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Racing populations, sexing environments: the challenges of a feminist politics in international law

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In 1994, feminist activists made headlines at the United Nations Cairo Conference on Population and Development for their highly organised and influential lobbying. The final agreement negotiated at Cairo reflected this involvement by specifically referring to women's reproductive rights, and by recognising the complex relationship between population policy, environmental security and economic growth. International population policy, defined broadly as the array of international projects and actors involved in efforts to curb population growth, is an increasingly important arena for the contestation of social values and the meaning of global community. In this paper, I offer a re-reading of the 1994 Cairo agreement, and population policy more generally, in the context of colonial discourses around race and gender, which articulate with constructions of the population 'problem'. Focusing on the language of environment and economic growth, I examine how racialised conceptions of 'dangerous' fertility are reinforced rather than challenged by the Cairo agreement. Through this analysis, I attempt to first, make explicit the international inequality that structures international law and policy, and secondly, outline some of the challenges facing feminist engagement with international law.

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In 1994 feminist activists made a decisive impact on international law and policy through their intervention at the Cairo Conference on Population and Development. Heralded as a feminist success story, the Cairo Conference represented a shift in international population policy through the explicit recognition of reproductive rights and the importance of women's equality in the funding and programming of related international aid projects. The feminist success at Cairo is noteworthy not just for its obvious implications for feminist engagements with international law, but also for highlighting the significance of population policy as a site for increasingly acrimonious battles over social policy and international legal developments.

Feminist scholars and activists have long noted that women's reproductive roles, for many reasons and in different ways, are the subject of competing discourses around the definition of nation, family, and self.[1] Nowhere is this truer than at the international level, where questions of reproduction and demographics are also seen as connected with economic development, environmental security, and competing visions of a changing global community. Consequently, international population policy is increasingly subject to critical engagement not just by feminist activists, but also environmentalists, an entrenched international aid industry, and religious fundamentalists.

While international population policy may seem an unlikely arena for the contestation of social values and the meaning of global community, it has become so precisely because it is explicitly associated with women's reproductive rights, access to contraceptives and abortion, and the perceived dominance of feminist activists. 'Population policy' refers broadly to the array of international projects, institutions and actors involved in efforts to curb population numbers and flows. The agreement reached at Cairo – the Programme of Action – is, at this time, the leading expression of international policy on the scope, funding and aims of international population programmes.[2] As a 20-year blueprint for population policy,[3] the Cairo programme is both a technical document detailing international development activities, and an expression of international consensus on a range of issues from women's reproductive rights to the relationship between population growth and economic development. As such, the Programme of Action is an important document, describing and delimiting the social meaning of contested terrain such as reproduction, environment, gender relations, and economic development.

One of the enduring paradoxes of international population policy is that while concerned almost exclusively with women and their reproductive bodies, the policies themselves are often presented as gender neutral. While feminist activism

1. See eg F Anthias and N Yuval-Davis *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle* (London and New York: Routledge, 1992).
2. The Cairo Programme was subject to a five-year review in 1998 (Cairo +5) resulting in a United Nations General Assembly resolution outlining gains made since 1994 and scope for further improvement. As that review was not intended to rewrite or reconsider agreement reached at Cairo, this paper focuses on the 1994 agreement as the current international framework. For a discussion of some aspects of Cairo +5, see D Buss '"How the U.N. Stole Childhood": The Christian Right and the International Convention on the Rights of the Child', forthcoming in J Bridgeman and D Monk *Feminist Perspectives on Child Care Law* (London: Cavendish, forthcoming).
3. G Sen 'The World Programme of Action: A New Paradigm for Population' (1995) 37 Environment 10, 11.

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at Cairo and elsewhere has gone a long way to disrupting this trend, very little attention has been paid to the racial dynamics of population policy.[4] At issue in international population initiatives is the perceived over-population in poor – 'developing' – countries of the world. Population policy thus involves, by definition, decisions about the social, environmental, economic value of *some* women's fertility. It also constructs parameters within which the international community decides upon the appropriateness of some women's fertility.

In the following analysis, I offer a re-reading of the Cairo Programme of Action and international population policy more generally, which attempts to forefront race and economic inequality in an analysis of women's reproductive roles. In so doing, I am not providing a definitive assessment of the complex relationship between race and international population policy and institutions. Such a topic is beyond the scope of this paper. Rather, my objective is three-fold. First, by reconsidering population policy in the context of economic inequality and the racialisation of an international division of labour, I am trying to make explicit colonial and racial undercurrents to population policy which reinforce problematic constructions of women's fertility. In so doing, I hope, secondly, to outline some of the challenges facing feminist engagements with international law, particularly in the area of population policy and reproductive rights. Thirdly, and finally, by placing international inequality at the centre of my analysis, I want to challenge the linkages made between population growth and environmental protection to demonstrate how the language of environmentalism can be read as reinforcing racialised and gendered conceptions of environmental danger.

In the first section of this paper, I briefly outline some aspects of colonial discourses around race and gender which I argue articulate with constructions of the population 'problem' and environmental threat within the Cairo Programme of Action. This discussion provides a framework for a subsequent examination of the Cairo Programme as a feminist success story.[5] One of the aspects of the Cairo Programme setting it apart from earlier agreements is its emphasis on the interrelationship between population, environmental protection and economic development. In the final part of this paper I examine the relationship between population, environment and economic development as articulated in the Cairo Programme. While seemingly progressive, these

4. This is not to suggest that feminists have completely overlooked the racial dimension of population policies. See eg A Bandarage *Women, Population and Global Crisis: A Political-Economic Analysis* (London and New Jersey: Zed Books, 1997); J Alexander 'Mobilizing against the State and International "Aid" Agencies: "Third World" Women Define Reproductive Freedom' in M G Fried *From Abortion to Reproductive Freedom: Transforming a Movement* (Boston, MA: South End Press, 1990); L Briggs 'Discourses of "Forced Sterilization" in Puerto Rico: The Problems with the Speaking Subaltern' (1998) 10 Differences 30. However, within the feminist literature concerning the Cairo Conference very little comment or analysis is made of race or economic inequality in the context of population policy.

5. Sen, above n 3; B B Crane and S L Isaacs 'The Cairo Programme of Action: A New Framework for International Cooperation on Population and Development Issues' (1995) 36 Harv Int LJ 295; C A McIntosh and J L Finkle 'The Cairo Conference on Population and Development: A New Paradigm?' (1995) 21 Population and Development Rev 233; R Petchesky Commentary: 'From Population Control to Reproductive Rights: Feminist Fault Lines' (1995) 6 Reproductive Health Matters 152.

relationships, when considered in the context of colonial narratives of gender and race, are articulated in ways that reinforce rather than challenge problematic constructions of Third World women's fertility[6] as counterproductive to a particular idea of global economic progress and as ultimately dangerous.

