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What is ‘Culture’?

Anne Phillips¹

‘Culture’, as Raymond Williams famously said, ‘is ordinary’,² part of the process through which any social organisation develops and reproduces itself. Williams understood the term as referring to the shared meanings transmitted from one generation to another; and as a literary critic, was especially keen to stress that culture is not just transmitted, but debated and amended in ways that express the creativity of the human mind. In this understanding of the term, culture is both ubiquitous and in a continual process of change.

Anthropologists have also stressed the ubiquity of culture, though they have been more pre-occupied with questions of cross-cultural interpretation, and the difficulties of understanding what people are doing when they inhabit a culture very different from one’s own. This can lend itself to exoticism –the presumption that the study of culture is the study of strange peoples pursuing strange practices in lands far away – but there is no reason in principle why it should do so. Indeed, for much of the twentieth century, anthropologists were the ones insisting that all peoples have their own complex and internally coherent cultures, thus providing, as Etienne Balibar puts it, ‘the humanist and cosmopolitan anti-racism of the post-war period with most of its arguments’³. Typically, this was achieved through the study of remote cultural groups, whose initially puzzling practices and beliefs were then shown to have a coherence and rationality of their own. But some of the most interesting work in contemporary anthropology also turns the spotlight back on the Western countries whose colonial exploits had so shaped the discipline, and applies the methods of anthropology to the metropolis itself. Culture, again, appears as an attribute of all societies. The study of culture is not a matter of exotic others. It is also the study of one’s own society or group.

¹ I have developed the arguments presented in this chapter in *Multiculturalism Without Culture* (forthcoming, Princeton University Press).

² Raymond Williams (1958) *Culture and Society* (London: Chatto and Windus)

³ Etienne Balibar (1991) ‘Is There a “Neo-Racism”?’ in E Balibar and I Wallerstein *Race, Nation, Class: Ambiguous Identities* (London: Verso): 21

As is now widely noted, normative political theory has tended to employ culture in a more restrictive way.⁴ Political theorists are consumed by questions of justice, equality, and autonomy; and in a period dominated by the discourse of human rights, have been particularly preoccupied by what rights, if any, can be claimed by minority groups. Culture then enters the field of investigation not so much as *difference* (how to understand the meaning of practices across different cultures?) but as *inequality* (how to determine what counts as just treatment of minority groups?) It was the recognition of unequal power relations between majority and minority groups, and the perception that states may unfairly disadvantage citizens from minority cultural groups when they impose a unitary political and legal framework that gave the impetus to recent debates about multiculturalism. Political theorists are – to their credit – political. They think about inequality and power.

But this means that culture crossed their horizon already attached to distinctions between majority and minority, and already linked to territorial or legal claims. Will Kymlicka is barely a paragraph into *Multicultural Citizenship* before noting that '(m)inorities and majorities increasingly clash over such issues as language rights, regional autonomy, political representation, education curriculum, land claims, immigration and naturalization policy, even national symbols, such as the choice of national anthem or public holidays'.⁵ These are the clashes he seeks to resolve, hence (I would suggest) his decision to employ 'culture' as virtually synonymous with 'nation' or 'people', referring to 'an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history'.⁶ The definition conjures up a group of considerable solidity. It has its own institutions, its own territories, its own language and history, and by implication, its own potentially extensive claims on the loyalty of its members. We will not be surprised to learn that such groups are often in conflict with each other. In similar fashion, Ayelet Shachar adopts the term *nomoi* community to refer to a group that has 'a comprehensive and distinguishable worldview that

⁴ For example, Terence Turner 'Anthropology and Multiculturalism: What is Anthropology that Multiculturalists Should be Mindful of It?' reprinted in D.T Goldberg (ed) (1994) *Multiculturalism: A Cultural Reader* (Cambridge MA and Oxford: Blackwell); Seyla Benhabib (2002) *The Claims of Culture: Equality and Diversity in the Global Era*. (Princeton and Oxford: Princeton University Press); David Scott (2003) 'Culture in Political Theory' *Political Theory* 31/1.

⁵ Will Kymlicka (1995) *Multicultural Citizenship* (Oxford: Clarendon Press): 1

⁶ Kymlicka *Multicultural Citizenship*:18

extends to creating a law for the community'.⁷ The groups that interest Shachar – those whose claims to accommodation she wants to consider and assess – are ones that are already staking extensive claims. They are distinguished not just by particular systems of meaning, or specific codes of conduct that teach their members what is considered appropriate or rude behaviour. These are groups that seek to regulate through law the behaviour of community members.

