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Towards a feminist international ethics

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Introduction

The title of this article brings together two terms, the latter, 'international ethics', is instantly recognizable as referring to a distinct aspect of the academic study of international relations with its own canonic tradition and debates. The former term, 'feminist', is much less familiar, and for many normative theorists in international relations refers to a political movement and set of ideological positions whose relevance to international ethics is far from clear. It is therefore necessary to engage in some preliminary explanation of the term 'feminism' and how it has come to be linked to 'international ethics' in recent scholarship in order to set out the argument of this article. It is only in the last fifteen years that theoretical perspectives under the label of feminism have come to be applied to international relations, although they have a rather longer history within other social sciences and, significantly, within ethical theory. Feminism as a political movement comes in a variety of ideological forms and the same is true of feminism within the academy. The common theme which connects diverse theoretical positions under the label of 'feminism' is the claim that paying attention to the ways in which social reality is 'gendered' has a productive impact on how it is to be understood, judged and may be changed. What counts as 'productive' is related not simply to the goal of enriching understanding and judgment as such (by drawing attention to its gendered dimension), but to the explicitly political goal of exposing and addressing the multiple ways in which both women and men are oppressed by gendered relations of power. It is clear, from the first, therefore, that there is a powerfully normative agenda inherent in any perspective labelled as 'feminist'.

However, as any scholar of the feminist movement inside or outside the academy knows, the normative agenda of feminism is itself a matter of political contestation amongst feminists. Different schools of feminism differ about the meaning of the term 'gender', about the roots of gendered relations of power and about the most effective means for combating oppression based on gendered relations of power. Within the confines of a single article, it is impossible to do justice to the variety and complexity of feminist politics and feminist theory.[1] Nevertheless, from my own

* With thanks to the anonymous reviewer and the editors of the Special Issue for their helpful comments.

[1] A useful overview of this variety and complexity can be found in I. Whelehan, *Modern Feminist Thought* (Edinburgh: Edinburgh University Press, 1995). For an overview of feminist contributions to international relations, see J. Steans, *Gender and International Relations: An Introduction* (Cambridge: Polity Press, 1998), pp. 10–37.

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point of view it is central to the richness of the contributions made by feminist scholarship within the academy (including the study of international relations) that they are always involved in an ongoing process of feminist debate. That is, debate which persistently drags feminist work back to the questions: How is gender possible? Why is gender entwined with power? How can oppression on the basis of gender be resisted? Any self-consciously feminist intervention into the realm of ethical theory has to be engaged in examining, defending and reassessing its claims in the light of ongoing arguments in feminist politics. It is therefore not possible for feminist ethics to detach itself from feminist politics, not simply because political implications may flow from any particular feminist analysis but because feminism knows itself to be always already political. In this respect, feminist theory shares a great deal with Marxist approaches to normative understanding and judgment but is radically different from the mainstream perspectives on international ethics, within which a clear line is drawn between the domains of morality and politics.[2] In what follows, I will suggest that precisely because of the ongoing political contestation characteristic of the feminist movement (within and outside of the academy) feminist insights transform not only the understanding of social reality but also the nature and scope of normative theorizing itself. This is work which acts as a challenge to the meta-ethical assumptions underpinning mainstream debates between deontologists and consequentialists, cosmopolitans and communitarians in international ethics.

This article's aim is to offer an assessment of the contribution to international ethics which is made by feminist perspectives and, more particularly, to offer my own analysis of the most fruitful directions in which this work might develop. As is evident from the discussion in the previous paragraph, feminist ethical theory is not a monolithic project, and I am therefore going to be highly selective in relation to the 'feminist perspectives' upon which I choose to concentrate. There are two principles underlying this selection. First, it seems to me to be potentially most enlightening in examining the contribution of feminist ethics to begin by focusing on that ethical perspective which is most clearly a product of feminist inquiry, that is to say, the ethic of care.[3] Secondly, part of my argument here is not simply about the substantive strengths and weaknesses of particular theories but about the political dynamic within feminist theoretical debate, and few feminist normative theories have been quite so productive of feminist critique and engagement than those utilizing an ethic of care approach. I will begin my account of feminist ethics therefore by examining the influential contribution of Sarah Ruddick, a pioneering feminist moral theorist whose work is linked explicitly to international ethical issues. Having examined the implications of this approach in Ruddick's work, I will go on in the

[2] See K. Hutchings, 'The Possibility of Judgment: Moralizing and Theorizing in International Relations', *Review of International Studies*, 18:1 (1992), pp. 51–62.

[3] I do not mean by this that there is a necessary connection between feminism and the ethic of care. Rather, my point is that the ethic of care is the most significant ethical theory which has emerged as a product of specifically feminist analysis. Many feminists argue that feminism fits better with alternative ethical traditions, from deontology to pragmatism—but these traditions are not specifically feminist in origin. Throughout this article I will use the term 'feminist ethics' as a shorthand for the particular trajectory of feminist thinking with which I am concerned. A broader sense of the scope of feminist ethics as such can be found in: E.Browning Cole and S. Coultrap-McQuin (eds.), *Explorations in Feminist Ethics* (Bloomington and Indianapolis: Indiana University Press, 1992); E. Frazer, J. Hornsby and S. Lovibond, *A Reader in Feminist Ethics* (Oxford: Blackwell, 1992).

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second part of the article to look critically at the strengths and weaknesses of that work as they have been identified by other feminists and at the recent development of a 'critical' international ethics of care in the work of Fiona Robinson. Both the exposition and critique of care approaches will be oriented in relation to the following three questions:

- From a feminist perspective, how are the nature and conditions of ethical judgement within the international arena to be understood?
- From a feminist perspective, what is ethically significant within the realm of international politics?
- What are the prescriptive consequences of taking a feminist turn in international ethics?

I will argue that the critical engagement in both theory and practice of feminists with care ethics offers important lessons for how a feminist international ethics should proceed in relation to these three key questions. Drawing upon the work of Margaret Urban-Walker, in the third part of the article I will argue that the key feature of feminist international ethics is that it necessarily brings politics back into the heart of moral judgment and prescription. This has profound consequences for answers to the above three questions, suggesting a different way of thinking about normative theory as well as having important implications for considering substantive fields of ethical concern within international ethics, such as just war and human rights. Following on from the discussion of these substantive areas of concern, I will conclude that the logic of feminist ethics is to move international ethics away from the idealizations inherent in the dominant ethical traditions towards a position best characterized as ethical realism.

An ethic of care in international politics

> Women's moral judgment is more contextual, more immersed in the detail of relationships and narratives. It shows a greater propensity to take the standpoint of the 'particular other', and women appear more adept at revealing feelings of empathy and sympathy required by this.[4]

The quotation above sums up the research findings of the social psychologist Carol Gilligan in her now famous book *In A Different Voice*.[5] In this book, Gilligan not only reported on empirical evidence for the gendered nature of patterns of moral reasoning, but used this as a basis for challenging accepted assumptions about the meaning of moral maturity. Traditionally, following Kohlberg's model of the hierarchy of moral growth and learning, the highest level of moral maturity had been associated with the capacity to utilize impartial universalist principles in making ethical judgments. Gilligan challenged this, arguing that the contextual,

[4] S. Benhabib, *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics* (Cambridge: Polity Press, 1992), p. 270.
[5] C. Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge MA: Harvard University Press, 1982).