I (E)RACING WOMEN

International population policy is definitionally concerned with the growth in numbers in the economic South and not by population rates in the North, which are deemed to be within 'acceptable limits'.[7] The Cairo Programme of Action clearly identifies the 'target' of population policy and social reform as the developing world (see, for example, para 6.2). Despite this overt focus on *some* women's fertility, the Cairo Programme, and many of the feminist interventions at Cairo, are silent about race and the implications this has for achieving the Programme's objectives. As the work of Angela Harris, bell hooks, Marlee Kline and others have demonstrated, gender identities and oppression are not independent of other discourses around, for example, race and class.[8] Race, gender and class are, in the words of Anne McClintock, 'articulated categories' that 'come into existence *in and through* relation to each other'.[9] In the context of international population policy, gender cannot be separated out from race and class. What it means to be a woman subject to international population and development programmes is determined also by colonial and imperial narratives of the 'black' woman; narratives which have had lasting economic and social impact on Third World women.

In the following discussion, I briefly locate population policies within colonial discourses through which women's bodies are sexed and raced. My intent in doing so is not to provide an exhaustive examination of the racialisation of Third World women through population control, but rather to make explicit the colonial and imperialist context within which population policy is situated. This distinction is important in a number of respects. Working within an explicit post-

6. My use of 'Third World women' in this context is taken from Chandra Talpade Mohanty, who argues that '"Third World" retains a certain heuristic value and explanatory specificity in relation to the inheritance of colonialism and contemporary neocolonial economic and geopolitical processes': 'Women Workers and Capitalist Scripts: Ideologies of Domination, Common Interests, and the Politics of Solidarity' in M J Alexander and C T Mohanty *Feminist Genealogies, Colonial Legacies, Democratic Futures* (New York and London: Routledge, 1997) p 7.

7. An exception to this are aboriginal and some poor communities within Western countries that are often treated as 'other' to the dominant population and have a status akin to Third World or developing countries. For these groups, demographics and related issues such as child custody have been subject to intervention by the dominant population. See M Kline 'The Colour of Law: Ideological Representations of First Nations in Legal Discourse' (1994) 3–4 Social and Legal Studies 451. Because the Cairo process is overtly directed at populations in the Third World, this is the focus of my analysis.

8. A Harris 'Race and Essentialism in Feminist Legal Theory' (1990) 42 Stan L Rev 581; b hooks *Ain't I a Woman: Black Women and Feminism* (Boston, MA: South End, 1981); M Kline 'Race, Racism, and Feminist Legal Theory' (1989) 12 Harv Women's LJ 115.

9. *Imperial Leather: Race, Gender and Sexuality in the Colonial Context* (New York and London: Routledge, 1995) p 4–5. Emphasis in the original.

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colonial framework brings with it the problems of 'speaking subaltern'.[10] This is particularly problematic in the context of population policy, where the control of women's reproductive bodies is often heavily weighted with particular ideological meaning. In some contexts, advocating women's reproductive freedom can play to, rather than challenge, coercive population programmes, while in others, condemning programmes perceived as coercive can reinforce nationalistic or fundamentalist appropriations of women's reproductive bodies.[11] Thus, analysing the particular qualities and effects of population policy requires a specifically located analysis.[12]

International law and policy, however, are negotiated and often implemented at a more macro level. Thus, analysing international law is not so much about generalising the effect of legal and policy decisions, but about making explicit a global disparity reflected in and maintained by particular international mechanisms. Consequently, my analysis of the Cairo Programme of Action starts from a recognition of global inequality, structured by, among other things, a history of colonisation, ongoing economic exploitation, and an international division of labour. In the following section, I draw from the work of Edward Said and others[13] to consider how colonial discourses have enabled definitions of the Western 'self' and the Third World 'other', resonating in turn with categories and assumptions underpinning international population policy.

Before going further, it is useful to clarify some of the terms and assumptions with which I am working. By 'race', I am referring to a fundamental oppositional binary in Western thought through which the world is imagined in racialised terms: white and not-white.[14] Implicit in colonial discourses, racialisation contributes to an ordering of social relations through the definition of 'Other' and 'Self' predicated on the attribution of racialised characteristics. This ordering of social relations is placed in the context of Western colonial history as a means by which to 'trace connections between the visible and the hidden, the dominant and the marginalised, ideas and institutions'.[15] I refer to colonial discourses to establish the complex ways in which international population policy can be read in terms of ideological constructions of the Other, whether it be 'the primitive', 'the Oriental', or 'the woman'. In this usage, I am attempting to summarise what Nancy Harstock refers to as:

> '. . . a way of looking at the world characteristic of the dominant white, male, Eurocentric ruling class, a way of dividing up the world that puts an omnipotent subject at the center and constructs marginal Others as sets of negative qualities.'[16]

10. Briggs, above n 4; G Spivak 'Can the Subaltern Speak?' in C Nelson and L Grossberg *Marxism and the Interpretation of Cultures* (Urbana: University of Illinois, 1988).

11. Briggs, above n 4, for example, demonstrates how US feminist critiques of 'forced sterilization' in Puerto Rico inadvertently echoed US colonial justifications for intervention in Puerto Rico.

12. A Loomba *Colonialism/Postcolonialism* (London & New York: Routledge, 1998) pp 15–17.

13. E Said *Orientalism* (New York: Vintage, 1979); Loomba, above n 12.

14. McClintock, above n 9, p 5, 8.

15. Loomba, above n 12, p 47.

16. 'Foucault on Power: A Theory for Women' in L J Nicholson *Feminism/ Postmodernism* (New York and London: Routledge, 1990) p 161.

The history of population policy, both domestically in the West and internationally, reflects a fear of the Other.[17] In the West, early birth control organisations were influenced by eugenics beliefs in the need to protect 'human stock' by limiting fertility in racially or economically 'undesirable' women.[18] Internationally, population growth was, and still is, seen by some as risking world stability through population movements in the economic South.[19]

This fear and desire to control the Other is implicated in colonial and Orientalist narratives through which the West establishes '*positional* superiority' over the Orient.[20] Orientalism relies upon binary oppositions between the 'West' and the 'East' through which each is defined in contradistinction to the other.

> '. . . if colonised people are irrational, Europeans are rational; if the former are barbaric, sensual, and lazy, Europe is civilisation itself, with its sexual appetites under control and its dominant ethic that of hard work; if the Orient as static [sic], Europe can be seen as developing and marching ahead; the Orient has to be feminine so that Europe can be masculine.'[21]

In their work on South Africa, Jean and John Comaroff summarise the 'signifying economy' of Otherness as follows:

> 'The non-European was to be made as peripheral to the global axes of reason and production as women had become at home. Both were vital to the material and imaginative order of modern Europe. Yet both were deprived of access to its highest values. Biology again provided the authoritative terms for this simultaneous process of inclusion and disqualification.'[22]

As this suggests, Third World identity has been shaped through a series of 'irreducible essences' antithetical to 'Westerness': religiosity, underdevelopment, poverty, nationhood, non-Westerness and so on. Translated into the realm of international population policy, the Third World is characterised by: explosion, irresponsibility, resource scarcity; as against, responsibility, economic growth, security.[23]

The oppositional binaries of female/male, black/white, Orient/Occident are part of the process through which the meaning of femininity, blackness and so on are described. These binaries, however, overlap in complex ways, so that one must be read in terms of the other. Femininity, for example, is defined not just through its opposition to masculinity, but through internal contradictions

17. Bandarage, above n 4, p 51.

18. F Furedi *Population and Development: A Critical Introduction* (Cambridge: Polity, 1997) p 17.

19. B Hartmann *Reproductive Rights and Wrongs: The Global Politics of Population Control and Contraceptive Choice* (New York: Harper & Row, 1987) p 57; See also B B Crane 'International Population Institutions: Adaptation to a Changing World Order' in P M Haas, R O Keohane and M A Levy *Institutions for the Earth: Sources of Effective Environmental Protection* (Cambridge, MA: MIT Press, 1994) pp 351–393, and discussion below.

