Chapter 9
Human Rights and Autonomy

Abstract Human dignity and worth are important values for social workers, and these values are enshrined in many social work codes of ethics around the world. This often translates into discussions about human rights and service user self-determination, otherwise referred to as autonomy. Human rights have become a significant part of the global landscape. Given the fact that people live in plural societies, we need better ways to account for issues of rights, autonomy, difference and diversity with respect to equality and social justice. This chapter explores human rights and social work and considers the role that social work can take in relation to the potentials and limits of human rights instruments and agreements. Second, the chapter explores a related concept—autonomy—from liberal, Kantian and feminist perspectives. The centrality of autonomy as a socially and politically constituted phenomena is examined in relation to implications for social justice and human rights.

Introduction

Social work is considered to have played a significant role in the development of human rights internationally (Reichert, 2006) and has continued to take human rights to be a central concern of the profession (Healy, 2008). What do we mean when we talk about human rights and autonomy? Who and what are we discussing? What subjects, agents, persons, entities or identities do we mean? Both rights and autonomy can be considered as normative, by which we mean that they contain various arguments about the way in which human affairs *should* or *ought* to be conducted (Heywood, 2000). The 1948 Universal Declaration of Human Rights (United Nations, 2016) sets out a series of statements about human rights and this may represent something of a consensus about their relevance and importance. However, the nature, character and compliance with human rights legislation in different jurisdictions is still a matter of contention across many places in the world. Likewise, the topic of autonomy, its character, content and procedural aspects are still the focus of debate within philosophy (Freyenhagen, 2017). If, as we have claimed in other chapters we live

in conditions of deep diversity, then it is not surprising that conceptions of human rights and autonomy may also be the focus of reasonable disagreement. But what is at stake here?

Ideas about autonomy underpin, for social work at least, significant professional norms concerned with consent (Twomey, 2015), self-determination, ideas about empowerment, and justice. Autonomy of personhood, of thought and expression, and of the enactment of a reasonable public discourse is a route out of oppression, domination and tyranny. When we discuss autonomy in social work, we often think about individuals, although autonomy can also be used to think about nation-states and other institutional entities (Heywood, 2000). Christman (2018) points out that the concept of autonomy bears considerable weight and is 'very much at the vortex of the complex (re)consideration of modernity' (paragraph 2). Ideas about autonomy are embedded in some of the human rights foundations and in social work this may be the key aspect that presents itself in the various practice arenas in which we find ourselves. Our goal in this chapter is to present some of these arguments and discussions with a view to arriving at some implications for social justice that are important for social work to consider. We think that there are ways to consider human rights and autonomy that do not rely on a conception of human beings as individualistic atoms. This conception of autonomy is important so that we can acknowledge the intersubjective and relational nature of human life (Sayer, 2011).

This chapter has two main sections. The first section deals with the issue of human rights and the role social work may play in various national and international human rights debates and issues. We begin the discussion by outlining the moral basis for human rights, before considering the international context of human rights regimes. This international context raises critical questions that follows a question raised by Hannah Arendt on the issue of who has the 'right to have rights' (Benhabib, 2015, online). Such a question allows us to highlight the pressing issues of place, dependence and the role of nation-states. This allows us to discuss international human rights instruments, their connection to international norms, and their respective limits and powers.

The second section turns our attention to autonomy and this section proceeds in three ways. First, we give an overview of the concept of autonomy in definitional terms. Second, we consider autonomy from a liberal point of view paying particular attention to its relation to public communication and the relationship of autonomy to practical and social identities. Third, we address the issue of autonomy via a feminist critique and reconstruction. This feminist lens helps us to consider not only issues of care and vulnerability in our discussion of human autonomy—including intersubjective relations of human development—but also where these relations take place. This picks up the issue of autonomy when people become displaced by various events and social factors. There is a crucial role for social workers in contesting abuses of human rights as well as advocating for a greater attention to the links between intersubjective human social relations of home, place and community to the realisation of social justice.

Human Rights

The Moral Basis for Human Rights

Many discussions of human rights begin with the issue of human dignity and worth. One of the key assumptions of human rights conventions is to be found in Article 1 of the 1948 United Nations Universal Declaration of Human Rights (UNDHR):

> All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. (United Nations, 2016)

The universal application of this conception of human beings is outlined further in the UNDHR Article 2, which states:

> Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. (United Nations, 2016)

Tasioulas (2015, p. 70) provides a pluralist argument for human rights to be:

> understood as moral rights possessed by all human beings simply in virtue of their humanity—are grounded in the universal interests of their holders, all of whom possess the equal moral status of human dignity.

As indicated in Article 1 of the UNDHR, dignity is an important concept to discussions of human rights and this is also reflected in many social work codes of ethics (for example, Australian Association of Social Workers, 2010; The British Association of Social Workers, 2012). However, like many ethical concepts dignity is normative and thus it remains difficult to define. Nevertheless, people generally understand what is meant by dignity and they certainly recognise when it is not afforded to them. This is due to the relational aspect to dignity. People may see dignity as an inherent quality of being human, but they also need others to *recognise* their dignity in order for it to have salience (Sayer, 2011).