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relational and empathetic features of moral reasoning, more often displayed by adult women than the impartial, universalist approaches more typical of adult men, were equally sophisticated and valuable. Since the impartial universalist account of moral maturity dovetails with the dominant deontological and consequentialist paradigms in ethical theory, it is unsurprising that Gilligan's debate with Kohlberg inspired a more general debate about the nature of ethical judgment within ethical and political theory. This has become known as the debate between an 'ethic of justice' (impartial universalism) and 'ethic of care' (contextual particularism) in moral thinking.[6]

In her book, *Maternal Thinking: Towards a Politics of Peace*, Ruddick draws on Gilligan's idea of an ethic of care as a central part of her argument for a feminist moral orientation in the context of international politics.[7] Ruddick is aware of the problems of simply taking and applying the regulative ideals of care-giving practices to the realm of international politics, but nevertheless, she extrapolates criteria of ethical judgment from caregiving practice which she argues do have implications for what should or should not be permissible within the international realm. She does this by invoking the idea of a 'feminist standpoint' in terms of 'maternal thinking'.[8] 'Maternal thinking', according to Ruddick, 'is a discipline in attentive love', a discipline which is rooted in the demands of a particular relation of care, that between mother and child, and which reflects a particular range of attitudes to others, cognitive capacities and virtues.[9] Ruddick is fully aware that not all mothers exemplify the regulative ideal of maternal thinking, she also makes clear that there is no reason why mothers cannot be men. This is not an argument about biological essentialism or female ethical superiority. Rather, it is an argument that the practice of rearing children embodies certain virtues and attitudes which provide a standpoint from which other kinds of practices may be judged.

> When maternal thinking takes upon itself the critical perspective of a feminist standpoint, it reveals a contradiction between mothering and war. Mothering begins in birth and promises life; military thinking justifies organized, deliberate deaths. A mother preserves the bodies, nurtures the psychic growth, and disciplines the conscience of children; although the military trains its soldiers to survive the situations it puts them in, it also deliberately endangers their bodies, minds and consciences in the name of victory and abstract causes.[10]

There are several different implications of Ruddick's argument in relation to the three questions raised in the Introduction above about ethical judgment, ethical significance and prescription. For Ruddick, the appropriate way of thinking of the

[6] D. Bubeck, 'Ethic of Care and Feminist Ethics', *Women's Philosophy Review*, 18 (1998), pp. 22–50.
[7] S. Ruddick, *Maternal Thinking: Towards a Politics of Peace* (London: Women's Press, 1990).
[8] The idea of a feminist standpoint derives from Hartsock's appropriation of Marx's analysis of capitalism as being based on the standpoint (serving the objective interests) of the oppressed class. According to Hartsock, the exploitative character of capitalist relations of production becomes clear when understood from the vantage point of the proletariat. Similarly, the patriarchal character of relations of reproduction as well as production under capitalism is revealed from the standpoint of the women who bear the brunt of those relations (N. Hartsock, 'The Feminist Standpoint: Developing the Ground for a Specifically Feminist Historical Materialism' in S. Harding (ed.), *Feminism and Methodology* (Milton Keynes: Open University Press, 1987), pp. 157–80. Ruddick argues that maternal thinking, located as it is in the marginalized and denigrated sphere of caring labour, provides a standpoint from which the absurdity of both strategic military and just-war thinking becomes evident.
[9] Ruddick, *Maternal Thinking*, p. 123.
[10] Ibid., p. 135.

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nature and conditions of ethical judgment puts emphasis on particularity, connectedness and context. From the standpoint of maternal thinking, the best stance to take in ethical judgment is to attempt to build on particular experiences of the practice of care to help to identify with and take responsibility for the needs and suffering of others. Ruddick frequently cites the example of the Argentinian mothers of the disappeared, whose movement gradually grew to embrace concerns with children across the world who had suffered harm: 'This is not transcendent impartiality but a sympathetic apprehension of another grounded in one's own particular suffering'.[11] This is not just a matter of 'feeling for' another's pain, but assuming an attitude of responsibility for it and therefore trying to do something about it. In addition, however, maternal thinking is sensitive to the specific contexts in which ethical dilemmas are embedded and the importance of appreciating the ethical weight of the perspectives of all parties to any dispute or conflict. For Ruddick, ethical judgment has to be on a case by case basis, but without ready made principles of adjudication. Although the idea of maternal thinking is in principle non-violent and therefore rules out certain types of action, it also makes clear that there are no universally applicable algorithms that can be applied to any given situation to render definitive answers to ethical questions. The judgment of the maternal thinker is oriented by the ideals implicit in care, but these are regulative rather than determining in their effects.

The orientation of judgment in terms of care has implications for what assumes ethical significance within the field of judgment of the moral agent. In traditional normative international relations theory, ethical significance inheres in states and/or individuals. In communitarian traditions the state is given ethical primacy on the basis of its identification with the 'community' which has its own inherent value; in the utilitarian tradition ethical significance is located in the individual; in other traditions (contractualist, Kantian), both individuals and states have ethical significance but the ethical significance of states is parasitic on the ethical significance of individuals. Ruddick places all of these ethical traditions firmly in the realm of 'masculinist' theory and practice. Although it is clear that Ruddick does put an ethical value on humans, this is based not on a notion of inherent individual right or interest, but on relation—value inheres in relations to others, in particular in the recognition of responsibility for others. For Ruddick then, the realm of international politics is primarily a realm of human relations, not of human, nation or state rights/interests or an international state system. In a very basic sense, this alteration of focus changes what is 'seen' by the ethical theorist of international politics. The boundary between state and interstate relations is dissolved and attention shifts from collective or individual rights and interests to focus on questions of relations of recognition and responsibility. More importantly still, the private sphere (normally doubly excluded from consideration in international contexts) is made visible in two senses: first as itself a part of the international realm; secondly as a source of lessons for both domestic and international politics.

Although Ruddick presents an understanding of the international realm very different from mainstream ethical theories, nevertheless, as with those theories, it is clear that for her the articulation of the standpoint of maternal thinking is tied up

[11] S. Ruddick, 'Notes Toward a Feminist Peace Politics', in M. Cooke and A. Woollacott (eds.), *Gendering War Talk* (Princeton, NJ: Princeton University Press, 1993), p. 123.