20. Said, above n 13, p 7.

21. Loomba, above n 12, p 47.

22. J Comaroff and J Comaroff *Of Revelation and Revolution: Christianity, Colonialism, and Consciousness in South Africa* vol I (Chicago: University of Chicago Press, 1991) p 105.

23. Thanks to my colleague Michael Thomson for making this connection for me and for his assistance with this section more generally.

reflecting further, often racialised binaries: angel/witch, saint/slut. Within population narratives, Third World women are set apart from Western women because of the differences ascribed to them. Third World women are defined in terms of explosive fertility, environmental threat, and economic *non*productivity. By contrast, 'Western' femininity becomes the ideal: limited/responsible fertility and productive economic participation. In this way, Third World women are doubly condemned as not male and not appropriately female.

International population policy, with its focus on the 'excess' of Third World women's fertility, also echoes colonial narratives of the sexually promiscuous native. Colonial occupation in various parts of the Third World incorporated a sexual politics through which the coloniser and colonised (both women and men) were constructed in sexualised terms.[24] According to Anne McClintock, colonial lands and peoples become the focus for imperial European male obsession with 'forbidden sexual desires and fears'.[25] Africa and the Americas, she argues, constituted the 'porno-tropics for the European imagination':

> 'Travellers' tales abounded with visions of the monstrous sexuality of far-off lands, where, as legend had it, men sported gigantic penises and women consorted with apes, feminized men's breasts flowed with milk and militarized women lopped theirs off.'[26]

Women's sexuality was seen as particularly monstrous, with a 'lascivious venery so promiscuous as to border on the bestial'.[27] In their sexual excessiveness, colonised women were seen as threatening and possibly contaminating Western 'racial purity'.[28] This heightened sexualisation of women also found expression in the feminisation of colonial – or 'virginal' – territories. McClintock argues that within the 'Enlightenment logic of private property and possessive individualism . . . the world is feminized and spatially spread for male exploration'.[29]

The above narratives were clearly articulated within a particular social and political climate. Brought forward into the late twentieth century, however, they still have resonance. For example, continuous with colonial constructions of the porno-tropics is a fetishisation of the racially Other body. Western fascination with the images of disaster in the Third World – 'disaster pornography' – is a more current example of a process through which the developing world is infantilised and fetishised.[30] Other examples include the construction of black women as wildly sexual,[31] and the recurrent positioning, in nationalist discourses, of women's bodies as the boundary markers of the nation.[32]

It is in this respect that international population policy, including the Cairo Programme of Action, is so potent symbolically and normatively. As a document

24. J J Pettman *Worlding Women: A Feminist International Politics* (London and New York: Routledge, 1996) p 25–44.
25. Above n 9, p 22.
26. Above n 9, p 22.
27. Above n 9, p 22.
28. Above n 9, p 48.
29. Above n 9, p 23; see also Comaroff and Comaroff, above n 22, p 90
30. E Burman 'Innocents Abroad: Western Fantasies of Childhood and the Iconography of Emergencies' (1994) 18 Disasters 238.
31. b hooks *Black Looks: Race and Representation* (Boston, MA: South End, 1992) pp 61–77.
32. McClintock, above n 9, pp 352–389.

on reproduction and women's fertility, the Cairo Programme necessarily invokes all of the troubling and contradictory images of women and sexuality described above. Yet, as a policy document, the Cairo Programme maintains a patina of neutrality, rendering its ideological impact more significant. First, as a document outlining population policy, it presumes an authority to consider and pronounce upon the appropriateness of women's fertility. Secondly, by its very nature as a 'population' document, its focus is on the population 'problem' defined in terms of *over*-population (as opposed to *over*-consumption, for example) with a concomitant focus on the appropriateness of Third World women's fertility (see discussion below). The decision by feminist and women's groups to use the Cairo process as a forum within which to contest women's equality has clear strategic justifications. However, as I discuss below, the symbolically loaded nature of population policy also means that working within that context will have implications for women's rights, including reproductive rights.

II INTERNATIONAL POPULATION POLICY AND THE CAIRO CONFERENCE

History of international population initiatives

Since the 1950s Western countries, and particularly the United States, have funded and managed international 'aid' programmes targeted at reducing population numbers in the developing world. Western policy-makers adopted the view that overpopulation not only prevented economic development in the economic South, but also represented a risk to world stability.[33] Initial efforts to control population growth were heavy-handed and focused on meeting demographic targets. In 1974 and 1984, the UN hosted world conferences on population where first developing countries, and later women's groups, argued, not entirely successfully, for a more complex approach to addressing population growth.[34]

By the 1980s feminist groups in both the South and North had become much more active in population policies, challenging the narrow focus of population institutions. Feminist activists pointed out that substantial international funds were poured into developing countries to establish extensive birth control and sterility services without considering or treating related health care issues such as sexually transmitted diseases, sexual health, and the sexual health needs of adolescents and infertile women.[35] Feminists argued for a rethinking of

33. Hartmann, above n 19, p 57; see also Crane, above n 19, pp 351–393.

34. For a discussion of these conferences and the evolution of international population policy, see S Corrêa, in collaboration with R Reichmann *Population and Reproductive Rights: Feminist Perspectives from the South* (New Delhi and London: Kali for Women and Zed Books in association with DAWN, 1994); Crane, above n 19; J Finkle and B B Crane 'Ideology and Politics at Mexico City: The United States at the 1984 International Conference on Population' (1985) 11 Population and Development Rev 1; Hartmann, above n 19; Sen, above n 3.

