

“Gender, Justice & Global Health
in the 21st Century”

by

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“From the point of view of statistics, if a person earns a thousand dollars and another earns nothing, each of them appears to earn five hundred dollars when one calculates per capita income...”

“From the point of view of the struggle against inflation, adjustment policies are a good remedy. From the point of view of those who suffer such policies, they spread cholera, typhus, tuberculosis, and other damnations.”

(Galeano, The Looking-Glass World, 35)

As Galeano writes,

**“The command that everybody do
what so many cannot becomes an
invitation to crime....**

“The world, which puts on a banquet for all, then slams the door in the noses of so many, is simultaneously *equalizing* in the ideas and habits it imposes and *unequal* in the opportunities it offers.

“Twin totalitarianisms plague the world: the dictatorships of consumer society and obligatory injustice.”

(Galeano, 25).

The Faces of Women:

- Acephie Joseph

What Should We Do?

“What would you have me do?”

I could tell that the old people were uncomfortable, worried; but they didn't say no. They didn't tell me to stay away from him. I wish they had, but how could they have known? ... I knew it was a bad idea then, but I just didn't know why. I never dreamed he would give me a bad illness, never! I looked around and saw how poor we all were, how the old people were finished.... What would you have me do? It was a way out, that's how I saw it.”

(Acephie Joseph in Farmer, 34)

Structural Violence

- *She was female, she was poor; she suffered from malnutrition and structural violence.*
- *Because Acephie was a carrier, her daughter suffered from vertical mother-to-child transmission (MTCT), which causes more than 90% of all HIV infections in children under 15 years (World Bank 2003a).*
- *Of the half a million women who die annually from maternal mortality, 99.8 percent live in developing countries (Farmer, 44).*

Structural Violence

- *Acephie and her daughter were more vulnerable to opportunistic infections such as tuberculosis*
- *By the end of 2002, over 30 percent of the 42 million people living with HIV/AIDS also had TB (World Bank 2003b).*

Acephie had no real economic security, no chance for safe sexuality, and no control over her reproductive health.
As such, her story represents the lives of millions of the world's women today.

Caution

There is a danger in my using the story of Achephie and the women for whom she stands: It is the danger of co-optation and appropriation.

I aim to make a distinction
between woman as victim devoid
of agency
(which I reject)...
*and woman as victimized
by structural violence.*

I want to argue that the concrete reality of the Face of the Other is both the means and the ends of justice, and that an approach that honors difference, rather than sameness, will bring us closer to the madness of justice than any approach that begins with sameness or equality.

The Universalist Position

- United Nations Declaration on Human Rights
- *If health and well being are fundamental human rights, then the demands of justice require us to address the particular situations of injustice that constitute the daily lives of the poor*

“There are more women getting infected than men in many developing countries. Women now account for 55% of adults living with HIV/AIDS in Sub-Saharan Africa...

...Gender inequality is a contributing factor to the epidemic and needs to be addressed in the long term through measures such as improving education and labor force participation of women”
(World Bank 2003b).

“...we must ask “how large-scale
social forces become embedded in
sickness, suffering, and degradation
in rural Haiti, where the same forces
that structure risk for human rights
abuses are also those shaping
epidemics of tuberculosis and AIDS”
(Farmer 2003, 19-20).

To see structural analysis as a

...runs the danger of ~~solution~~ ~~removing~~ us from the obligations that come from the concrete encounter with the other, “for whom I can do all and to whom I owe all”

(Levinas, EI 89).

Justice Requires Redress

- *Correction requires us to take a stand.*
- *We cannot remain neutral.*
- *To remain neutral in the face of injustice is to be on the side of oppression.*
- *We need normative criteria from which to judge oppression.*

Human Rights

- *Unless we begin to see health care as a need, to which every person deserves access by virtue of human dignity, we will not be able to bring about a system of access to all.*

Nussbaum's “Capabilities Approach”

- ***Life.*** *Being able to live to the end of a human life of normal length...*
- ***Bodily Health.***
- ***Bodily Integrity.***
- ***Senses, Imagination, and Thought.***
- ***Emotions.***
- ***Practical Reason.***
- ***Affiliation.***
- ***Other Species.***
- ***Play.***
- ***Control over One's Environment.*** ***A. Political.*** *Being able to participate effectively in political choices that govern one's life...* ***B. Material.*** *Being able to hold property...*

A Brief Interrogation...

- *Of Farmer as a paradigm for this universalist, traditionalist norm.*
- *Is he honoring the particularity of the people who are his patients and about whom he writes when he insists, for example, on First World standards for their health?*

From the perspective of a postcolonial feminist critique, Farmer is the white male doctor who comes to rescue the victimized dark woman (Acephie), and who in fact, speaks for her.

Whose voices are really represented here?

Perhaps Farmer's heroism as a doctor to the poorest of the poor – Haitian women and their children – actually serves to legitimate the very structures he means to critique.