In the political theorist's understanding of culture, 'cultural group' then becomes associated with a quasi-legal entity that has historically enjoyed or is now claiming jurisdiction over its members. This solidifies the group into something very substantial. The group is presumed, moreover, to play a large role in the loyalties of its members; hence the emphasis, from Charles Taylor onwards, on the responsibility states have to extend due respect and recognition to cultures. Taylor has linked this to a strong sense of what distinguishes one group from another: 'with the politics of difference', he argues, 'what we are being asked to recognise is the unique identity of the individual or group, their distinctness from everyone else'.⁸ Sustaining that distinctness becomes a large part of what cultural politics is about. People's loyalty to their group does not necessarily displace loyalty to a larger national community (indeed, both Kymlicka and Taylor tend to be rather reassuring on this score), but with distinctness so strongly emphasised, there is a tendency to see group identities as intrinsically oppositional.

Consider, as one illustration, Jacob Levy's characterisation of ethnocultural identities, which links cultural belonging very firmly to a demarcation between kin and strangers:

Persons identify and empathize more easily with those with whom they have more in common than with those with whom they have less. They rally around their fellow religionists; they seek the familiar comforts of native speakers of their native languages; they support those they see as kin against those they see as strangers. They seek places that feel like home, and seek to protect those places; they are raised in particular cultures, with particular sets of knowledge, norms and traditions, which come to seem normal and enduring. These feelings, repeated and

⁷ Ayelet Shachar (2001) *Multicultural Jurisdictions: Cultural Differences and Women's Rights* Cambridge: Cambridge University Press: 2n. Later in the same paragraph, she even writes in the experience of oppression as one element in the definition; the groups share 'a unique history and collective memory, a distinct culture, a set of social norms, customs and traditions, or perhaps an experience of maltreatment by mainstream society or oppression by the state'.

⁸ Charles Taylor (1992) *The Politics of Recognition*: 38

generalized, help give rise to a world of ethnic, cultural and national loyalty, and also a world of enduring ethnic, cultural, and national variety.⁹

This is a pretty bounded notion of culture, which presumes not only a preference for, but also a clear sense of who counts as your kin, and it makes culture almost by definition oppositional. ‘My’ culture means ‘not yours’ Given this reading, it comes as no surprise that Levy does not share the optimistic take on cultural hybridity, which sees it as dissolving the rigidity of ethnic and/or cultural boundaries and defusing the conflicts of the multiethnic world. A hybrid cultural community, is still, for Levy, a cultural community, and therefore as much a basis for bounded and exclusionary loyalties as any more pristine cultural group. To have a culture is to find your ways of doing things more ‘natural’ than any other, and to feel greater allegiance to those you regard as your own.

These tendencies – reserving the term ‘cultural group’ for quasi-legal entities, thinking of the ‘problem’ of culture as intrinsically bound up with the status of minority groups, and associating cultural belonging with potentially exclusionary loyalties – reflect the political theorist’s awareness of inequality and conflict; and are not in themselves bad things. The downside is an overly solid representation of the cultural group, and this has had a number of unfortunate consequences. The first is that theorists of multiculturalism focus on conflicts between majority and minority groups but do not sufficiently consider conflicts (for example, by gender, age, or class) within each group. They take the ‘group’ as more of an entity than it really is, and play down internal tensions. I will not dwell much on this aspect, for it is has by now been roundly criticised, and is, in a sense, the starting point for this collection. Writing in the mid 1990s, James Tully already repudiated what he called the billiard-ball conception of culture, that represents each culture as ‘separate, bounded and internally uniform’¹⁰; while more recently, Seyla Benhabib has provided a powerful critique of the ‘reductionist sociology’ that reifies cultures as separate entities and over-emphasises their internal homogeneity.¹¹ A substantial feminist literature extends the now familiar critique of gender essentialism to make similar charges

⁹ Jacob T Levy (2000) *The Multiculturalism of Fear* (Oxford: Oxford University Press): 6

¹⁰ James Tully (1995) *Strange Multiplicity: Constitutionalism in an age of diversity* (Cambridge University Press): 10. To my mind, Tully still tended to play down internal tensions.

¹¹ Seyla Benhabib (2002) ‘On the Use and Abuse of Culture’ in Benhabib *The Claims of Culture*.

against ‘cultural essentialism’¹²; and even those feminists who are said to be guilty of this cultural essentialism engage in a deconstruction of culture, if only in noting that the self-styled spokesmen of a cultural community cannot be taken as speaking for the women in ‘their’ group.¹³ Pretty much all feminist writing on multiculturalism starts with a warning against the tendency to take the cultural ‘group’ as more unified and homogeneous than it really is. The way cultural reification can obscure internal differentiation by age, gender, sexuality, or class, has by now been widely aired.