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with a prescriptive agenda. For Ruddick, both militarism and just war theory share a commitment to the expendability of concrete lives in abstract causes to which maternal thinking is inherently opposed. Ruddick claims that this means that the implication of maternal thinking is not just the rejection of war but the active embracing of peace politics, a fight against war which draws on the acknowledgement of responsibility and relationship and the specificity of need and obligations which are inherent in a proper understanding of the labour of caring.[12]

> One of the tasks of peace making is to transform this ordinary peacefulness that surrounds us into a public commitment to, and capacity for, making peace.[13]

Towards a critical ethics of care

Ruddick's account of maternal thinking, along with Gilligan's identification of the 'different voice' of care, has been a crucial reference point for later feminist ethicists, both critical and sympathetic.[14] Critical engagement typically comes from two different directions: there is the 'justice' critique which identifies problems for feminism with the abandonment of reliance on universal principle; then there is the 'difference' critique which argues, contrary to the justice critics, that the ethic of care remains too close to the logic of traditional ethical paradigms in the context of international politics. The former critique is troubled by the particularism and implicit relativism of care ethics. It argues that feminist goals are better served by attributing fundamental ethical significance to the category of 'humanity' and aspiring towards universal principles of justice. The 'difference' critique is more sympathetic to the particularism and contextualism of care ethics, but argues that this very particularism and contextualism is threatened by the idealization of the perspective of care which care ethics involves. Neither critique is solely concerned with the meta-ethical issues raised by care ethics, they are both bound up with worries about the incapacity of care ethics to further the goals of feminism, goals broadly conceived as those of redressing gendered inequalities of power across the international arena.

Feminist justice critics are concerned about care ethics' accounts of the scope and the ground of ethical judgment. How can a moral orientation which relies on actual embedded relations of care and is always relative to context be generalizable to strangers? If ethical judgment is always grounded in actual conditions of relationship (rather than in rationally derived values or rules which are in principle accessible to anyone and therefore capable of underpinning universally compelling obligations) then how can a feminist commitment to global goals such as the equality of women be justified? And how can one formulate arguments against those defending practices oppressive to women on grounds of local practices of care? In addition, justice critics draw attention to the dangers of reinforcing the legitimacy of

[12] Ruddick, *Maternal Thinking*, pp. 141–59.
[13] Ruddick, 'Notes Towards a Feminist Peace Politics', p. 118.
[14] For examples of a 'sympathetic' response, a 'justice' critique and a 'difference' critique respectively see the essays by R. Manning ('Just Caring'), P. Ward Scaltsas ('Do Feminist Ethics Counter Feminist Aims?') and C. Bunch ('A Global Perspective on Feminist Ethics and Diversity') in Browning Cole and Coultrap-McQuin (eds.), *Explorations in Feminist Ethics*, pp. 45–54; 15–26; 176–85.

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existing gendered relations of power by making existing patterns of care and responsibility for women morally paradigmatic. The main charges made by justice critics against care ethics, therefore, are moral relativism (parochialism) and that care ethics idealizes and thereby implicitly endorses ethical relations which are premised on a gendered division of labour and of the private from the public sphere, ethical relations which feminism should actually be concerned to challenge and change. In both cases the charges derive from the assumption that both moral critique and political improvement require judgment and action which are based on abstractly derived and generalizable principles.

At the heart of the 'difference' criticism of care ethics is a perceived tension between the idea of grounding ethical theory in a relational ontology and in specific contexts of responsibility and action on the one hand, and the notion of a 'feminist standpoint' for ethical judgment and prescription on the other.[15] There is an ongoing concern within feminist theory about theoretical positions which rest on ideas of a 'feminist standpoint' which suggest a fixed account (not necessarily biologically based) of the meaning of sexual difference. Over the past twenty years feminists, both within multicultural states and internationally, have been arguing that the predominant political campaigns and accounts of women's oppression within the feminist movement have reflected the position (and served the interests) of white, middle class, northern women rather than those of the majority of women. What has emerged from this debate has been a growing dissatisfaction with any feminist account which relies on a generalizable notion of a feminist perspective. It is argued that the inclusive ambition of such theories is in practice exclusive, since no single understanding of the feminist standpoint can possibly reflect the multiple and often contradictory positions in which different feminists stand.[16] In addition, as with justice critics, difference critics are also concerned at the apparent neglect by ethicists of care of the power relations at work within caring practices such as mothering and at the way those practices are embedded in broader gendered relations of power. In spite of some apparent overlap, the responses of justice and difference critics to the account of ethical judgment in care ethics are distinct. Each perspective sees problems with the idea of a feminist standpoint for moral judgment, but in the former case this is because such a standpoint is seen to be relative to context, and in the latter, because the standpoint is seen to be over-readily generalized. Each perspective sees problems in relation to the neglect of power in care ethics, but whereas justice critics theorize on the basis of an ideal ground of judgment beyond power and politics, difference critics raise the question of whether ethics and power, morality and politics can ever be clearly distinguished in either moral judgment or action.

To date there is only one major example of a feminist ethicist who explicitly takes up the challenge to develop a feminist international ethics based on central insights of care ethics, but is alert to the kinds of criticisms made by both justice and difference critics referred to above. In her book, *Globalizing Care: Ethics, Feminist*

[15] S. Hekman, *Moral Voices/Moral Selves: Carol Gilligan and Feminist Moral Theory* (Cambridge: Polity Press, 1995); see also Hekman, 'Truth and Method: Feminist Standpoint Theory Revisited', *Signs*, 22:2 (1997), pp. 341–65.

[16] See the debates in L. Nicholson (ed.), *Feminism/Postmodernism* (London: Routledge, 1990); C. Mohanty, A. Russo and L. Torres (eds.), *Third World Women and the Politics of Feminism* (Bloomington and Indianapolis: Indiana University Press, 1991); M. H. Marchand and J. L. Parpart (eds.), *Feminism, Postmodernism, Development* (London: Routledge, 1995).

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Theory and International Relations, Robinson argues for the superiority of what she terms a 'critical' care approach over traditional paradigms in international ethics in relation not only to issues of political violence but also to questions about international human rights and global distributive justice.[17] The breadth of Robinson's focus is matched by the breadth of the feminist theoretical literature on which her own defence of care ethics as a global ethics rests. Ruddick is only one of the feminist theorists upon whom Robinson draws and her analysis is informed by the ongoing arguments which successive waves of feminist critics have had with the ethic of care as originally developed in the work of theorists such as Gilligan and Ruddick. Robinson's argument is concerned to demonstrate the far reaching implications of taking an ethic of care as the starting point for international ethics, but also to strengthen and substantiate care ethics in response to feminist (and other) critics. Unlike Ruddick, Robinson does not rely on a concept of 'maternal thinking', but more generally on the idea of care as an everyday practice and moral orientation, embedded in a number of actual contexts. Moreover, Robinson places more emphasis than Ruddick on the significance for care ethics of the broader political, social and economic context of the international sphere and the ways in which particular patterns of advantage and disadvantage, power and oppression, sameness and difference are institutionalized within it. Nevertheless, although Robinson's work is broader in focus and elaborates a more flexible account and defence of care ethics than Ruddick, there are strong similarities in the way in which Robinson presents an ethic of care as an orientation for moral judgment and as a distinctive moral ontology. What is less clear in Robinson's account are the specific prescriptive consequences of her argument.