35. A Germain, S Nowrojee and H Hnin Pyne 'Setting a New Agenda: Sexual and Reproductive Health and Rights' in G Sen, A Germain, L C Chen *Population Policies Reconsidered: Health, Empowerment, and Rights* (Boston, MA: Harvard School of Public Health, 1994).

international population initiatives based on reproductive health rather than fertility control. To a large extent, the language of reproductive health was adopted by population institutions and by the late 1980s was part of mainstream population rhetoric but without being fully integrated into programme provision. The result was a language of reproductive health that maintained a focus on medical intervention over systemic changes, and reinforced the construction of women solely in terms of their reproductive and gender roles.[36]

In the lead-up to the 1994 Cairo Conference, feminist groups mobilised to present a unified position at the conference. Although feminist groups reflected a diversity of views, Amy Higer describes how a 'pragmatic' faction emerged which sought 'to pursue a more accommodationist stance toward the population establishment'.[37] Other groups active in the process adopted more of a 'radical outside position' which called for a 'reconfiguration of the international policy agenda' through wealth redistribution, demilitarisation, reduction of consumption.[38] The unified position put forward at Cairo reflected the views of the pragmatists whose agenda was focused on getting women's issues on the UN agenda and, where necessary, incorporating feminist concerns into those of the population industry.[39]

The 1994 Cairo Conference on Population and Development (ICCPD)

The Cairo Conference was a notable departure from its two predecessors in a number of ways. It was a large international event, attracting intense media coverage. Following the precedent set by the Rio Conference on Environment and Development (1992), Cairo was typical of the new generation of United Nations conference: part negotiation session, part performance and public relations event. To a large extent, the media hype around the Cairo Conference and similar events was fuelled by the participation of a large number of NGOs, representing diverse interests. As with other UN conferences, the NGOs at Cairo had an impact on the negotiations through educating and lobbying state delegates on a range of issues. Feminists groups were well organised at Cairo, attracting controversy while having an impact on the final agreement reached there.[40] As discussed above, the Cairo Programme of Action has been hailed as representing a paradigm shift in the way population is addressed through international law and policy. Later in this paper, I explore and challenge the extent to which Cairo is in fact a dramatic shift in population policy. In this section, however, I want to discuss the many aspects of the Cairo Programme that appear to represent a fundamental shift in approaching world population growth.

36. Corrêa, above n 34, p 62; Germain, Nowrojee, Hin Pyne, above n 35, pp 37–41.
37. A Higer ' International Women's Activism and the 1994 Cairo Population Conference' in M K Meyer and E Prügl *Gender Politics in Global Governance* (Lanham, MA: Rowman & Littlefield, 1999) p 127.
38. above n 37, p 130.
39. above n 37, pp 127–131.
40. Petchesky, above n 5, p 152; See also D Buss 'Robes, Relics, and Rights: The Vatican and the Beijing Conference on Women' (1998) 7 Social and Legal Studies 339.

The first notable feature of the Cairo Programme of Action[41] is the almost total lack of discussion about population growth. Unlike previous conferences, Cairo does not start with a recitation of statistical evidence of dangerous population growth. Indeed, the Programme rarely refers to population growth, adopting instead the ostensibly neutral phrase 'population trends' (see, for example, para 3.6). Secondly, the Cairo Programme makes explicit the need to address population in the context of other related factors such as development, the environment, and gender, and contains a separate chapter on the 'Interrelationships between population, sustained economic growth and sustainable development' (Chapter III). This marks a significant departure from previous pronouncements on population policy, which tended to address population in isolation from other social or economic processes.

Perhaps the most significant, and controversial, aspects of the Cairo Programme of Action, however, are the recognition of gender as an important variable in population trends and the introduction of human rights as a framework within which reproductive health issues should be assessed. The Programme contains a separate chapter on 'Gender Equality, Equity and Empowerment of Women' (Chapter IV), which recognises the importance of women's empowerment both for the success of population programmes, and, more importantly, as an 'end in itself' (para 4.1).

In addition, the Programme contains a separate chapter on 'Reproductive Rights and Reproductive Health' (Chapter VII), which provides a means of balancing reproductive issues against women's sexual autonomy.[42] The inclusion of human rights language has been hailed by many feminist activists as the most significant advance of the Cairo Programme because it provides a language for including women's equality within population policy and offers a rethinking of human rights principles as applied to women.[43]

The language of Chapter VII seeks to broaden the meaning of reproductive health beyond the narrow confines of birth control and sterilisation traditionally associated with family planning. This chapter, for example refers to the right of people to 'have a satisfying and safe sex life', and to have 'sexual health' that is more than absence of disease (para 7.2). It also contains an explicit recognition of the rights of men and women to have the information and means to decide freely, without coercion, when and if to have children (para 7.2). Finally, it also refers to the need for men to share equally in the raising and care of children, as well as assuming equal responsibility for housework (para 4.26).

Thus, on balance, the Cairo Programme appears to offer a dramatic shift in the language of international population policy. First, it has tried to move away

41. *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994, Annex, Programme of Action of the International Conference on Population and Development,* A/CONF.171/13, 18 October 1994. An electronic version is available from the United Nations Population Information Network.

42. Petchesky, above n 5, pp 154–155; R P Petchesky 'Spiraling Discourses of Reproductive and Sexual Rights: A Post-Beijing Assessment of International Feminist Politics' in C J Cohen and K B Jones and J C Tronto *Women Transforming Politics: An Alternative Reader* (New York and London: New York University Press, 1997) p 570.

43. R Copelon and R Petchesky 'Toward an Interdependent Approach to Reproductive and Sexual Rights as Human Rights: Reflections on the ICPD and Beyond' in M A Schuler *From Basic Needs to Basic Rights: Women's Claim to Human Rights* (Washington: Institute for Women, Law and Development, 1994) p 343.

from an approach that constructs women as objects in the reproductive process; to be controlled rather than consulted. Women's empowerment is included as a necessary part of population policy, not simply because it leads to lower fertility but as an important aim in itself. Secondly, by recognising population as interacting in a complex way with development, environment and gender, the Programme appears to moves away from a quick fix approach that targets women's fertility as 'the problem'. Thirdly, the Cairo Programme minimises references to population growth; replacing demographic targets with social justice and redistribution aims. Fourthly, all of the above developments represent hard-fought battles in which feminist NGOs and sympathetic state governments faced, and were apparently victorious over, hostile opposition by religious fundamentalist actors.[44]

While Cairo clearly represents some significant advances in rethinking population policy, the extent to which it is a 'paradigm shift' is more questionable. As I stated at the outset, population policy, and women's reproductive bodies in particular, are 'fertile' terrain for the negotiation of social relations. In the following section, I consider how the Cairo Programme of Action incorporates problematic assumptions about the relationship between population growth, environmental harm and economic growth. By insisting on a view of population growth as *harmful* to the environment and the economies of 'developing' nations, the Cairo Programme reinforces an approach to population in which some women's reproductive and productive behaviour need to be regulated.

III RETHINKING CAIRO: NATURE, ENVIRONMENT AND THE DANGERS OF FERTILITY

Although the Cairo Programme of Action is said to be unique in drawing linkages between environment and development, historically, population considerations have been tied to various environmental narratives. For example, Thomas Malthus in 1798[45] argued that population control was necessary because of limits in food production, and among some 'modern day' environmentalists, population growth is seen as anathema to environmental protection. Popular books and articles, such as Paul Ehrlich's *The Population Bomb*,[46] have contributed to a view that the world is in a state of environmental crisis brought about by overpopulation. The biggest threat to the environment, and hence an important aspect of the solution to world collapse, is population control.[47] While most

44. Petchesky, above n 5.

45. *An Essay on the Principle of Population* (Harmondsworth: Penguin Books, 1970).

46. (London: Pan Books, 1971). See also P Ehrlich and A Ehrlich *Population, Resources, Environment* (San Francisco: W H Freeman and Co, 1970); P Harrison, *The Third Revolution: Population, Environment and A Sustainable World* (London: Penguin Books, 1992); R D Kaplan 'The Coming Anarchy: How Scarcity, Crime, Overpopulation, Tribalism, and Disease are Rapidly Destroying the Social Fabric of Our Planet' (1994) 273 Atlantic Monthly 44.