In this essay, I want to focus on two other consequences of the overly solid depiction of the cultural group. The first is that culture comes to be seen as the major source of people’s identity, and major determinant of their actions and behaviour. The second –I see this almost as a direct result of the first - is that culture comes to be seen as something primarily associated with non-Western or minority cultural groups. As the political case for multiculturalism comes to rest, in part, on the importance people attach to their cultural identities, the hold that ‘culture’ exerts over people is highlighted and exaggerated, and culture is thereby exoticised. Culture comes to be represented as something of enormous importance to the individual. It is treated as more important to our sense of ourselves than our sex or our class; and is attributed far more explanatory value. But the greater the importance attached to cultural belonging, the more likely it is that culture will be seen as something that matters to others, not me - for culture is, in most people’s lives, pretty ‘ordinary’. It is such a taken-for-granted background that we only become aware of the norms and assumptions that give meaning to our actions when we are confronted with cultures very different from our own. (This was the key insight of the ethno-methodologist, who asks us to disrupt taken-for-granted rules of conduct in order to bring them into sharper focus.)

Culture tends, moreover, to be least visible to those in the hegemonic culture, many of whom will readily acknowledge the influence of class or gender on their attitudes and behaviour, but rarely cite ‘culture’ as explaining why they act the way

¹² See especially Uma Narayan’s work: (1997) *Dislocating Cultures; Identities, Traditions, and Third World Feminism* (London and New York: Routledge); (1998) ‘Essence of Culture and a Sense of History: A Feminist Critique of Cultural Essentialism’, *Hypatia* 13/2: 86-106; and (2000) ‘Undoing the “Package Picture” of Cultures’, *Signs* 25/4: 1083-86.

¹³ Susan Moller Okin has been charged with cultural essentialism: see Anne Norton (2001) ‘Review Essay on Euben, Okin and Nussbaum’ *Political Theory* 29/5; and Leti Volpp (2001) ‘Feminism Versus Multiculturalism’ *Columbia Law Review*, Vol. 101. But no one could in fairness accuse Okin of treating the cultural group as unified and homogeneous, since one of her central criticisms of multiculturalism is that it wrongly takes the male spokesmen as speaking for all the group’s members.

they do. I am not convinced that culture is lived in *such* a different way by those who find themselves in a minority. But the experience of being in the minority makes people more conscious of the distinctiveness of their culture; while the sense of being pressured to conform to majority norms sometimes makes people more committed to sustaining their distinctiveness. Culture also operates as a resource in mobilising against majority dominance. With all this, it is hardly surprising if individuals occupying a minority position more commonly refer to their culture as a defining part of their identity and being.¹⁴

These different ways of living a hegemonic and non-hegemonic culture help sustain the notion that ‘culture’ – in the sense of cultural traditions, practices, or beliefs - is primarily a feature of non-Western or minority cultural groups. In *Dislocating Cultures*, Uma Narayan conjures up an imaginary Indian journalist who is trying to write an analysis of the way ‘American culture’ kills women, a book that will do for domestic violence in the USA what analyses of ‘Hindu tradition’ have done for dowry-murder in India. She concludes that this can only remain ‘an imaginary chapter in an improbable book’, for ‘while Indian women repeatedly suffer “death by culture” in a range of scholarly and popular works, even as the elements of “culture” proffered do little to explain their deaths, American women seem relatively immune to such analyses of “death or injury by culture” even as they are victimized by the fairly distinctively American phenomenon of wide-spread gun-related violence’.¹⁵ The hard work of the anthropologists has not, it seems, borne fruit. Despite their best efforts, people seem unwilling to recognise that *all* groups have their cultural practices, expectations and traditions, and that each of us lives within a web of cultural references and meanings.

In the political theory of multiculturalism, this tendency to associate cultural tradition with *minority* cultural tradition is compounded by the very way the argument for multicultural policies has been pursued, for if the case for multiculturalism rests on the importance people attach to their cultural identities and belonging, it rests on something that is not widely experienced by the average political theorist. The academics that generate most of the writing on this topic live in an atmosphere of

¹⁴ There are parallels in relation to national identity: the English, for example, are the hegemonic nationality within Great Britain, but have a less developed sense of what constitutes their national identity than the Welsh or the Scots.

¹⁵ Uma Narayan (1997) *Dislocating Cultures; Identities, Traditions, and Third World Feminism* London and New York: Routledge: 105-117

geographic and intellectual mobility; and however strongly they may defend the ‘right to culture’, they are likely to be less culturally embedded than those they write about. In popular thinking, culture has become almost synonymous with minority or non-Western culture. Much the same seems to be happening in normative political theory.