As with Ruddick, Robinson rejects an understanding of the nature and conditions of moral judgment in terms of abstractly derived principles and values. Morality is not a matter of reason or will but of modes of responsiveness to others which are embedded in actual relationships. This means that ethical judgment is always relational and contextual and, as with Ruddick's maternal thinking, there are no principles which can determine in advance the rights and wrongs even of similar situations.[18] At the same time, however, the contextual judgments which are both necessary and difficult are oriented in relation to the mode of responsiveness to others which is defined as 'caring', something which Robinson defines broadly as a mode of responding to others which recognizes others as 'real' human beings.[19] That is to say, as beings embedded in their own complex modes of responsiveness to others, with vulnerabilities, capacities, needs and values which matter. Above all the orientation of judgment in terms of care necessitates avoiding a rush to judgment and paying attention to the actual situations from which moral dilemmas and questions emerge.

> This is not an abstract ethics about the application of rules, but a phenomenology of moral life which recognizes that addressing moral problems involves first, an understanding of identities, relationships, and contexts, and second, a degree of social coordination and cooperation in order to try to answer questions and disputes about who cares for whom, and

[17] F. Robinson, *Globalizing Care: Ethics, Feminist Theory and International Relations* (Boulder, CO: Westview Press, 1999).
[18] Robinson, *Globalizing Care*, p. 41.
[19] Ibid., p. 46.

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about how responsibilities will be discharged. The ethics of care focuses not on the moment of rational moral judgment or of pure moral will, but on the permanent background to decision-making, which may often be characterized by apparent inaction—waiting, listening, focusing attention.[20]

As with Ruddick, again, Robinson's view of what is ethically significant in the international realm moves away from the focus of mainstream ethics on the abstractions of individuals, states or nations to concentrate instead on the examination of relations of recognition and responsibility wherever they occur. In Robinson's case, however, this focus explicitly draws attention to international structures and institutions and, most importantly, power relations within the international arena. Ruddick's emphasis is on using the positive relationality of maternal thinking to criticize the instrumental rationality of the institutions which enable the prosecution of war. The disposability of real people's lives in war is condemned as antithetical to the morality of care but the reasons why this attitude is possible in the first place are not a primary focus of concern. Robinson, however, insists that care ethics must go further and reflect critically upon the institutional and structural underpinnings of global violence and inequality, not simply by asserting them to be wrong but by understanding how it is that their wrongness is possible. 'Wrongness', however, is defined similarly to Ruddick as that which serves 'to undermine the ability of moral agents to identify and understand others as 'real' individuals—with real, special, unique lives'.[21]

> An ethics of care is not about the application of a universal principle ('We all must care about all others') nor is it about a sentimental ideal ('A more caring world will be a better world'). Rather it is a starting point for transforming the values and practices of international society; thus it requires an examination of the contexts in which caring does or does not take place, and a commitment to the creation of more humanly responsive institutions which can be shaped to embody expressive and communicative possibilities between actors on a global scale.[22]

Robinson does not pursue an explicit prescriptive agenda in relation to war as Ruddick does, and the prescriptive implications following from her elaborated global ethic of care are less clearly defined. The purpose of taking an ethic of care approach is to contribute to the transformation of the contemporary international system into one in which caring is enabled, sustained and protected. But what does this mean? It is at this point that a certain ambiguity in Robinson's account of her own ethical theory becomes apparent. On the one hand, Robinson is deeply committed to the idea of a critical ethic of care as a transformative project, a starting point for changing the world in the light of the regulative ideal of care understood broadly as relating to others as 'real' individuals. The idea of care, as in Ruddick's notion of maternal thinking, provides the critical perspective from which the injustices of the world become apparent and may be judged. In this sense, care emerges as distinct from international politics as usual. The valorization of relations of care becomes the goal of the generalization of these relations to a broader context. On the other hand, Robinson's insistence of the importance of power relations, complexity and context sits uneasily with any notion of the moral high

[20] Ibid., p. 31.
[21] Ibid., p. 47.
[22] Ibid., pp. 47–8.

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ground. Her argument slips between an idealization of care and an anxiety to be both realistic (in the sense of political realism) and contextually sensitive in her analysis. The latter tendency is one which undercuts the former and makes the task of prescription impossible outside of specific cases. When Robinson introduces her version of the ethics of care as critical, she is intending to emphasize that care ethics does not straightforwardly valorize virtues specific to the private sphere and that it can become a critical tool within ethical analysis in the broadest of contexts. In my view, however, the critical contribution made by her version of care ethics is that it raises very powerfully the question of the possibility of critique as it is traditionally understood to operate in ethical theory. It is this insight which most thoroughly informs my own view of the best way to take forward the project of a feminist international ethics.

Feminist international ethics without a standpoint

> We *can* be better or worse justified in our own moral beliefs, and we *can* make justified judgments on others' moral practices and beliefs. What we *can't* do is assume that our judgments ought to have *authority* for them, much less that it is a test of our or anybody else's moral beliefs that they achieve *universal* authority.[23]

One of the key references in Robinson's work is the feminist moral theory of Margaret Urban Walker. In her book *Moral Understandings: A Feminist Study in Ethics*, Urban Walker suggests answers to our three questions about ethical judgment, significance and prescription which pick up on problems which the difference critics of an international ethic of care have pointed out and which Robinson's work attempts to counter. Urban Walker is writing at the level of philosophical meta-ethics, but her analysis offers clear guidance as to how feminist ethics might move forward in the wake of rejecting a feminist standpoint as such.

Care ethics involves a rethinking of what might be termed 'ethical substance' (in terms of a moral ontology of relations of recognition and responsibility) along with bringing in a new perspective on ethics (the feminist standpoint), from which certain things can be 'seen' and on the basis of which ethical judgments can be made. Problems arise because the characterization of ethical substance and of the feminist standpoint are both highly idealized, posing difficulties for recent feminist thinking which has been forged in political contestation between different women, both within states and in the international realm. Although theorists such as Ruddick take issue with traditional ethical paradigms, they do not challenge the understanding that the fundamental characteristic of ethics is that it provides the vantage point from which all else can be evaluated and judged—specifically it provides a vantage point beyond politics/power. And I have suggested that Robinson's work remains torn between setting up care as the orientation for ethical judgment and prescription, and an abandonment of the possibility of ethical theory of this kind. Urban Walker's argument, however, follows through the logic of the particularism and contextualism inherent in care approaches consistently, without re-establishing

[23] M. Urban Walker, *Moral Understandings: A Feminist Study in Ethics* (London: Routledge, 1998), p. 208.

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the moral high ground in the notion of a feminist standpoint. The result is a rather different account of the nature and scope of ethical theory.