47. Bandarage, above n 4, p 34; R Boland, S Rao, and G Zeidenstein 'Honoring Human Rights in Population Policies: From Declaration to Action' in G Sen, A Germain and L C Chen *Population Policies Reconsidered: Health, Empowerment, and Rights* (Boston, MA: Harvard School of Public Health, 1994), p 96.

population activists have not wholly embraced this domesday approach to population control, 'environmental threat' has been a recurring theme in discussions around, and rationales for population policy.

The period preceding the Cairo Conference was one of notable international activity and agreement in the area of international environmental regulation. In 1992, the United Nations Conference on the Environment and Development (UNCED) was held in Rio de Janeiro and was planned as a global event in which international agreement would be reached on a broad range of environmental issues. Although UNCED was disappointing and failed to achieve the level of international agreement initially anticipated, it was a significant international event in that it globalised a renewed environmental consciousness and contributed to a growing international environmental legal regime.

Coming on the heels of UNCED, the Cairo Conference reflects the international preoccupation with environmental issues expressed at Rio. While Cairo contains many overt references to environmental protection issues, UNCED also echoes throughout the Cairo Programme of Action in the construction of environmental change as a *global* problem which, to borrow a phrase from the Brundtland Commission, affects our 'common future'.[48] Additionally, Cairo reflects the central ideology behind sustainable development of 'natural limits' to economic, technological and, by extension, demographic growth.

In the following sections I argue that the seemingly progressive language of environmental protection found in the Cairo Programme of Action constructs a particular view of a global community defined by collective environmental risk. This definition of community implicitly naturalises the control of women's reproductive and productive capacity in the interests of environmental and economic survival. References to the environment in the Cairo Programme function to reinforce particular gender and race ideologies in which Third World women's reproductive capacity is seen as dangerous and in need of regulation.

Constructing the 'environment'

The language of environmental protection, whether found in the Cairo Programme of Action or elsewhere, is not value-neutral. The 'environment', while having certain physical properties, is also a conceptual amalgam of various cultural referents in which the 'natural', the 'man-made' and the 'vulnerable'

48. The Brundtland Commission (The World Commission on Environment and Development) produced a report – *Our Common Future* – on international environmental law and the principles of sustainable development. The Commission sought a compromise between economic development and environmental protection by arguing for a reciprocal relationship between the two where each is essential to the other. For a discussion of sustainable development, see W Harcourt *Feminist Perspectives on Sustainable Development* (New Jersey and Rome: Zed Books, in association with the Society for International Development, 1994) and M Redclift *Sustainable Development: Exploring the Contradictions* (London: Methuen, 1987).

aspects of the physical world are described.[49] The environment is, in the words of Klaus Eder, 'socially constituted and culturally defined'.[50] References to 'the environment', particularly in a document devoted to *population* issues, is a potentially powerful conceptual framework for defining issues of gender relations precisely because 'the environment' requires a delineation of the 'natural' and the 'non-natural'. As Margaret Davies and others have argued, 'the "natural" is a political category' through which particular world views are made 'normal, eternal, and unchangeable'.[51] Thus, invocations of 'the environment', particularly in the context of population, will invariably have implications for a social order in which gender roles, particularly women's reproductive behaviour, are 'naturalised'.

Distinctions between the oppositionally constructed 'natural' and 'man-made' function as a primary dichotomy in the self- definition of a society. Constructions of the meaning of nature are part of the process through which community is defined and social relations are structured.[52] That is, the definition of what constitutes the 'natural' involves an ordering of things according to their pure, adultered, corrupt, or 'unnatural' status. The categories of 'natural' and 'unnatural' are vested with symbolic meaning and become an important part of a community's imagery, with normative as well as symbolic implications. For example, the sexualised imagery of nature and culture both reflects and reinforces gendered relations of power in which 'male' is assumed to be the rational, dominating protector (and, paradoxically, violator) of the vulnerable, passive female. '[N]ature is often presumed to be female' and is constructed 'as a goddess or as a divine mother',[53] in contrast to the male world of culture, which is rational and systematic. The language around nature often reflects 'male sexualised conceptions of the raping and pillaging of nature, akin to men's treatment of women'.[54] In addition, images of the aggressive maleness of civilisation are implicated in colonial exploitation where the 'virgin' territories of uncivilised lands were 'opened up' to the 'penetration' of colonial powers.[55]

The term 'environment', as I use it, reflects the recognition that it is not possible to speak of nature and culture as bounded and separate spheres.

49. K Eder (M Ritter, trans) *The Social Construction of Nature: A Sociology of Ecological Enlightenment* (London: Sage, 1996); M A Hajer *The Politics of Environmental Discourse: Ecological Modernization and the Policy Process* (Oxford: Clarendon Press, 1995); M Douglas and A Wildavsky *Risk and Culture: An Essay on the Selection of Technical and Environmental Dangers* (Berkeley, CA: University of California Press, 1982); P Mcnaughten and J Urry *Contested Natures* (London: Sage, 1998).

50. Above n 49, p 20.

51. M Davies 'Taking the Inside Out: Sex and Gender in the Legal Subject' in N Naffine and R Owens *Sexing the Subject of Law* (London: Sweet & Maxwell, 1997) p 32.

52. Douglas and Wildavsky, above n 49, p 8; Hajer, above n 49, p 17; Mcnaughten and Urry, above n 49, p 15.

53. Mcnaughten and Urry, above n 49, p 14.

54. Above n 49, p 14.

55. Above n 49, p 15. Richard Grove, however, argues that the colonial relationship with colonised land was more complex than simple imperial exploitation. He maintains that the roots of some Western environmentalism can be traced back to early efforts to protect colonial lands from environmental destruction: *Green Imperialism: Colonial Expansion, Tropical Island Edens and the Origins of Environmentalism, 1600–1860* (Cambridge: Cambridge University Press, 1995) p 6.

'Environment' gives expression to new conceptual terrain in which nature and culture share an observable and measurable space.[56] In this conception, Environment represents a precarious balance of various factors and is vulnerable to corruption by pollutants, however defined. While the 'threat' to Environment will be perceived differently depending on ideological and political factors, the very process of identifying environmental 'dangers' and assigning meaning to environmental change is part of the process of a community's self-definition.[57] As Mary Douglas's work has demonstrated,[58] a community's identification of risk and pollution is part of the dialogue through which the ideal society is described. Pollution beliefs, according to Douglas and Wildavsky, 'function to keep some categories of people apart so that others can be together'.[59] The evolution of environmentalism in modern societies thus signals what Klaus Eder identifies as the 'crystallization of new cultural patterns'. For Eder, 'what is at stake in environmentalism is not the survival of mankind, but the cultural foundations of the social order of modern societies'.[60]

The language of environmental protection in the Cairo Programme of Action, I argue, needs to be considered in terms of articulating the 'cultural foundations' of a global social order. In the context of population policy, this social order is based on particular ideas about women's fertility and appropriate reproductive behaviour. In the following discussion, I argue that the language of environmental protection functions to construct a global social order in which women's fertility is characterised as oppositional, or even dangerous to environmental health and hence, economic security. This happens in two ways. First, environmental change is constructed as a global threat affecting 'us' all. That is, the spectre of global environmental 'threat' serves to create a global community in which 'we' all have a stake. Second, in the context of this global environmental threat, population becomes an international 'problem', the rectification of which is necessary for environmental and economic security. Population as a global risk implies that [some] women's fertility is dangerous, thus reinforcing the neo-Malthusian emphasis on controlling population numbers.