Exaggerating the significance of culture

So what is the implication of these observations for a collection that addresses issues of *gender* and culture? In the literature on multiculturalism, there is by now a well-developed understanding of two pitfalls that can beset us in considering tensions between gender equality and cultural diversity. We know it is dangerous to invoke something called culture as justifying or excusing harms to women, for we know that the cultural brokers who take on the role of interpretation may be a narrowly unrepresentative elite, employing what they claim to be the unbreakable traditions of their culture to reinforce the subordination of women. We also know – from the other side – that it can be problematic simply to invoke the rights of women against the claims of cultural groups. This can leave women with an unhappy choice between their rights or their culture, and seems to ignore the inequalities between majority and minority groups that first gave the impetus to debates on multiculturalism. In representing some cultures as more sexist than others, it can also give a perverse legitimacy to xenophobic and racist attacks. (This second ‘knowledge’ is more contested than the first, but even those most closely associated with the notion of women’s rights as non-negotiable have noted the risks of blundering into a situation under the banner of women’s rights, and in the process making women more vulnerable than they previously were.) Here, I focus on the further problem we should bear in mind in discussions of gender and culture: the tendency to make ‘culture’ more important than it is in explaining events in non-Western or minority cultures, whilst minimising its significance elsewhere.

Some of the sharpest illustrations of this come from an issue much discussed in the literature on feminism and multiculturalism, the issue of ‘cultural defence’.¹⁶ A number of high profile cases in the USA have raised fears that defendants will be able successfully to invoke the values and traditions of their culture in order to mitigate acts of violence against women. One much discussed case is that of Dong-lu Chen, a

¹⁶ For a fuller discussion of the literature on cultural defence see my ‘When Culture Means Gender: Issues of Cultural Defence in the English Courts’ *Modern Law Review* 66, 2003: 510-531

Chinese immigrant to New York, who killed his wife after discovering she was having an affair, but in the light of what the judge termed ‘traditional Chinese values about adultery and loss of manhood’, was sentenced to only five years’ probation.¹⁷ Another is the case of Kong Pheng Moua, who defended himself from a charge of rape and kidnapping by claiming he was acting in accordance with a traditional Hmong practice of marriage by capture, and was sentenced to four months in prison and a fine.¹⁸ These are highly disturbing uses of culture, but despite the anxiety they generate, defendants invoking some form of cultural defence have not got much of a hearing across North America or Europe. The most comprehensive survey to date reports that judges commonly refuse to hear expert witnesses testifying about cultural context, declaring this irrelevant to the case at hand; and concludes that ‘the preponderance of the data belies the commitment of liberal democracies to the value of cultural diversity’.¹⁹ In my own search of cases in the English courts, I have so far identified only one where a defendant successfully invoked his religious and cultural beliefs as part of a plea of provocation: this was the case of Shabir Hussain, who drove into and reversed his car over his sister-in-law while she was waiting on a pavement for her lover, but was convicted of the lesser offence of manslaughter and sentenced to six and a half years in prison.²⁰ That there are *any* such cases is deeply troubling. But, in my reading, the big issue for the coming years will not be the *mitigating* use of culture (leading to reduced sentences) but more its *explanatory* role. Courts will, on the whole, reject what they see as the illegitimate use of culture to justify a more lenient treatment of minority ethnic defendants in cases involving violence against the person. They may, nonetheless, accept and reproduce the idea that these defendants were ‘driven’ by their culture. In doing so, they will represent members of minority and/or non-Western cultures as less than autonomous beings.

¹⁷ *People v. Chen* (Supreme Court, NY County, December 2, 1988)

¹⁸ *People of the State of California v. Kong Pheng Moua* (Fresno County Superior Court, February 7, 1985)

¹⁹ Alison Renteln *The Cultural Defense* (New York: Oxford University Press, 2004):186-7

²⁰ The judge noted that the illicit affair ‘would be deeply offensive to someone with your background and your religious beliefs’, and sentenced Hussain ‘on the basis that something blew up in your head that caused you a complete and sudden loss of self-control.’ *R v Shabir Hussain*, Newcastle Crown Court, 28 July 1998 (transcript: J.L.Harpham Ltd). The key decision in this case was made not by the judge, however, but by the Crown Prosecution Service, which decided to accept the plea of guilty to manslaughter by reason of provocation. My own view is that this was because the defendant has successfully appealed (on the basis of false identification) against an initial murder conviction, and the Crown Prosecution Service were anxious to ensure conviction in this second trial.