When it comes to the nature and conditions of ethical judgment, as noted in the quotation at the beginning of this section, Urban Walker's understanding of ethical substance (her moral ontology) entails the abandonment of strong 'authority'. Instead, ethical judgment is either already authoritative within existing forms of moral life—and therefore in effect, if not immediately self-evident, certainly potentially evident to reflective participants—or it has to be built collaboratively. Crucial to Urban Walker's account, as with the ethics of care, is the reliance of the authority and credibility of ethical claims on their meaningfulness within specific contexts. That meaning is not carried transcendentally, it is this-worldly and where it does not exist, ethical judgment is not authoritative but coercive. Like Ruddick and Robinson, Urban Walker locates ethical significance in relationality and in responsibilities which follow from relationship. Her emphasis, however, is not on a particular ideal-type of relation (as exemplified by maternal thinking or particular relations of care), but on the complex and constructed character of ethical substance and the ways in which particular patterns of responsibility and dependence inhere within it. These are patterns which have a history. They involve assumptions about moral identity and value, and the question of their necessity is crucial to debates about the legitimacy or otherwise of the obligations and practices with which they are bound up. In assessing ethical significance, traditionally the ethical theorist has been concerned to discriminate between necessary and contingent identities and values in order to work out what carries moral weight. In the case of Ruddick, as we have seen, moral weight is carried by the practices inherent in maternal thinking but not by the practices of just war. Urban Walker changes the debate by starting from the premise of contingency and asking that the crucial question not be how we know what is ethically necessary, but how certain values or practices come to be seen as ethically necessary.

> I suggest we have an urgent need for *geographies of responsibility*, mapping the structure of standing assumptions that guides the distribution of responsibilities—how they are assigned, negotiated, deflected—in particular forms of moral life.[24]

The point is not to establish in advance the relative ethical weight to be carried by communities as opposed to individuals, or by the private as opposed to the public sphere, but to gain a deeper knowledge of the 'forms of moral life'. This deeper knowledge does not take any manifestation of moral values and relations as simply given, but looks at how it has come to be and, crucially, at how interests are constructed and served by the 'bedrock' character of any particular moral practice. In Ruddick's work, what is 'seen' is seen from a perspective which is taken to be the moral bedrock. For Urban Walker, the 'seeing' of the ethical theorist necessarily involves accepting the contingency of ones own 'bedrock' as well as that of others. It is a 'seeing' which involves both moral phenomenology and genealogy.[25] On this view, moral values and practices are inseparable from the broader social and political context within which they operate, and ethics is never entirely divorced from

[24] Urban Walker, *Moral Understandings*, p. 99.

[25] For a discussion of phenomenology and genealogy as approaches to normative theory, see K. Hutchings, *International Political Theory: Rethinking Ethics in a Global Era* (London: Sage, 1999), pp. 143–52.

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power. Urban Walker's account of ethical significance and ethical judgment would seem to imply that ethical prescription is no longer the concern of the moral theorist. However, this is not her conclusion. She suggests instead that the work of the moral theorist is prescriptive generally insofar as it challenges any claim that certain moral values or practices are inherently unquestionable. More specifically, she argues for the reflective articulation of ethical prescriptions which acknowledge the condition of their own meaningfulness and therefore are more likely to become intelligible and persuasive to others.

On the basis of the above discussion, following through the lessons from critical engagement with an ethic of care, I want to conclude by putting forward a sketch of a feminist international ethical theory in terms of a series of answers to the questions about ethical judgment, significance and prescription which have been raised above. In doing this it should become clear that there is no question that feminist ethical theory puts forward an 'ethics for women' or an ethics for the private sphere alone, this is not a partial ethics but a generalizable account for how ethics 'should be done' in the contemporary international context. Paradoxically, however, it is grounded on the assumption of the inevitability of partiality and the status of particular partialities as contingent aspects of complex forms of ethical life. It is an ethics which draws on both the insights of the ethic of care and those of care's difference critics. I will focus first on offering a generic analysis of the answers to our three questions. I will then go on to put some flesh on these theoretical bones by illustrating how the feminist approach affects consideration of substantive areas of concern in international ethics, to do with war and human rights.

According to feminist ethics the nature and conditions of ethical judgment are inseparable from the moral forms of life within which they are embedded. This has specific consequences for the authority carried by such judgments which draw attention to the crucial importance of conditions of intelligibility within the sphere of ethics. Moral judgments make sense within contexts, the intelligibility of those judgments is straightforward when a context is shared but becomes a challenge when contexts are not shared or are partially shared. The guarantees of the meaningfulness of moral claims are not to be found in reason in abstraction from ethical life. This means that persuasion of others rests not on rational argument as such, but on putting the conditions in place within which arguments will be understood as rational. In order for this to be possible without coercion, work has to be put in to deconstruct the conditions of possibility of judgment in order to identify possibilities of shared meaning. This implies that the work of the ethical theorist has to have a strong phenomenological dimension, there are no easy knock-down arguments which rest on essential truths. Alongside moral phenomenology, however, goes genealogy; it is equally the responsibility of the ethical theorist to investigate how it comes about that any particular judgment is understood as embodying ethical necessity, and what is the pattern of benefits and costs associated with that judgment. For the feminist ethical theorist, it is, in particular, the role of gender in the construction and maintenance of particular patterns of benefits and costs which will be the focus of concern.

Feminist ethics' most well known contribution to international ethics is to bring in the values and practices of the private sphere to the realm of what is counted as ethically significant. As we have seen, this move is an ambiguous one in the ethics of Ruddick or of Robinson, in that it can become a claim as to the essential value, and

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therefore ethical primacy, of the values and practices of the private sphere as well as the much more modest claim that the moral ontology of relations of recognition and responsibility which is identified within the private sphere is the key to understanding 'moral substance' as such. It is the latter version of the claim which seems to me to emerge most powerfully from feminist ethics. It is essentially a claim about the nature of the world we inhabit rather than a claim about what ought to be the case. Whereas traditional cosmopolitan and communitarian paradigms, simply by virtue of their identification of ethical significance with states and/or individuals, always already bring in a normative agenda into international ethics (the fundamental importance of respect for state/human rights/interests), the feminist starting point of relational ontology simply draws attention to the always already normatively inflected nature of the world we inhabit. The ontological claims of feminist ethics, however, go deeper than the already strong (if prescriptively neutral) claim that moral reality is embedded in relations/practices of responsibility and recognition. They also assert that such reality is constructed not given, and that gendered relations of power form a significant part of it. By doing this they institutionalize a orientation of 'suspicion' towards any moral values and practices which present themselves as given because tied to some kind of essential identity, including gendered identities. More than anything else, feminist ethicists find ethical significance in those gendered aspects of international ethical reality which, in being presented as necessary, are either not 'seen' at all or are seen as unquestionable. In itself however, this keeps the category of ethical significance wide open. Within a feminist international ethics, it is possible for anything to be ethically significant.