Globalising the environment

The environment, like international capital, is often held out as being truly global. Environmentalists have only to point to the transboundary quality of the seas, air, or ozone as evidence that the environment, by its very 'nature', is above and beyond the limits of the nation state. However, the environment, because of its supranational character, is also uniquely at threat of destruction, evidence of which can be found in the hole in the ozone layer, the decline of sustainable fish stocks, or global warming. In the language of global environmental crisis, the whole world is joined together by the threat of environmental destruction and environmental collapse requires global action.[61]

56. Mcnaughten and Urry, above n 49, p 30.
57. Douglas and Wildavsky, above n 49, p 8.
58. *Purity and Danger, An Analysis of Conceptions of Pollution and Taboo* (London: Routledge & Kegan Paul, 1966); *Risk and Blame: Essays in Cultural Theory* (New York and London: Routledge, 1992).
59. Above n 49, 37.
60. Above n 49, p 162.
61. Hajer, above n 49, p 14; Furedi, above n 18, p 143.

This idea of shared environmental risk is also present in the Cairo Programme of Action. For example, the preamble to the Programme of Action notes that:

> 'Around the world many of the basic resources on which future generations will depend for their survival and well-being are being depleted and environmental degradation is intensifying, driven by unsustainable patterns of production and consumption, unprecedented growth in population, widespread and persistent poverty, and social and economic inequality. Ecological problems, such as global climate change . . . are adding to the threats . . . There is an emerging global consensus on the need for increased international co-operation . . .' (Article 1.2).

Further, the 'global' nature of environmental harm requires that '[a]ll countries . . . recognize their common but differentiated responsibilities' (Principle 15).

The construction of environmental risk as a common problem uniting 'us' all functions, first, to define a particular sense of community and second, to disempower critical social inquiry. The articulation of environmental risk as a collective concern – what Mcnaghten and Urry refer to as 'same boat ideology'[62] – implies at the outset a common set of values and interests. The language of environmental risk is used to construct a global community in which not only are historical or cultural differences erased, but so too are the differences in risk and responsibility.

Environmental degradation is, in many respects, an umbrella term encompassing a number of topics from air pollution to fresh water usage to fisheries management. Not all countries are similarly at risk and nor can all countries play the same role in addressing environmental risk issues. The spectre of environmental crisis, however, is used to describe a global community bound by shared risk in which other differences are secondary at best. Within this new global community, the imperative of environmental protection provides the context for a defining set of values and social norms premised on the need for global survival.[63] Global survival requires immediate action, and long-term considerations must take second place. In the context of Cairo, this means that it is population in the South that must be addressed rather than Northern consumption patterns.

For example, while the Programme of Action, as well as some of the NGOs active at Cairo, refer to the need to curb consumption (implicitly in the North), that need is always secondary to the more immediate aim of curbing population growth. In a publication circulated at the five-year review of the Cairo Programme of Action (Cairo +5), the National Audubon Society characterised 'human population growth' as '[t]he greatest single environmental threat to our planet and its wildlife – but one global problem which we can begin solving today'.[64] In this language of global threat, 'we' must all work for the common

62. Above n 49, p 214. See also: Union of Concerned Scientists 'World Scientists' Warning to Humanity', distributed at the International Conference on Population and Development, 1994, available electronically through the Population Information Network.
63. Douglas and Wildavsky, above n 49, p 8.
64. K Strom '*Population and Habitat in the New Millenium: A Handbook for the Environmental Activist* (Boulder, CO: Population & Habitat Campaign, National Audubon Society, 1998) p 1.

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good and this requires a reorientation of 'our' priorities: 'A new ethic is required – a new attitude towards discharging our responsibility for caring for ourselves and for the earth. We must recognise the earth's limited capacity to provide for us'.[65]

While the construction of a global community is used to justify sacrifice (in the South) for the communal good, the threat of environmental harm is more often envisioned in terms of effecting domestic communities in the North. Thus, 'community' within some environmental narratives shifts between an inclusive definition of communal *responsibility* to an exclusive 'us' in the North at risk from 'them' in the South. For example, in a report circulated at Cairo +5, the US government depicted overpopulation as environmentally and economically destructive, and hence as undermining the security of the United States:

> 'Expanding populations also undermine . . . economic and social development – jeopardizing the potential for these countries [developing countries] to be reliable allies, good trading partners, and growing markets for U.S. exports. And chances increase that people will migrate to the United States in search of employment and a better life.'[66]

Within a document ostensibly directed at countering global population growth, the language of environmental harm reinforces rather than challenges, the dominant construction of Third World populations as threatening and problematic. The imperative of global survival becomes a dangerous premise on which to discuss women's reproductive roles. As I discuss below, the shared goals and values implicit in the 'global community' involve the regulation of women's fertility in the South, and the idealisation of women's fertility in the North.

Situating 'the population problem'

For feminist and women's groups, the challenge leading up to the Cairo Conference was to shift population policy away from a simplistic focus on women's reproductivity as the single, causal variable in population growth. As a result of their efforts, the Cairo Programme recognises that population growth is a product of various factors: women's empowerment, poverty, and environment, which interact in complex ways (see, for example, para 3.1). However, I argue that while the recognition of linkages between these areas is important, it does not necessarily result in shifting the focus from women's fertility. In the context of Cairo, the linkage between population and environment does not so much complicate our understanding of global interconnectedness as reaffirm the need for population control through the language of environmental crisis. Indeed, the Cairo Programme posits a causal relationship between the two in which one must be controlled to protect the other.

Within some environmental narratives, at Cairo and elsewhere, population and environment are constructed as separate, and to a degree, oppositional. They are connected only to the extent that population harms the environment. For example, in their submission to the Cairo Conference plenary, the Union of

65. Union of Concerned Scientists, above n 62.

66. United States Agency for International Development 'Making a World of Difference One Family at a Time' (1998) 3 Global Issues: Population at the Millenium, the US Perspective 32 at 32.

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Concerned Scientists argued that '[h]uman beings and the natural world are on a collision course. Human activities inflict harsh and often irreversible damage on the environment and critical resources'.[67] By placing environment and population in tension with each other, this characterisation of environmental harm leads to the inevitable conclusion that population and environment must be kept apart – or within acceptable (paradoxically, 'natural') limits – to prevent a 'collision'.

