATING DIALOGUE

As the preceding brief overview of the development of the international women's rights movement indicates, active grassroots and regional organizations aided inter- and intra-cultural dialogue. The women's lobby historically relied on grassroots organizations and was skilled at organizing at the local level (Friedman 24). A major strength of the international women's movement was its reliance on strong local bases, without assistance from established non-governmental organizations (NGOs) or home governments, sometimes even in the face of active opposition (Bunch, "Organizing" 146). The global conferences during the UN Decade for Women allowed these local organizations to form networks, facilitating dialogue. This dialogue was crucial to narrowing the theoretical division between universalists and cultural relativists. Face-to-face communication was vital for building trust between the various groups. During these meetings, women from opposite theoretical positions talked together. Cultural relativists expressed their frustration that Western universalists dominated the human rights debate, that feminist critiques of the human rights framework were grounded in Western concerns, and that Western concerns did not resonate with the rest of the world (Kerr 167).

Instead of allowing this disagreement to fragment the movement, the international women's lobby focused on reaching a mutually acceptable consensus through discussion and dialogue. In the women's rights lobby, women who highlighted differences of opinion were seen as helping to identify previously unknown protests and perspectives, rather than as isolating members from each other (Farley 179). Openly confronting and respecting these differences actually made the movement stronger and more united.

Although this development may seem fairly obvious and straightforward, it was a major step forward for the women's rights lobby, one that few other human rights movements have been able to take. The activists within the women's lobby made this step forward because they had to do so. Since the UN Decade for Women, the women's rights lobby had been moving towards the idea that their greatest strength lay in their ability to unify (Antrobus quoted in Charlesworth, "What" 62). The gains made at the Vienna Conference could not have been secured if the universalists and cultural relativists in the women's rights lobby had not been able to work together. Working beyond the theoretical division that separated them was beneficial to both universalists and cultural relativists.

Activists from across the spectrum of the women's rights lobby recognized that international human rights legislation must be consonant with cultural traditions to be considered legitimate at the regional, domestic, and local level. To achieve this legitimacy, the movement encouraged a two-level approach of (a) intracultural or internal discussion and

(b) cross-cultural dialogue.

By its very nature, "culture" combines stability and constant change so it can respond to the needs of many different people. As a concept, culture is inherently a struggle between traditionalists – those who seek to legitimize their power by preserving the status quo – and marginalized groups that challenge the status quo to address their grievances. This struggle takes place at the local, national, and international level (An-Nai'im 173). At the local level, the women's movement encouraged various factions to discuss women's status within their own culture or state. This internal discussion allowed activists to challenge discrimination in a way that was relevant to their own culture. At the regional and international level, discussion was encouraged between cultures, allowing each culture to understand and address women's issues in a global context. Cross-cultural dialogue also helped foster the idea that some concerns were shared by many diverse groups within the women's human rights lobby, introducing the possibility of common ground which would be central to the movement in preparation for Vienna and beyond.

This cross-cultural dialogue was aided by the increasing influence of non-Western activists in the international women's lobby (Tohidi 11; An-Na'im 171). In the years between the Nairobi Conference and the Vienna Conference, women from all regions became integrated into the women's movement. Southern women held many leadership positions, particularly women from India, Southeast Asia, Africa, the Caribbean, and Latin America. These activists had proven their legitimacy in their own regions, working through local networks, and were now established forces at the international level (Simpson 138).

NGOs focused on women's human rights were an optimal tool for developing cross-cultural dialogue and global coalitions. The structure of NGOs was less rigid and hierarchical than the traditional human rights organizations, including the UN. NGOs allowed women room to speak, plan, and organize; they also focused on the specific concerns of women which traditional instruments had ignored. The women's lobby encouraged NGOs which shared common concerns to work together at the international level, especially in areas that required specialized knowledge. Even if they had different goals, these NGOs could still collaborate, as long as their goals were not specifically conflicting (Adams 116). Some analysts see the development of this "international civil society," with groups working for action without state authorization, as the next step for the women's rights lobby (Kerr 158).

RECOGNIZING COMMON ISSUES

These active local and regional organizations, communicating together through established global networks,

would have accomplished little if they had not identified a common ground to start from. Finding this common ground was an important and difficult step. When talking about women's issues, it is important to avoid falling into the trap of essentialism—assuming that all women share identical concerns and experiences (Charlesworth, "What" 62). Women's rights activists have widely varying concerns; for instance, Western women often focus on domestic violence and harassment, while African women tend to emphasize traditional practices that are harmful to women and Asian women focus on prostitution and trafficking.