When someone like Farmer is
seen as the heroic white
adventurer, do the rest of us
need to act...

- *Or does he serve merely to legitimate our wealth and complacency?*
- *Importing normative structures for justice means that impotence can result.*
- *With normative standards in place for justice and charity it is easy to relax.*

The Particularist Position

- *Even Derrida admits that justice is not deconstructible (Force of Law, 1990)*
- *It is not axiomatic that particularity slides down the slope to relativism.*
- *Reclaim the ethical force of particularism, and suggest that it need not result in the destruction of that which makes justice possible.*

“... what makes it [deconstruction] suffer and what makes those it torments suffer, is perhaps the absence of rules and definitive criteria that would allow one to distinguish unequivocally between droit and justice” (FL 923).

Derrida, Deconstruction, Justice

Deconstruction is between the poles of law and justice.

- Droite (*the exercise of justice as law*)
- Prescriptive
- Calculable.
- Juste (*justice*)
- Is incalculable
- Infinite
- Heterogeneous

Actually, it is fair to say that far from undermining justice, Derridean deconstruction is decidedly *about* justice, but it is the justice of the irreducible, of obligation, of infinity, gift, and excess (935).

For Derrida, justice means being able to speak to the Other in the language of the Other; it is this singular. And this is exactly the problem with justice as *droit*: it “seems always to suppose the generality of a rule, a norm or a universal imperative” (949).

“How are we to reconcile the act of justice that must always concern singularity, individuals, irreplaceable groups and lives, the other or myself *as* other, in unique situation, with rule, norm ...or the imperative of justice which necessarily have a general form...? (949).

The the force of the critique --
universality forecloses the
openness to the Other and such a
foreclosure cannot lead to justice.

Thus deconstruction is the space in between *juste* and *droit*, in between the universal and the particular, and it is not possible to have justice without it.

Derrida rightly claims that there is a madness about justice, “an experience of the impossible” that can never be calculable. (947)

Calculation is the province of
right and it must not be
mistaken for justice.

Deconstruction is how we keep
from confusing the two.

Justice has to be both particular
and universal; it is not that
Derrida eschews the universal
but he objects to the way in
which it forecloses the singular.
If justice really means speaking
to every other in the language
of the other, which of course is
madness, we cannot be content
to settle for the universal.

“Law is the element of calculation,” writes Derrida, “...but justice is incalculable, it requires us to calculate with the incalculable ... and the decision between just and unjust is never insured by a rule” (FL, 947).

Feminist Method

- *Affirm the epistemological privilege of the oppressed*
- *Affirm “right relationship”, or conditions of mutuality that honor interrelatedness, and human dignity*
- *Undertake a structural analysis of each situation of oppression*

Feminist Method: A Fourth Consideration

- *That we begin and end with the shocking particularity of the **Face**.*
- *If justice is both means and ends of all our ethical reflection, the Face of the other is what makes justice real; it contains the challenge of justice and the scandal of injustice.*

What are we to do?



... take the bread
from our own mouths
and give it to the other...

“...subjectivity, as sincerity, is responsibility for the other, an animated body that bears witness to alterity as ‘having-the-other-in-one's-skin’ (Levinas OB 115). Without choice and prior to any world, subjectivity is the trace of alterity that commands me to give to the other by ‘taking the bread out of my own mouth’ and by ‘making a gift of my own skin’ without reserve or thought of return.”

--R. Diprose

What would justice look like if difference became the locus of our analytical and pragmatic commitments? Difference, not sameness, is the locus of the sacred; in this sense it is the very heart of justice.

What are we to do in this crazy, looking-glass world where up is down, and people from my country consume most of the world's resources, while people from Acephie's country are the only ones in the Western hemisphere to live on the "extreme suffering index"?

Taking justice seriously means that we must act to answer the question...

- *But we should not imagine that we can calculate the results of those actions; justice is incalculable.*
- *Instead we should try to hear, and to understand, and to respond with humility to “the most wounding critiques of our actions.”*

Paul Farmer's work is madness,
and it is madness in precisely
the way that Derrida means
when he says that justice is "an
experience of the impossible,"
or if you prefer Reinhold
Niebuhr's account, justice is the
"impossible possibility."



By the standards of utility, or
distribution, Farmer's work
does not make sense.

When he says that

“The notion of a preferential option for the poor challenges us by reframing the motto: the homeless poor are *more* deserving of good medical care than the rest of us...[and medicine should] reserve its finest services for the destitute sick...”, he means it. (Farmer 155)

The massive and exponential suffering of women like Acephie Joseph all over the world cannot be eliminated, which is what real justice would require.

Still, there is work to be done...

It is a difficult thing to pursue
justice -- to try and speak to the
other in the language of the
other.

Yet justice requires this of us,
and nothing less.