Consider two recent so-called ‘honour-killing’ cases in England. In a case tried in Manchester in 2002, Faqir Mohammed killed his twenty-four year old daughter after discovering her (fully clothed) boyfriend in her bedroom. As part of a provocation plea, defence counsel invoked Mohammed’s strongly held belief that a daughter should not have a boyfriend without her father’s consent, and that sex outside marriage was a sin; they argued, in other words, that this was a man driven by cultural norms and expectations. It became clear, however, that he was also a man with a long history of physical violence against his wife and children, and six of his remaining children testified to this effect in court. In summing up, the judge warned the jury that a man ‘may not rely on his own violent disposition, by way of excuse’, and the jury convicted the defendant of murder.²¹ In a later case heard in London in 2003, Abdullah Younes killed his sixteen-year-old daughter who had begun a relationship with a Lebanese Christian (Younes was an Iraqi Kurd) and was planning to run away. In this case, the father pleaded guilty to murder, so there was no question of him invoking culture or religion in mitigation of his actions; but in sentencing him to life imprisonment, the judge described it as a tragic case of the ‘irreconcilable cultural difficulties between traditional Kurdish values and the values of western society’.²² Yet here, too, there was evidence that the father had been physically violent to his daughter over a long period; in this case, moreover, the defendant’s identity was more tightly bound up in his political beliefs (he was a communist and political refugee) than his rather understated religion. It was misleading, in such circumstances, to cite ‘traditional Kurdish values’ as leading the father to kill his daughter. Like the earlier case, this seemed to involve a man with a greater than normal disposition to violence, in this case, probably more linked to the horrors of his political experiences than to anything specifically religious or cultural.

My point is not that there are *no* cultural differences, or that the differences are sufficiently minor to be ignored in public policy. My point, rather, is that when culture becomes the catch-all explanation for everything that goes awry in non-Western societies or minority cultural groups, while remaining an invisible force elsewhere, something has gone wrong with the use of the term. The killing of those

²¹ R v Faqir Mohammed, Manchester Crown Court, 18 Feb 2002 (transcript: Cater Walsh and Co.) In his summing up, the judge asked jury members to weigh his religious beliefs and depression on his wife’s death against evidence from six of his children that he was a man with a greater tendency to violence than was ‘reasonably normal’.

²² R v Abdulla M Younes, Central Criminal Court, 27 September 2003, (Transcript: Smith Bernal)

one is supposedly closest to is not a minority practice. Or rather, it *is* a minority practice, in that most people do not kill their daughters or sisters or wives; but it is by no means a peculiarity of minority cultural groups. So called ‘honour crimes’ compare with a much larger category of cases where male violence had been rendered explicable without any reference to cultural tradition. Indeed, the main difference introduced by ‘culture’ seems to be that the men accused of an honour crime have typically killed what they viewed as a sexually wayward daughter or sister or cousin, while the more standard pattern in ‘non-cultural’ cases is a man who kills his ex-lover or wife. In both kinds of case, however, there is a presumption that a woman’s sexual behaviour can be enough to provoke a man to lose his self-control. So why is one attributed to the influences of culture and not the other? Would it not be more consistent to treat both cases as cultural – or neither?

My instincts incline me to the second option. In giving these examples, I do not want to make what I consider a more limited point about the bizarre or horrific practices of one culture being mirrored in the bizarre and horrific practices of another. Over a decade ago, Isabelle Gunning proposed a three pronged ‘world-travelling’ approach to the issue of female genital surgery: see yourself in your historical context, see yourself as the ‘other’ sees you, see the ‘other’ in her own context. She illustrated with a reversal of perception that made cosmetic surgery the ‘bizarre and barbaric’ practice.²³ Thus Western feminists (herself included) express anger and revulsion at the practice of burning, cutting or removing female genitalia, but they might usefully consider how a practice like implanting polyurethane covered silicone into one’s breasts must appear to those not used to this practice; or how close to sacrilege the self-starving of anorexia and bulimia must appear to those who experience starvation and poverty as a daily part of their life. Gunning explains her use of the term ‘genital surgeries’ rather than ‘genital mutilation’ as an attempt to strike a neutral tone. The additional effect, of course, is to draw attention to a continuity between genital and cosmetic surgery.

This placing of practices coded ‘modern’ and ‘traditional’, ‘Western’ and ‘non-Western’, along the same continuum has become increasingly common in feminist literature and debate. It is part of what happens in Narayan’s juxtaposition of

²³ Isabelle R. Gunning (1991-92) ‘Arrogant Perception, World Travelling and Multicultural Feminism: the Case of Female Genital Surgeries’ *Columbia Human Rights Law Review* Vol 23:189: 213

domestic violence in the USA with dowry-murders in India; it also features in Leti Volpp's juxtaposition of gender apartheid under the Taliban with the severe restrictions on women's reproductive rights favoured by Christian fundamentalism.²⁴ But if all we do is point out these similarities and continuities, there is a risk that challenging the dichotomy between modern and traditional becomes the only political activity. The continuity I want to stress is not that we all have our weird cultural practices; the continuity that strikes me is that so few of us are 'driven' by culture. As Volpp has elsewhere suggested, very often what is at stake is not 'culture' but 'bad behaviour'.²⁵ In working out who is most a threat to women's rights or their physical safety, it may be more telling to ask how close people were to their mothers or how generous they are to strangers than to find out about their religious beliefs and cultural traditions.