The prescriptions following from feminist ethics will vary depending on the context within which particular feminists are making ethical judgments. This means that even if a first world and a third world feminist share a conception of moral ontology they may have very different prescriptive attitudes. In so far as they articulate ethical prescriptions, theorists must take responsibility for also articulating the conditions within which those prescriptions are meaningful and therefore the kind of world which they imply. Responsibility for the persuasiveness and strength of ethical prescriptions cannot be sloughed onto a first best world of idealized moral relations and agents, or of pure rationality. There is, however, one prescription which has to be common to the practice of feminist ethics of the kind which I have been discussing: always be sceptical of any kind of moral essentialism or claims to ethical necessity. It is not possible to spell out all the ways in which a feminist international ethics of the kind proposed above would affect ethical debate about war or human rights; however, some of the implications can be illustrated by looking briefly at each of these examples in turn.

In the case of war, traditional just war theory has focused on the tension between the value to be given to communities or states as opposed to individuals and the limits which should rightfully be placed on any actual exercise of political violence. In working on these problems, reliance has been placed on deontological, utilitarian and communitarian modes of moral thinking. On the account given above, I would argue that feminist ethics is able to extend the concerns and the conceptual vocabulary of traditional just war theory, but also that it may provide a more radical challenge to the notion of a just war as it is commonly understood. An example of the former, more modest contribution to be made by feminist ethics may be furnished by considering how traditional understandings of the concepts of 'peace'

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and 'security' have focused on the absence of inter-state political violence as a crucial condition. Once the realm of ethical significance is understood in terms of the full range of relations of recognition and responsibility, the ethical implications of both violent and non-violent international interventions become much more readily apparent and the meanings of both peace and security are altered. A small example of this can be found in current feminist work which has focused attention on the gendered effects of economic sanctions or on the gendered effects of displacement of populations through war in the treatment of refugees. The responsibility for the caring work within the family makes women more vulnerable to the effects of sanctions, because they feed and care for their husbands and children before they feed and care for themselves. Female refugees have also been shown to be peculiarly vulnerable to ill-treatment because of assumptions about their status as women.[26] By bringing the private sphere into the sphere of ethical significance within international politics, feminist ethics alters the ethical assessment of the consequences of non-violent and violent international intervention. More generally it calls into question the assumed boundaries between violence and non-violence, peace and war, security and insecurity.[27] The ethical consideration of war is enriched by a more detailed and complex understanding of the moral ontology of actual human relations. In this respect, the contribution of feminist ethics is as much about enhancing ethical sensitivity and perception as about offering definitive answers to the question of the rights and wrongs of war.

Nevertheless, feminist ethics does present more fundamental challenges to just war thinking in that it puts into question the ethical necessity seen to reside in either individual or community, according to the mainstream ethical paradigms. Feminist ethics as I have outlined it has to be inherently opposed to any justification of political violence which is presented as necessary. The first move of a feminist ethics would not be to establish the justice of the cause or the proportionality of the means, but to put into question the kind of ethical life which generates the tragic dilemma of weighing up individual lives against each other or against collective interests or abstract norms. Once this is essayed, a whole host of cultural, social, economic and political relations come under scrutiny, including the ways that gendered relations of power operate to confirm and perpetuate the legitimacy of war. The question of whether a war is just or could be just is the tip of an ethical iceberg. Feminist ethics, in 'deconstructing' the iceberg, forces acknowledgement that the idea of war as a 'last resort' covers the endorsement of a way of life in which it can be a last resort—it is not an unfortunate necessity but an implication of the world human beings have made, which is attributed necessity in order for that world to be maintained. Once the assumption of ethical necessity is challenged, it becomes possible to think about the conditions of possibility for other kinds of worlds and how they might be built.

The above account, however, needs to be distinguished from the argument (made by Ruddick amongst others) that there is a necessary connection between feminism and a commitment to non-violence. This latter argument has been essential to a distinctively feminist anti-nuclear peace politics which came to prominence in several

[26] See G. Ashworth, 'The Silencing of Women', in T. Dunne and N. Wheeler (eds.), *Human Rights in Global Politics* (Cambridge: Cambridge University Press, 1999), p. 269; fn 25, p. 276.

[27] For a more extensive discussion of how feminist analysis shifts the understanding of security in international ethics, see J. Steans, *Gender and International Relations*, pp. 110–29.

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Western European countries as well as the USA and Australia during the 1980s. Although clearly sharing much ground with other anti-war and pacifist movements, this feminist peace politics was premised on the idea of a special link between women and peace.[28] One of the interesting things about it was its use of the technique of relying on certain traditional stereotypes of womanhood as the basis for an evaluation of strategic and just war thinking. Essentially, these feminist peace activists reversed the dominant hierarchy of evaluation of masculine civic virtue and feminine private virtue in which the former takes priority over the latter and the latter is essentially supposed to sustain the former. Instead feminine private virtue was taken into the public realm and held up as the (subversive) yardstick of ethical conduct within that realm. The tactics employed at peace camps such as Greenham Common were imbued by the idea of the ethical superiority of the notions of care, connection and responsibility embedded in women's work within the family, over the strategic and just war thinking which could even contemplate the destruction of large swathes of the human race in the pursuit of some greater goal.

For many Western feminists, the work of the womens' peace camps exemplifies the prescriptive implications of a feminist international ethics and clearly follows from the kind of ethic of care exemplified in Ruddick's work. However, according to my account of feminist ethics, which emerges from a critical engagement with care ethics, the positing of an essential link between women and/or feminism and peace is based on mistakes which are evident both in Ruddick's work and in the critical questioning of non-violence within the feminist movement world-wide, particularly in the light of the participation of women in revolutionary or national liberation struggles. Although I have argued that feminist ethics will be unable to work with just war discourse, this is not a position which rests on the elevation of an alternative ideal for moral judgment and action which inherently forbids the use of violence. What is forbidden is the assumption of the necessity of violence; this then enables the opening up of the question of what is sustained by and sustains the presumption of that necessity as the starting point for assessing questions about judgment and action. My suspicion is that on most occasions where issues of the justification of political violence inter- or intra-state arise in the current world order, feminist ethics will be unlikely to offer arguments legitimating violence. But this follows not from a necessary connection, but from the contingent fact that few instances of the use of violence do anything but sustain, or at the very least leave unaltered, gendered relations of power in the world as it is. Aside from some exceptional ideological positions in which violence is seen as inherently a good, most ethical perspectives would claim peace as a goal and deplore the use of violence. Feminists, along with other ethicists of a liberal or communitarian persuasion, live in a world in which violence is possible. It is never a world in which violence is necessary in the sense of there being no other way in which the world could be or any particular agent could act. Feminists, therefore, like all others, cannot avoid the difficulties of weighing up the means by which the world might be transformed and the way in which they, as a specific individual, should act. The decision not to use violence, like the decision to use violence, is one for which agents in the world take

[28] A. Harris and Y. King, *Rocking the Ship of State: Towards a Feminist Peace Politics* (Boulder, CO: Westview Press, 1989); K. Warren and D. Cady (eds.), *Hypatia Special Issue: Feminism and Peace*, 9:2 (1994).