Even though women have a range of experiences and concerns, there are some issues that are common to all women. "[P]atriarchy and the devaluation of women," writes Hilary Charlesworth, "although manifested differently within different societies, are almost universal" (62). Education, access to health care, property rights, and access to loans and grants concern all women, from developed and developing countries, North and South, universalist and cultural relativist. Recognizing these common issues gave the international women's rights lobby a starting point.

Jeffrey Stout articulates the value of dialogue and recognition of common issues in his concept of "kinship." "Kinship," writes Stout, "is a special kind of similarity, brought about by sharing a common history of development up to a certain point and then separating. [Kinship] engrains many close similarities in vocabulary, attitude, and reasoning that could turn out to be useful in adjudication" (218). The international women's rights lobby does share common concerns—up to a point. Even when activists reach this point of separation, they are still able to recognize that they share common interests. This recognition made it easier for them to work together, since they concentrated on their similarities instead of their differences.

The international women's lobby was united in its belief that current human rights law was insufficient. During preparations for the Vienna Conference, there was a nearly unanimous agreement within the women's lobby that human rights had to be reinterpreted to protect women's rights (Kerr 158) and that the only way to accomplish this goal was through a well-organized, coordinated, international women's lobby (Bunch, "Organizing" 146). Although activists in the women's rights lobby might have disagreed on which issues were most important or deserved more emphasis, they all believed that women's issues needed more visibility, respect, and attention at the international level.

A common complaint across the international women's rights lobby was that because most international human rights constructs were created and dominated by men,

they tended to reflect men's experiences and exclude women (Charlesworth, "Men's Rights" 103). One such construct in international human rights law is the dichotomy between life's public and private spheres. Most members of the women's lobby agree that this distinction is dangerous for women. Women are almost universally relegated to the private sphere of the home and family, which is considered less valuable than the public sphere. Although exactly which activities are considered "public" or "private" vary from culture to culture, it is not the activity but rather which sex performs the activity that determine the category (Charlesworth, "What" 69). While women can be victims of public or state-sponsored human rights violations, most violations of women's human rights, including abuse, rape, and murder, take place in the private sphere, which is unprotected by international law (Charlesworth, "Men's Rights" 107).

Further, feminist critics of international human rights law argue that the framers of the 1948 United Nations Declaration on Human Rights were, for the most part, privileged men who focused on the public sphere at the exclusion of the private sphere. These men protected public civil and political rights because these rights were, in their experience, what was most likely to be violated. They did not explicitly protect the private sphere since they had no fear of their rights being violated in this area (Bunch, "Transforming" 13). Before the Vienna Conference, international law operated almost exclusively in the public sphere.

All members of the women's lobby agreed that the boundaries of international human rights law had to be extended to include the private sphere, or the subordination of women would continue (Charlesworth, "What" 71). Charlesworth argues that private violations of women's human rights are not really private; they are part of the "structure of universal subordination of women" (107). International law encourages the protection of individuals from the state and tends to view the family as a unit in need of protection from the state, not as individuals who could potentially need to be protected from each other (Sullivan 126).

The recognition of common concerns was visible at the Vienna Conference in the women's lobby's choice to focus on violence against women. That recognition culminated in a statement affirming the importance of "working towards the elimination of violence against women in public and private life" being included in the final draft of the Vienna Declaration and Programme of Action. Activists from all positions in the women's rights lobby could support this issue for, as Elisabeth Friedman writes, "The omnipresence of violence in women's lives provides them with a unifying agenda" (20). The international women's lobby's choice

to focus on this issue at Vienna not only made it more difficult for their opponents to argue against them – who, after all, could categorically support violence against women? – but also made internal divisions much less likely.

COMPROMISING ON POTENTIALLY DIVISIVE ISSUES

The international women's rights lobby neutralized a potentially divisive issue, the debate over the usefulness of international human rights law. In the wider human rights debate, there is a major division between those who believe human rights laws are sufficient for ensuring the well-being of the world's citizens and those who believe rights-based language alone is insufficient for the task. In preparing for the Vienna Conference, the women's movement agreed that, as helpful as rights language is, its effectiveness is limited (Cook 5). Activists believed that rights language alone would not be sufficient to protect women's human rights. They also agreed that present articulations of human rights law were insufficient to address women's needs.