My own sense of the ordinariness of culture is informed by life in contemporary Europe, and more narrowly, by life in a cosmopolitan London, where hybridity is almost the order of the day. But the relevant illustrations are not restricted to this context. Consider the successful, village-led, campaign against female genital cutting in Senegal, carried out under the auspices of Tostan (Wolof for breakthrough), an educational NGO.²⁶ When women have been asked why they continue with what they know to be a dangerous and painful practice, they typically cite custom and tradition;²⁷ genital cutting then seems a particularly clear illustration of the power of culture and the way it regulates people's lives. But the other way of reading this is to say that what sustains the practice is the knowledge that everyone else does it, the knowledge that your own daughters will become unmarriageable if your family is the only one opting out. In Gerry Mackie's analysis, this is essentially what was at stake in the Senegalese case.²⁸ In recognition of this, the women leading the Tostan initiative developed the device of the collective pledge: signing villagers up to a date when they would all simultaneously abandon the practice. With this guarantee that others would also relinquish the genital cutting of their daughters, it became much

²⁴ Leti Volpp (2001) 'Feminism Versus Multiculturalism' 101 *Columbia Law Review* 1181.

²⁵ Leti Volpp (2000) 'Blaming Culture for Bad Behavior' 12 *Yale Journal of Law and the Humanities* 89, 96

²⁶ TOSTAN (1999) *Breakthrough in Senegal: The Process that Ended Female Genital Cutting in 31 Villages*. USAID.

²⁷ Eg in Dara Carr (1997) *Female Genital Surgery: Findings from the Demographic and Health Surveys Program*. Calvert, Md: Macro International Inc.

²⁸ Gerry Mackie (2000) 'Female Genital Cutting: The Beginning of the End' in B Shell-Duncan and Y Hernlund (eds) *Female 'Circumcision' in Africa: Culture, Controversy and Change* Lynne Rienner

easier for everyone to follow suit, and one village collectively abandoned the practice in 1997, followed in the next year by representatives from another thirteen villages, and then in a snowball effect by another eighteen villages in a different area. In 1999, the government, which had been very supportive of the initiative, enacted legislation officially prohibiting genital cutting. What is striking about the story is how easy it proved to bring about the change. Loyalty to the practice turned out to be paper-thin. There was, it seems, no deep ‘cultural’ attachment, but more simply and practically the difficulty of breaking out unless others did so at the same time.

What stands out for me in this example is how similar people are.²⁹ The reasons village representatives gave for wanting to renounce the practice are much the ones that would be given by parents all over the world (wanting to ensure their girls’ health, bodily integrity and human dignity); the reasons previously given for carrying on with the practice (not wanting to make their daughters unmarriageable) were equally lacking in mystery. This is not to say that there were no ‘cultural’ differences between the Senegalese villagers and villagers in rural France, or, indeed, between the Senegalese villagers and the Senegalese political elite; nor does it imply that we all make sense of our lives and our relationships in exactly the same way. It does suggest, however, that there was no especial need to rely on cultural difference in making sense of either the persistence or the eventual ending of genital cutting. In popular usages of the term, there is a tendency to call on culture when faced with something we cannot otherwise understand. Or as Adam Kuper put it, when commenting on a burst of cultural theorising in twentieth century modernization theory: ‘Culture was invoked when it became necessary to explain why people were clinging to irrational goals and self-destructive strategies...Culture was the fallback, to explain apparently irrational behavior’³⁰. But there is no obvious irrationality in saying you want to stop doing something but don’t feel you can until others do likewise; and one could offer numerous illustrations of this dilemma from a very wide range of cultural contexts. In the Senegalese case, there was no especial need for culture as ‘fallback’, or for complex cultural readings to make sense of otherwise incomprehensible acts. The behavior was readily explicable in cross-cultural, human, terms.

²⁹ This is the presumption in Gerry Mackie’s account which draw on the more universalistic explanations of human conduct found in game theory. I may have been over-influenced by his account.