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responsibility; it is not a responsibility which can be sloughed off onto a categorical obligation always to act in any particular way. The argument remains open as to the possibility of justifying the use of political violence on a contingent basis—this is an argument which may never be persuasive, but its legitimacy cannot simply be ruled out in advance by an appeal to a necessary standpoint for judgment.

The contribution that can be made by feminist ethics to thinking about international human rights, as with the rights and wrongs of war, is one which may both enrich and challenge this ethical discourse. It has been evident to feminist critics for some time that the concept of universal human rights, as exemplified by the UDHR, is gendered in so far as it reflects, without acknowledging, assumptions about gendered identities. This is exemplified by instances standardly pointed out by feminist critics of the UDHR, such as the identification of human with head of household, property owner, wage earner or independent discrete individual (that is, not pregnant).[29] Those humans who don't fit into this mould fall outside of the realm of moral consideration as rights bearers, though they may still be entitled to special ethical consideration. Where the UDHR does recognize entities other than humans it includes both nation and family as ethically significant collectivities, whose value is presented as self-evident. The characteristic response of feminist ethicists to human rights discourse has been to suggest that it needs to be rethought in ways which are more sensitive to the specificity of different humans, and to the role of rights not simply as moral entitlements, but as defence mechanisms and political weapons in the hands of the disadvantaged. This can be illustrated by looking at an example of a practice which has been of particular interest to feminists: female circumcision. In this case, rights discourses have been identified by feminists as a crucial resource for ethical judgment and prescription, but in a way which has problematic implications for the ways in which human rights have traditionally been understood.

As with the institution of just war, the first move of a feminist ethics in considering the practice of female circumcision would be to establish how it is ethically meaningful within the context of a particular form of ethical life. This is both a phenomenological exercise, in which the 'geography of responsibilities', in Urban Walker's phrase, is mapped, and a genealogical exercise in which patterns of cost and benefit, empowerment and disempowerment are also traced. Since practices such as female circumcision are invariably linked to accounts of ethical necessity, the second step of a feminist ethics would be to demonstrate that this ethical necessity is not simply given but constructed, and is tied up with a highly complex set of cultural, social, political and economic practices and institutions. The justification of the practice is also the justification of the construction and maintenance of a patriarchal world. Since feminism is defined in opposition to patriarchy, it is inevitable that feminists are going to see female circumcision as wrong. What is interesting to examine is what happens when feminist ethicists turn to the discourse of international human rights, either to demonstrate that female circumcision is wrong or to underpin the demand that it must be stopped.

Although a standard list of human rights invariably includes the right to bodily integrity, the archetypal violations of that integrity have not, traditionally, reflected

[29] V. Spike Peterson, 'Whose Rights? A Critique of the "Givens" in Human Rights Discourse', *Alternatives*, XV (1990), pp. 303–44.

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the specific vulnerabilities of particular categories of humanity. Torture, rather than female circumcision or domestic violence, tends to be taken as the bedrock example of that which humans have a right not to have to endure. Initially this seems unimportant, surely the point is to establish the principle, which can then be extended across different examples of violation. However, this is to ignore the tension between a right to bodily integrity and practices which are frequently part of the means of preserving patterns of familial and community relations which at other points in the UDHR are taken as having ethical value. The idea of universal human rights does not provide an unambiguous resource for contesting practices which maintain gendered relations of power. This is because the differences in women's position across both liberal and non-liberal states are profoundly tied up with the institutional structure and commonsense of the international community, which either sees women as women, and as such less than men (in need of paternal protection along with the children) or, in incorporating women under the category of humanity, is unable to see women at all.

It has become increasingly recognized that the commonsense of the international community has blocked recognition of the fact that being a woman is (to echo Catherine Mackinnon) a way of being human.[30] In response to this, a great deal of work has been done by feminist campaigners at the international and state level to work for the extension of international human rights protections to women and to point to the gendered relations of power inherent in traditional conceptions of what it means to be a bearer of rights.[31] Nevertheless, as Mackinnon has argued, drawing upon a rights discourse as a feminist ethicist has implications for how rights are to be understood.[32] The idea of international human rights as instantiated in the contemporary world order has its roots in the Christian natural law tradition and the equal value of every human soul. The secularization of this tradition into the natural and imprescriptable rights of man (humanity) emerged in stark opposition to the premodern notion of essential inequities in moral status between human beings. The idea of human rights is premised on the recognition that in crucial respects, human beings are the same. To point to gender differences in the meaning of a human right, such as the right to marriage and family life, is not to point to the fact that this right is not available to both men and women (which would simply imply that we need to apply the right consistently), it is to point to the fact that a fundamental and globally present aspect of ethical life is structured by and through gendered relations of power. Once this is appreciated, the strategic value as well as the ethical significance of drawing on a rights discourse in order to protect women's interests changes. Strategically, this is not a matter of rights remaining the same and their sphere of application being extended; instead, new kinds of rights (protections against rape in marriage, domestic violence, genital mutilation, rights to divorce, to property, to custody over children, and so on) must be formulated in ways which might well eventually revolutionize or even destroy the institutions to which the

[30] C. Mackinnon, 'Crimes of War, Crimes of Peace', in S. Shute and S. Hurley (eds.), *On Human Rights* (New York: Basic Books, 1993).

[31] See G. Ashworth, 'The Silencing of Women', pp. 259–76; J. Steans, *Gender and International Relations,* pp. 122–25.

[32] In what follows I am indebted to insights from Mackinnon's argument in 'Crimes of War, Crimes of Peace'. See also K. Hutchings, 'Ethics, Feminism and International Affairs', in J.-M. Coicaud and D. Warner (eds.), *Ethics and International Affairs* (Geneva: United Nations University Press, forthcoming).

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UDHR refers. At the deeper level of ethical significance the strategic necessity of grounding rights on difference can be understood in two ways: first, it can be seen as a dangerous reversion to premodern assertions of essential differences between different categories of humans, and ultimately as undermining the idea of human rights as such; secondly, it can be seen as putting into question the grounding of fundamental human rights in humanity as such—rights become conceptualized always as a strategic weapon in the construction of a form of ethical life which is no more ethically necessary, though for many (including many feminists) it may be preferable, than any other. It seems to me that it is the latter implication which is inherent in the form of feminist ethics for which I am arguing. In such an ethics the notion of human rights cannot act as an ethical trump card. Instead, specific human rights must be interrogated and judged in terms of the ways in which they function in the broader values, structures and institutions of world politics.