However, rights language offered some powerful advantages which the women's lobby found appealing. Rights language is an established tool recognized as legitimate by many of the world's authorities. Including women's rights in the human rights frameworks puts the force of the established UN structure behind the international women's rights lobby. Even if they offer inadequate protection, current articulations of human rights law give groups some measure of necessary protection (An-Na'im 172).

Although some analysts say that "women's disadvantages are often based on structural injustice and winning a case in court will not change this" (Charlesworth quoted in Cook 4), there are a number of ways women seek to make human rights laws more responsive to them. Activists within the women's rights lobby encourage women to take ownership of rights language. It has long been limited to men's experiences, but now women's perspective must shape international human rights law. As more women, from many diverse backgrounds, enter the human rights dialogue, their perspectives and experiences gain more influence and currency in the international structure (Romany in Cook 4).

Agreeing that rights language alone was insufficient to protect women's human rights was not a rejection of universalism in favor of cultural relativism. Even universalists within the women's rights lobby supported this distinction, seeing it as encouraging discussion among women from diverse backgrounds (Cook 4). As noted above, the women's lobby tended to focus not on the issues that separated them, but instead on the issues they had in common. Mutual consensus was a major part of the preparation for the Vienna Conference and women saw this issue as another point to be discussed.

The international women's rights lobby defused another thorny issue, the relative importance of each category of rights. In the broader human rights debate, Western universalists are often criticized for emphasizing civil and political rights, or first generation rights, at the exclusion of social, cultural and economic rights, or second generation rights. Universalists respond that Third World cultural relativists' emphasis on second generation rights confuses the debate and has no place in the international human rights regime. The international women's rights movement reached a general consensus on this issue. First and second generation rights, they agreed, do not exist in conflict with each other, but need to be sought concurrently. In real women's lives, a single outrage can violate many levels of rights at once. Since women's rights can be holistically violated, activists agreed, they must be holistically protected (Bunch, "Organizing" 144).

Most universalists in the women's rights lobby recognized that the international human rights regime tends to ignore or downplay second generation rights, and they agreed that second generation rights needed greater emphasis at the international level (Bunch, "Organizing" 144). Cultural relativists and universalists found common ground when discussing economic rights, in particular the exploitation of women's labor (McFarland 8). Most women also agreed on the need to emphasize the social right to health care (Helly 171).

The language included in the Vienna Declaration and Programme of Action reflects this compromise. Women's rights were defined as "full and equal participation of women in political, civil, economic, social, and cultural life." Universalists in the women's rights lobby could support this language, since it recognized women's human rights as an "indivisible part of universal human rights" (Desai 190). Cultural relativists were satisfied because economic, social, and cultural rights were specifically cited, beyond just political and civil rights.

Human rights instruments developed after the Vienna Conference reflect this new demand for increased recognition of second generation rights. International human rights instruments are willing to address economic, social, and cultural issues, in addition to civil and political issues. So far, few complaints dealing with women's issues have been brought before international bodies, especially few on economic, social, and cultural rights or the state's responsibility to intervene in the private sphere. However, some important cases have been won that explicitly defend women's human rights (Byrnes 210).

As the issues discussed above illustrate, the international women's lobby has managed to defuse many divi-

sive issues, including the distinction between the public and private spheres, the relative importance of the first and second generation of rights, and the sufficiency of international human rights language. Any of these issues could have been a major stumbling block for any aspect of the human rights debate, impeding rational discussion and fragmenting the movement. The international women's rights lobby did not ignore these challenging issues, but instead faced them, discussed them, and reached a mutually acceptable agreement. This ability to neutralize potentially divisive issues extended even to the fundamental division between universalists and cultural relativists.

In preparations leading up to the Vienna Conference, and at the Conference itself, activists generally recognized the validity, strengths, and weaknesses of both the universalists' and cultural relativists' positions. As Arvonne Fraser wrote in a chapter published in preparation for the Vienna Conference, "We [the international women's rights lobby] must build and maintain coalitions across political lines, understanding the tensions we shall have to deal with, and respecting the right to disagree on some matters while agreeing on our common agenda and moving it forward" (153). This ability to respect and accept apparently mutually exclusive theories seems to be leading towards the articulation of an alternative approach to human rights, with an emphasis on common, not universal or cultural, human rights standards.