³⁰ Adam Kuper (1999) *Culture: The Anthropologists’ Account* (Cambridge MA and London: Harvard University Press): 10

References to culture or religion can be similarly uninformative in the politics of what is variously termed the headscarf, hijab or veil. There is clearly a religious basis to this, though it is worth stressing that the Quran prescribes only modesty – and prescribes this for both women and men. The translation of this into a requirement that women cover their heads, and, in some versions, virtually all their bodies, in the presence of men other than immediate family, is contested by many Muslims. Dress codes have, in fact, varied considerably across Muslim countries, and twentieth century secularising movements (most notably in Egypt and Turkey) often focused on the veiling of women as one of the practices that should be brought to end. In the latter part of the last century, this trend went into reverse, in what is perhaps best understood as a contemporary response to globalisation, the collapse of the communist bloc, and the end of a world order organised around the cold war. In countries where Muslims are a majority - as well as those where they are a minority - a new generation of young woman adopted the hijab as part of their religious, sometimes also political, identity; and mothers who had fought vigorously for the freedom to bare their heads watched in consternation as their daughters resumed the practice. For some in the ‘new veiling’ movement, it may be appropriate to describe them as acquiescing to parental or paternal expectations that reflect long-established cultural practice; for others, it can be said that they are acquiescing to a new kind of pressure exerted by men of their own age. But many are clearly making their own statement about their religious identity and beliefs, and it is a statement that needs to be made precisely because their ‘culture’ (Islam) is *not* the only one they know. This is not the practice of an age-old tradition by people as yet untouched by contact with a wider world. If their lives were bounded by a single cultural tradition, there would be less need to affirm their identity in this way.³¹

I am arguing here for a dilution in the notion of culture: not so much that we should deny the existence or relevance of cultural difference, but that we should be far more wary of attributing differences in behaviour to differences in cultural tradition. Consider, as a further example, the phenomenon of forced marriage, something that

³¹For a thoughtful overview of the literature on veiling, see Nancy J Hirschmann (1998) ‘Western Feminism, Eastern Veiling, and the Question of Free Agency’ *Constellations* 5/3, 1998. See also Fatima Mernissi (1975) *Beyond the Veil: Male-Female Dynamics in a Modern Muslim society* (Cambridge, Mass, Schenkman Publishing Co); Lila Abu-Lughod (1986) *Veiled Sentiments: Honor and Poetry in a Bedouin Society* (University of California Press, Berkeley, Los Angeles); and London, 1986: Arlene Elowe MacLeod (1991) *Accommodating Protest: Working Women, the New Veiling, and Change in Cairo* (Columbia University Press, New York)

has increasingly exercised public authorities in Europe.³² In the British case, forced marriage mainly arises among families that originate from the Indian sub-continent, and often involves the marriage of a British citizen (usually though not always female) to a previously unknown spouse from Bangladesh, India, or Pakistan. Arranged marriage, in which the family vets prospective spouses with a view to securing alliances with another family, qualifies clearly enough as a cultural tradition, and as such, has undergone considerable transformation, both in extending the pool from which prospective partners are drawn and in giving the prospective spouses a greater say. Yet the number of non-consensual – forced - marriages remains high, and there is much to suggest that it is the experience of living in contemporary Britain that is keeping it alive.

In particular, parental worries about children getting involved with the ‘wrong’ kind of person have often been the trigger that started them on the search for a suitable marriage partner. In many of the documented cases, the parents’ decision to rush through the marriage of a younger child seems to have been precipitated by an older child in the family going - according to their perception - ‘astray’; in other instances, it was the prospective spouse who was causing the trouble. One recent report suggests that ‘(t)he knee-jerk reaction to young men’s involvement in drug use and petty crime or young women forming illicit liaisons is to get them married and thereby, hopefully resolve the problem’³³; and this assessment is largely confirmed by the cases of forced marriage that have come to the attention of public authorities. Faced with what they see as their children’s wayward behaviour, parents may become more keen than before to hurry on a marriage with a spouse from their village of origin, for they may come to see this as the only way to halt the corrupting influences of Western culture. If this account is correct, then the social and sexual control of their children is one of the main reasons why parents will force them into a marriage with unknown partners from overseas. This is not best understood as the continuation of a long-established cultural tradition. It reflects, rather, the authoritarian response of parents who have found themselves baffled by the challenge of the new.

To repeat, I am not suggesting we deny the relevance of cultural context in understanding the different kinds of issues that arise for different groups of people.

³² For a fuller discussion of this, see Anne Phillips and Moira Dustin (2004) ‘UK Initiatives on Forced Marriage: Regulation, Dialogue and Exit’ *Political Studies*.