One of the key focuses of feminist debate in the context of international politics in recent years has been the organized rape of women in war. I want to end with a brief consideration of this topic because it draws together the implications of a feminist ethics of the kind I am endorsing for thinking about both war and rights. Traditionally, rape is something which soldiers (men) do—regrettable perhaps, a crime perhaps, but not to be seen as a war crime or crime against humanity. In the same way, within the state, rape is a regrettable, criminal thing that men do but this is not understood in the same way as a racist attack; the commonsense assumption is not that men rape or sexually assault women because they are women and therefore they may (or deserve to) be treated in that way. Two features of the rape of women in the Bosnian war shifted this commonplace perspective on rape as something which just happens, particularly in war situations: firstly, rape appeared to be being organized systematically; secondly, rape was linked to enforced pregnancy presented as the victory of the ethnically superior male over the ethnically inferior woman and, by extension, her male compatriots.[33] When the international war crimes tribunal was set up, for the first time an explicit inclusion of rape as a crime against humanity (when committed in armed conflict against a civilian population) was made. In addition, rape and sexual assault could also be identified as crimes against humanity contributing towards genocide if committed with intent to destroy national, ethnic, racial or religious groups. The inclusion of rape and sexual assault amongst crimes against humanity has been greeted as a legal watershed for humanitarian international law and one which, by implication, represents a victory for the interests and rights of women—since the great majority of rape/sexual assault cases (though not all) uncovered by the war crimes tribunal were crimes committed against women.

[33] In her book *Rape Warfare: The Hidden Genocide in Bosnia Herzogovina and Croatia* (Minneapolis: University of Minnesota Press, 1996), Beverley Allen has detailed some of the evidence presented from survivors of rape/death camps. One of the things which is most obvious from Allen's account is the way that the systematic rape and impregnation of women was understood primarily in terms of its effect on the male enemy population. This worked in two main ways. Firstly, women were regarded as the possessions of husbands and fathers, sexual domination of women was a way of humiliating and depriving those husbands and fathers, the women's own humiliation and deprivation, let alone their pain, was instrumental to a broader purpose. Secondly, women were identified as the passive vessels which carried the future generation of the nation. The ethnic/national identity of the next generation was determined by the ethnicity/nationality of the father, therefore by impregnating enemy women, men were ensuring that the enemy people was not being reproduced and more importantly that their own ethnic/national inheritance would be transmitted.

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What kind of response would my version of feminist ethics make to this example of the conduct of war and its aftermath? The first response is fairly obvious, even more clearly than in the case of female circumcision; the use of rape as a weapon of war makes sense only in terms of patriarchal assumptions about the meaning of rape as an instrument for hurting and undermining, not the victims themselves as individuals, but their male relations and compatriots who comprise the 'enemy'. Ethical analysis therefore has to go beyond judging the actions of the perpetrators in isolation, to analysing and deconstructing the background values, practices and institutions which give those actions meaning. The focus of feminist ethics is therefore not on retribution but on the possibilities of transformation. The prevention of similar strategic decisions regarding the conduct of war in the future depends on radically changing the patterns of recognition and responsibility which underpin the identification of women as possessions of men or vessels for the propagation of the race. The criteria by which feminist ethics will judge the adequacy of the international community's response to rape as a crime against humanity must be in terms of how much this legislation contributes to the radical change of forms of ethical life which make it possible for rape to be a weapon of war. On these criteria—how does it fare?

Any assessment of the long term implications of the inclusion of systematic rape in wartime as a crime against humanity is bound to be speculative. However, I would argue that there are good grounds for supposing that the impact of the legislation will be limited in relation to the underlying conditions of possibility of mass rape as a weapon of war. This is not to say that the legislation will be wholly ineffective, it may well operate to deter individual perpetrators and it will certainly 'raise consciousness' of the issue and help to put and keep the unacceptability of the strategic use of rape on the international political agenda (along with use of biological warfare or shooting prisoners). What is more doubtful is whether the legislation can help to change things more fundamentally. For the feminist ethicist it is highly significant that the two ways in which rape is defined as a crime against humanity is either in a way which is not specific to sex, or in a way which is specific to a particular collective identity. Why does this matter? In relation to the first way, it is clearly the case that men and boys have been and continue to be victims of rape in wartime. However, by defining the crime against humanity without reference to sex, the relation between the rape of both women and men and patriarchy becomes obscured. Setting aside the sadism or sexual orientation of individuals, women are not systematically and strategically raped in war because they are human but because they are women, equally if men are raped as a matter of strategy this is in order that they be identified with women—the ultimate in hurt and humiliation for the victim and the ultimate assertion of power for the perpetrator. It therefore seems likely that raising consciousness about rape will not necessarily direct attention to the crucial role of the gendered relations of power which make mass rape in war a potentially effective strategy. The second way in which rape is identified as a crime against humanity is even more problematic from a feminist point of view. In this latter case, the definition of rape as a crime against humanity relies on the idea that the forcible impregnation of women by men of different ethnic backgrounds is equivalent to the destruction of a national, ethnic, racial or religious group. Setting aside the problems of essentializing the latter identities as a matter of biological transmission, this comes perilously close to the endorsement of the logic which

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underlies the possibility of using rape as a strategic weapon in the first place. To define forcible impregnation as genocidal is to accept that the rapist determines the nationality, ethnicity, race or religion of the child and confirms both the potential effectiveness of rape as a weapon and the justifiability of the shame experienced by and attributed to the victims.

Conclusion

In the above argument, I have tried to spell out the kind of ethical theorizing which I consider will make the most fruitful contribution to a feminist international ethics, both in general and by indicating specific differences it may make to particular instances of ethical deliberation. At the level of ethical theory, the most profound difference introduced by my version of feminist ethics is the decisive shift away from the idea that ethical critique depends on some account of ethical necessity, whether understood foundationally or teleologically. This is not to say, however, that ethical judgment and action are not always both grounded and goal-directed. The point emerging from the critical engagement with care ethics of the work of scholars such as Robinson and Urban Walker is that those grounds and goals are inherently contingent and inevitably political. Ethics is always about both the world we inhabit and the world we want to construct. But that 'we' in any given instance does not emerge outside of the highly complex structures, institutions and practices which make a 'we', its viability and potential for inclusiveness, possible. Feminist ethicists are explicit about the political agenda inherent in their ethical judgments and more broadly about the politically contestable nature of what a 'feminist' ethical judgment means. For feminists, any ethicist who disclaims the interwoven nature of politics and ethics is misunderstanding both the world as it is, and as it might be, and risking the possibility of concrete change through reliance on idealized assumptions about the ground and goals of normative judgment and action. What this feminist ethical realism implies is that the focus of ethical theory and of normative judgment and action must be on how the transformation of existing actuality can be concretely accomplished and not remain a matter of wishful thinking. The nature of that transformation is an ongoing subject of political debate within feminism, but nevertheless it is clear that any feminist international ethics will be focused primarily on pointing out how gendered relations of power are supported by existing norms, practices and institutions in international ethical life and on looking for ways of chipping away at those supports, which may sometimes be obvious and intentional manifestations of patriarchy, and sometimes much more subtle, unintended effects of assumptions about universal humanity or justice.

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