Many analysts in the women's movement articulate the need to transform the human rights framework to make it more responsive to women. They encourage members of the international women's lobby to work within the existing framework, while at the same time changing it to be more receptive to the concerns of women. Women themselves must define their own vision of human rights by identifying what is central to them as human beings. This vision should be based on women's experiences, insights, and consciousness. Charlotte Bunch urges women's rights lobbyists not to "ask existing human rights groups for their recognition or [try] to twist women into existing human rights categories" (141). Opinions like this indicate that the international women's rights movement is ready and willing to articulate a new theory of human rights.

AN ALTERNATIVE APPROACH TO HUMAN RIGHTS

In their article "Have We Got a Theory for You! Feminist Theory, Cultural Imperialism and the Demand for 'The Woman's Voice'" Maria Lugones and Elizabeth Spelman describe such a theory. Their article is concerned with rejecting an imperialist notion of feminism and articulating a new theory that "celebrates women's different ways of thinking, doing, and being without separating women from each other on account of these differences (Lugones and

Spelman 491).

Some have interpreted Lugones' and Spelman's rejection of the "imperialist view" as a rejection of universalism in favor of cultural relativism (Charlesworth 62). For the purposes of this paper, however, "imperialist" and "universalist" are not synonyms. As has been noted above, universalists in the international women's lobby were concerned with integrating diverse opinions from as many cultures as possible. Universalists certainly do not consider themselves imperialist, and universalists within the women's rights lobby are aware of this criticism and have consciously worked to become more responsive to cultural relativists. The new theory of Lugones and Spelman is not, however, a cultural relativist theory. It does not advocate separate groups of people, each articulating separate visions of women's rights. Instead, this theory encourages all women rights activists to work and speak together, while continuing to recognize their differences.

As a category, write Lugones and Spelman, women have been silenced and oppressed, but the time has come for women to reclaim their voice. However, "women" is not a single category. Women are divided by class, race, ethnicity, religion, cultural identification, sexual orientation, and geography. In general the "women's voice" that has been heard in feminist debate, and in the international human rights framework, has been Western, white, middle-class, heterosexual, and Christian. This voice represents a single perspective from the broad category that includes all women, but it excludes all other women. It also encourages an imperialist view since it assumes that this Western perspective "knows more" about other women than these women know about themselves. As long as this imperialist view is dominant, other women are forced to assimilate into the dominant culture if they want to talk about women's issues, while the dominant culture does not have to adjust to others (Lugones and Spelman 498).

Lugones and Spelman suggest creating a new, non-imperialist theory based on friendship. This new theory would make room for the articulations, interpretations, reflections, experiences, and perspectives of many diverse groups of women, not just the traditionally dominant group (Lugones and Spelman 499). By its very nature, this new theory must be developed by groups working together, not isolated groups developing their own criteria and then reluctantly revising it to include more groups (Lugones and Spelman 503). The spirit of friendship the authors describe is based on mutual respect, reciprocity, dialogue, and concern for each other's well-being. Reciprocal dialogue is crucial to fostering this new theory: as the authors put it, working and speaking together, two people from different backgrounds can develop a theory that applies to one, or possibly both of them;

however, one person cannot observe herself and people like her and then use those observations to describe someone else (Lugones and Spelman 500).

To create this spirit of friendship, all the groups involved must be patient, open to new ideas, and willing to learn from each other. They must understand their commonalities, while respecting their differences. Western women face the added challenge of giving up some measure of their power. The authors caution them not to use their power to overwhelm marginalized groups with their education or require other groups to use dominant Western languages (Lugones and Spelman 505). Instead, Western women need to be unobtrusive and should use their influence to "provide space and time for other women to speak" (Lugones and Spelman 504). Western women's rights activists have an obligation to give up their traditional dominance, not out of any paternalistic guilt, but simply because this Western dominance "seriously harms" marginalized groups (Lugones and Spelman 499).

This theory is far from complete and is very much a work in progress; however, it seems that the international women's lobby is beginning to articulate such a new theory. The elements Lugones and Spelman describe – mutual respect, reciprocal dialogue, concern for the other's well-being, and recognition of common issues – are all apparent in the development of the international women's movement, in the preparations for the Vienna Conference, and at the conference itself. The groups and networks that were developed in preparation for the Vienna Conference are still active and focused on making sure women's human rights are a part of upcoming UN conferences (Friedman 31). As these groups continue to use international networks and discuss issues in search of a mutual consensus, they move closer to articulating an alternative theory of human rights.

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