The separateness of environment and population is enabled by a characterisation of the 'environment' and population in gendered terms. In this particular narrative of environmental destruction, the environment is feminised as being 'fragile' and 'vulnerable'. For example, Chapter III of the Cairo Programme[68] refers variably to fragile ecosystems' (para 3.29(b)), 'ecologically fragile systems' (para 3.29(c)), and 'ecologically vulnerable' areas which are at risk from population generally and population concentration in 'urban agglomerations' (para 3.29(e)). The image of an encroaching mass of humanity threatening the fragility of the environment implicitly requires the construction of population – or, more particularly, (some) women's fertility – as a 'danger' from which the Environment must be protected.[69]

In this construction of the environment, a distinction is made between 'nature' and 'environment' which reflects, I argue, the tension between the apparent 'naturalness' of reproduction and the threat it is constructed as presenting. In the context of Cairo, it is the power of the maternal body – nature – that endangers the feminised Environment. This construction of the maternal body represents nature-out-of-control; nature as contagion. The Environment, which is the confluence of nature and culture, is constructed as a precarious balance of various factors that are jeopardised by the excess of nature.

The 'dangerousness' of fertility is more overtly referred to in the submissions of environmental groups active at Cairo. For example, a National Audubon publication circulated at Cairo +5, contains a quote from E O Wilson which refers to population growth as a 'raging monster upon the land'.[70] The Union of Concerned Scientists, in a similar vein, characterises the environment as being 'mutilated' and 'ravaged'.[71] The actual Cairo Programme, with its careful wording, is not as polemical as this, but I would argue that the construction of the Environment as 'vulnerable' and 'fragile' leaves the clear impression that it is human population, and by extension, women's fertility, that threatens the globe.

The imagery of nature as threatening is seemingly in contradiction to its more feminised usage as innocence or purity. However, this dichotomisation of fragile environment and monstrous nature functions to define and police the boundaries of acceptable femininity. For example, within some Enlightenment thought, nature was defined both as 'innocent, fecund source of new material from which civil society could be formed' and as 'degeneracy, savagery, and the Fall'.[72] These two contradictory uses were central to the process of European self-

67. Above n 62.
68. 'Interrelationships between Population, Sustained Economic Growth and Sustainable Development'.
69. Furedi, above n 18, p 162.
70. Strom, above n 64, p 22.
71. Above n 62.
72. Comaroff and Comaroff, above n 22, p 109.

definition. 'Civilisation', which was gendered male, was the 'natural' state of being to which those in the 'state of nature', women and natives, must be brought. Similarly, sustainable development is often portrayed as the natural state of development to which Third World countries must be brought. The threat to Environment, paradoxically unrestrained 'nature', must be reigned in to encourage a more sustainable – ie natural – relationship between development (gendered male) and environment (gendered female).

The threatening nature of women's fertility in this context can perhaps best be understood by reference to the work of some feminist scholars working in the area of psychoanalysis and the construction of the *monstrous feminine*. Rosi Braidotti, Michael Thomson and others have demonstrated how the maternal body is often envisaged within Western narratives as both fantastic and abhorrent.[73] As the giver of life, the 'mother' is revered and feared. Michael Thomson argues that the pregnant body, when contrasted to the male body, is seen as anomalous and monstrous. It becomes the negative against which the normal is defined. Thus, the 'monstrous may be understood as both woman per se and the woman who fails to fit within our cultural codes'.[74] Within colonial narratives, it is 'black' (ie colonised) women who are monstrous. As discussed earlier, black women were seen as sexually voracious to the point of bordering 'on the bestial'.[75]

In the context of population policy, the need to curb the excesses of the black body – ie overpopulation – resonates with colonial discourses on the sexual excess of black women.[76] The Cairo Programme of Action can be read as reinforcing the monstrous feminine and, by extension, defining acceptable femininity. 'Overpopulation' in the economic South is characterised in terms of excess, monstrosity and danger. The language of environmentalism in the context of population helps to construct a duality of the vulnerability of nature and the monstrosity of 'overpopulation'. This dualism then contributes to a further dichotomy between the acceptable/controlled femininity of the West and the dangerous/excessive womanhood of the Third World. The masculine in turn, is positioned as the protector/coloniser of the feminine.

Making producers out of reproducers

In its attempt to situate population issues in the context of other socio-economic factors, a significant part of Chapter III of the Cairo Programme is devoted to exploring the linkages between population, economic growth, environmental protection and women's empowerment. While the Programme contains general language recognising a complex relationship between these variables (see, for example, para 3.1), economic development emerges alongside population as the crucial variables. While both environmental protection and women's

73. R Braidotti *Nomadic Subjects: Embodiment and Sexual Difference in Contemporary Feminist Theory* (New York: Columbia University Press); M Thomson 'Legislating for the Monstrous: Access to Reproductive Services and the Monstrous Feminine' (1997) 6 Social and Legal Studies 401.
74. Thomson, above n 73, p 419.
75. McClintock, above n 9, p 48.
76. See above at nn 24–32.

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empowerment are recognised as worthy aims in their own right, they are justified in terms of their potential economic benefit.

In Chapter III, 'Interrelationships between Populations, Sustained Economic Growth and Sustainable Development', economic growth is positioned as the natural outcome of, and hence justification for, a reduction in population growth. For example, paras 3.14-5 establish a causal relationship between population reduction and economic betterment. Paragraph 3.14 notes that success in slowing down population growth has resulted in poverty alleviation, greater protection of the environment, and contributed to sustainable development. Paragraph 3.15 goes further to conclude that '[s]ustained economic growth . . . is essential to eradicate poverty', which in turn will slow population growth.

Thus, while the Cairo document argues for a complex approach to population, at the level of strategy, the focus remains on lowering population to improve economic performance. That is, this approach leaves intact the assumption that developing countries are poor because they have too many people, and the focus of poverty alleviation remains on population reduction. Jacqui Alexander argues, for example, that this view shaped the population policies of large donor organisations like the Rockefeller and Ford Foundations, as well as the US government:

> 'Together, these institutions promoted the ideology that it was the wild, unruly fertility of "third world" women that was responsible for "overpopulation" and which therefore needed to be curbed because it stood in the way of modernization and progress.'[77]

Within the Cairo Programme remarkably little attention is given to structural inequalities in the global economic system(s) that have resulted in vast disparities in economic development and structured an international division of labour. While the Cairo document contains some recognition of the need to address structural inequalities in the global market place (paras 3.10, 3.11 and 3.22), the focus is on achieving economic development through increased 'economic productivity' and access to employment. For example, paras 3.17–3.21 are structured as a series of 'action' points designed to direct increased labour participation primarily in the developing world. In contrast, only one paragraph in the 'action' section – para 3.22 – addresses structural inequality and is little more than a vague call for a 'supportive economic environment' for developing countries. While the inclusion of calls for reform to the international trading system in other parts of Chapter III is promising, the language used is remarkably low-key. Paragraph 3.10, for example, notes somewhat obliquely that population policies need to 'take into account . . . development strategies agreed upon in multilateral forums' such as the Uruguay Round of the World Trade Organisation/GATT negotiations.