³³ Y. Samad and J. Eade (2002) *Community Perceptions of Forced Marriage* (London: Foreign and Commonwealth Office): p67 (Available on www.fco.gov.uk)

One question explored by Sawitri Saharso in her analysis of contested issues of cultural diversity in the Netherlands is how doctors should respond when approached (as significant numbers apparently are) by young Turkish or Moroccan women to carry out hymen repair surgery.³⁴ Cultural context is clearly crucial in understanding why such requests arise. The majority of women in the Netherlands today do not, I imagine, worry about being exposed as sexually active before marriage; it is only those from families and/or communities that attach great weight to a woman being a virgin on marriage who will feel compelled to disguise the loss of their virginity. In one sense, therefore, this looks like an example of young people driven by cultural dictates, required by the very power of their culture to seek a form of surgery that young women from other cultural groups would reject. And yet, in another sense, it is precisely because these young Turkish or Moroccan women have *not* been diligent in following the dictates of their culture that their dilemma arises. As Saharso notes, this is not an issue on which leaders of the cultural community seek an ‘accommodation’ of their cultural traditions. On the contrary, community leaders regard these young women as deceitful, and would presumably prefer it if they were exposed.

What these diverse examples suggest to me is that we should be far more careful about promoting the notion of people as products of their culture. This way of thinking about culture makes it too solid an entity, far more definitive of each individual’s horizon than is likely to be the case. In doing so, it also encourages an unhelpful distinction between traditional and modern cultures: ‘they’ have cultural traditions; I have moral values. Much of the agonising about whether ‘we’ (presumably enlightened secular liberals) should accommodate ‘their’ cultural practices and traditions is premised on a distinction between modern and traditional, in which the moderns wear their culture so lightly that they can readily set it aside as the law or morality requires, while the traditionals are so much enclosed by the dictates and expectations of their culture that it would be cruel to expect them to behave in the same way. Yet it is not, I believe, helpful to justify cultural accommodations on the grounds that members of non-Western cultural groups have little choice but to obey the dictates of their culture. This treats the requirements of the culture as more transparent and unified than will be the case, a point well made in many feminist analyses. It also treats the individuals who constitute that culture as

³⁴ Sawitri Saharso (2003) ‘Feminist Ethics, autonomy and the politics of multiculturalism’ *Feminist Theory* 4/2 pp 199-215

more culturally determined than is likely to be the case. Culture is ordinary, not exotic; it is not a peculiarity of non-hegemonic, non-Western, groups, for each of us, whatever our cultural heritage, is shaped in some way by our culture. To be shaped, however, is not to be determined, and while individuals vary considerably in degrees of assertiveness and compliance, I am not convinced that cultures divide into those that dictate and others that merely recommend. We are all shaped, but not that many of us are driven.

Where does this leave me? There is a risk that it leaves me in the company of those who would prefer to end all practices of cultural accommodation. The problem to which multiculturalism proposes an answer is the disadvantaging of citizens who do not subscribe to the majority or hegemonic culture; this disadvantaging is said to happen through the imposition of seemingly universalistic codes of conduct, which then turn out to bear more heavily on minority groups. If I think the power of culture has been exaggerated, presumably I think people can more readily discard cultural tradition than has been claimed. And if I think this, that threatens to do away with much of the basis on which democrats have argued for cultural accommodation. One of the risks, in other words, in the argument I have been developing in this paper is that I could end up so much minimising the significance of culture that I leave myself with no basis for multicultural practice. My arguments may prove deeply offensive to those who consider their culture very much as defining their sense of themselves and of what they should do. They may even reflect a particular kind of ethnocentrism that sees everyone through the prism of my own experiences of 'culture', and concludes that for everyone – as for myself – culture cannot possibly loom that large.

I am conscious of these risks, and feel I am leaving the argument just at the point where it gets most interesting. What I would stress at this stage is that it is important not to claim to know in advance whether people *are* being disadvantaged by the unthinking imposition of a hegemonic cultural code. It takes closer examination to determine what cultural conventions, if any, have been written into supposedly culture-neutral norms; and closer examination to establish whether a particular matter is one on which people do act differently according to their culture. There is little hope of answering such questions without involving men and women, young and old, rich and poor, from the variety of cultural groups - and this then sets down at least one plank of multicultural policy, which is that policies need to be drawn up in ways that genuinely represent the full range of experience. There is little

hope of arriving at the right answers if the people consulted are either exclusively drawn from the hegemonic cultural groups or are those with a vested interest in exaggerating the distinctiveness of non-hegemonic cultures. Religious leaders, for example, might have a vested interest in exaggerating the centrality of religion to the lives of their constituents, or men in exaggerating the centrality of norms of female submissiveness; just as a defendant in a murder trial might have a vested interest in exaggerating the extent to which he is 'driven' by culture. Multicultural societies need to ensure far more equitable participation of people from the full diversity of cultural groups in determining laws and codes and practices; and as feminists have repeatedly argued, this also means paying careful attention to the balance of participation between women and men and young and old. The object of this is to ensure that cultural disadvantage is identified and remedied. But there should be no *a priori* assumption that actions and attitudes and values are simply determined by membership of one's cultural group.