The language around women's empowerment is similarly problematic. The provisions in the Programme linking women's rights issues and economic growth seem to suggest that economic development is the rationale or justification for recognition of women's rights. The role of women, for example, is given a central position in the Programme, but is justified as leading to economic growth. For example, para 4.1 (in the chapter on 'Gender Equality, Equity and

77. Above n 4, p 53.

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Empowerment of Women') argues that 'empowerment and autonomy of women ... is a highly important end in itself', but is also 'essential for the achievement of sustainable development.'

Similarly, although the Cairo Programme contains some promising language around the need to redress inequality, the focus remains on improving women's access to the 'public' sphere[78] and decision-making structures (see, for example, paras 4.3 and 4.4). While these are important objectives, the thrust appears to be striving for formal equality between women and men (as an equal 'partnership ... in productive and reproductive life'), in which women emulate men in the public sphere. This emphasis is problematic in two respects. First, it leaves unaddressed structural inequalities that make women's access to the public sector a hollow objective. Second, it constructs a narrow vision of women's empowerment that is equated with economic productivity. Women's empowerment is justified in terms of economic 'efficiency' which requires that women's reproductive capacity is de-emphasised and her economic productivity is encouraged.[79] For example, para 3.18 sets out as an action point that:

> '[e]xisting inequities and barriers to women in the workforce should be eliminated and women's participation in all policy-making and implementation ... should be promoted ... Governments, non-governmental organizations and the private sector should invest in ... the education and skill development of women and girls ... in all aspects of reproductive health ... *in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.* (Emphasis added.)

This emphasis on women's participation in the economic sector was expanded upon in the Beijing Platform for Action in 1995. Dianne Otto argues that the Beijing Platform, while recognising the 'disproportionate consequences for women flowing from the globalisation of capital',[80] does not offer any strategies for challenging economic structural disparity.[81] Instead, the Platform for Action provides strategies for enabling women to 'compete, equally with men, in the global capitalist economy'.[82]

While it is true that economic independence can be very empowering for women, this emphasis on women's entry into the global economy is problematic in its unquestioning assumptions about the 'good' that flows from capital. First, the Cairo Programme and the Beijing Platform of Action implicitly situate capital structures as neutral arenas for women's participation and betterment. Secondly, as argued above, both documents leave unchallenged structural inequalities that prevent meaningful development in the Third World. Within this context, the

78. The public sphere is defined in para 4.3(b) as 'production, employment, income-generating activities, education, health, science and technology, sports, culture and population related activities'.

79. G Chowdhry 'Engendering Development? Women in Development (WID) in International Development Regimes' in M H Marchand and J L Parpart *Feminism/Postmodernism/Development* (London and New York: Routledge, 1995) p 33.

80. 'Holding Up Half the Sky, But for Whose Benefit?: A Critical Analysis of the Fourth World Conference on Women' (1996) 6 Australian Feminist LJ 7 at 20.

81. See also C Chinkin 'Feminist Interventions into International Law' (1997) 19 Adelaide LR 13 at 23.

82. Otto, above n 80, p 21.

potential for women's economic betterment does not transcend the limits of an international division of labour, in which racialised and sexualised constructions of work and worker are central.[83] As Chandra Mohanty argues, 'global assembly lines are as much about the production of people as they are about 'providing jobs' or making profit.'[84]

In the context of Cairo, the language of women's economic empowerment and economic growth, while potentially progressive, needs to be reconsidered in terms of how this construction of women as workers 'draws upon and reconstructs notions of masculinity, femininity and sexuality'.[85] Provisions in the Cairo Programme which call for 'investment in human resource development' (para 3.17), eliminating 'barriers to women in the workforce' (para 3.18), and 'job creation in the industrial, agricultural and service sectors' (para 3.21) are not hopeful if they are premised on an international division of labour which relegates Third World 'workers' to the global factories. As with the language around environmental protection, references to women's economic participation can be read as constructing a narrow and problematic idealisation of Third World women as workers.

> '. . . the logic of a world order characterized by a transnational economy involves the active construction and dissemination of an image of the 'Third World/racialized, or marginalized woman worker' that draws on indigenous histories of gender and race inequalities . . .'[86]

Once again, this construction of the racialised and sexualised 'worker' needs to be placed in the context of Western idealogies of race and gender. If Third World women represent untamed sexuality that needs to be limited and harnessed for economic development, then Western women can be positioned as responsible reproducers and hence, producers. That is, the construction of the idealised Cairo Woman has as much to do with the definition of the West and the justification of a particular global political-economic project as it does with any 'real' specifics of population and development. As Nancy Harstock concludes:

> 'As an end, in the colonizer's ambition, she/he should exist only as a function of the needs of the colonizer, that is, be transformed into a pure colonized. An object for himself or herself as well as for the colonizer. The colonized ceases to be a subject of history and becomes only what the colonizer is not. After having shut the colonized out of history and having forbidden him all development, the colonizer asserts his fundamental immobility.'[87]

Thus, by failing to problematise women's economic empowerment in the light of an international division of labour, the Cairo Programme leaves unchallenged the racialisation and sexualisation of work and worker. As a document on *population and development*, one might argue that it is unrealistic to expect a strategic analysis of structural adjustment and unfair trade practices in the Cairo Programme. While this is true, such an argument undermines attempts to situate population policy as one of several variables interacting in complex ways. For

83. Mohanty, above n 6, p 5.
84. Above n 6, p 5.
85. Above n 6, p 8.
86. Above n 6, p 6.
87. Above n 16, p 161.

feminists working to reconfigure population policy in a way that empowers women, this presents a dilemma. By introducing complexity into a population policy document, feminists challenge assumptions that population can be addressed in isolation from other systemic factors, such as gender and economic inequality. However, the Cairo Programme, in all its complexity, remains a *population policy* document in which 'population' is elided with 'danger and threat'.[88] It is difficult, therefore, to introduce complexity in a way that challenges, rather than becomes incorporated into, dominant ideologies around the 'population problem', 'the Third World woman', and the benefits of global capital.

IV CONCLUSION

As I have tried to demonstrate above, the decision by feminists to engage with processes like Cairo can be fraught. Not only are the contexts for intervention pre-loaded with meaning (ie Cairo as a *population* document and not, for example, a resource sharing agreement), but they are also racially and sexually circumscribed. It is impossible to consider international agreements on development, human rights, environmental protection and so on, outside of a geopolitical context shaped by colonial histories. This is not to suggest that feminists should not intervene internationally. Nor am I suggesting that feminist impact at Cairo has not been important and, in some measure, successful. However, the successes of Cairo have been bought with some failures, and these are instructive for future engagements with international law.

International law, precisely in its global, universal frame, represents a particular challenge to a feminist politics that seeks to affect material change at the level of the local. In its abstract, voluminous language, complex bureaucracy, and seemingly amorphous application, international law is a difficult entity within which to mobilise for social change. It is, however, also a unique international expression of dominant thinking on a broad range of subjects with clear resource implications. While the strategic reasons for feminist interventions in international law and policy are obvious, the means by which to engage that politics are more difficult. The challenge for feminist activists is to define an international politics that succeeds in getting women's issues on the agenda without losing sight of the extent to which that agenda is itself often problematic.

88. Furedi, above n 18, p 162.

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