Despite the everyday discourse about rights and what they might be, it remains the case that philosophers disagree somewhat about the foundations for thinking about human dignity and rights (Tasioulas, 2015). They have turned their attention to the problem stating that if human rights are to be useful in addressing injustice, a deep philosophical justification is required that goes beyond the various accessions of governments and institutions. As O'Neill (2015) points out:

> For better or for worse, human rights are seen as formulating valid moral claims that human beings can make on one another, and in particular on states and their institutions and officials, even (or especially) when existing institutional structures fail to protect or secure those claims. (p. 71)

But what might be the basis of these claims to rights? Who can make such claims? And, on who or what can they be claimed? There have been a range of justifications offered, but the question remains: how should rights be situated and what they should be orientated towards—capacities, agency, protection, needs? And what does this tell us about duties and obligations?

A pluralist conception of human rights is capable of incorporating particular interests but does not undermine the universal aim of human rights as being about everyone. Note that this philosophical discussion so far does not specify any particular kind of lifestyle other than that which is compatible with the rights of others. Hence, the moral basis of these claims is that they ought to apply to everyone.

Social Work and Human Rights

Social workers claim a particular role in the development of human rights internationally (Healy, 2008). Indeed, in 1988 the International Federation of Social Workers (IFSW) outlined this position as follows:

> social work has, from its conception, been a human rights profession, having as its basic tenet the intrinsic value of every human being and as one of its main aims the promotion of equitable social structures, which can offer people security and development while upholding their dignity. (Healy, 2008, pp. 735–736)

Prior to World War Two, social workers were involved in many non-government organisations (NGOs) that were instrumental in identifying and responding to humanitarian issues. Healy (2008) outlines a number of significant social work leaders who were involved in human rights such as Jane Addams (US), Sophonisba Breckinridge (US), Eglantyne Jebb (UK) and Alice Salomon (Germany). Each of these social work leaders played a role in bringing conditions of injustice to light and by emphasising the moral dignity of people. Ife (2012) points out that social workers created the International Federation of Social Workers in 1929, and a key goal was to enable work across national borders on humanitarian issues. Post-war social workers were involved in the process that led to the Universal Declaration (Reichert, 2006), but Healy (2008) acknowledges that it is more difficult to assess the contribution here by looking just at specific individuals. Social work human rights practice may also be seen through broader participation in various social movements and social justice and human rights actions in local and global fora.

Social work in the contemporary period is now looking at developing human rights responses to globalisation in social work education (Nipperess, 2013), because as Staub-Bernasconi (2014, p. 27) points out, 'the influences of globalization and world society on social problems cannot be ignored anymore'. This may mean looking critically at the way in which social work as a profession has become entrenched in national contexts, and working harder to transcend this by 'explicitly reflecting its roles and activities from a transnational perspective' (Walliman, 2014, p. 15). Such a focus would involve understanding and responding to: the global mobility of people,

capital and ideas; relations of unequal exchange in transnational contexts, particularly in relation to inequality; knowledge of transnational and internal conflicts; and, greater international policy exchange and cooperation (Walliman, 2014, pp. 22–23). It is our view that embedding this focus within national social work education and practice would go towards a much needed international human rights focus within national contexts.

Human Rights and Globalisation

When the Universal Declaration was first handed down it was widely assumed that human rights were situated within national borders. Moreover, the Declaration drew on understandings of sovereignty as 'the right of a collectivity to define itself by asserting power over a bounded territory' (Benhabib, 1999). This has meant that many of the other covenants still presume the relation between citizens, rule of law, and nation-state institutions through which human rights may be realised. Speaking post-World War Two, in the context of large numbers of displaced people, Hannah Arendt (1951, cited in Benhabib, 1999, pp. 710–711) said:

> From the beginning the paradox involved in the declaration of inalienable human rights was that it reckoned with an "abstract" human being who seemed to exist nowhere…The whole question of human rights, therefore, was quickly and inextricably blended with the question of national emancipation; only emancipated sovereignty of the people, of one's own people, seemed to insure them.

When rights are situated and conferred upon citizens within nation-states this becomes problematic. Where does that leave people made stateless due to war and other factors? This group—the stateless, the displaced and people seeking asylum—are those that social work must ask questions about in addition to our responsibilities within national policy contexts. Benhabib suggests that '…universal human rights transcend the rights of citizens and extend to all persons considered as moral beings' (Benhabib, 1999, p. 711). This raises an important question regarding how best to respond to global movements of displaced people and those seeking asylum, by considering '[W]hat kinds of immigration, naturalization, and citizenship practices then would be compatible with the commitments of liberal democracies to human rights?' (Benhabib, 1999, p. 711).

The Limitations to Juridical Human Rights

The UN Declaration is an aspirational document meant to secure a range of human rights for populations around the globe. Indeed, there have also been a number of other declarations and covenants that also contribute to a global focus on the rights of a number of groups considered particularly vulnerable (Reichert, 2006). These documents increasingly represent a global juridical system of rights binding on signatory

states. Moreover, counting human rights treaties and associated international human rights instruments is an inexact science (Farris & Dancy, 2017), due to conceptual differences within different kinds of measurement. Farris and Dancy (2017) state that since the first multilateral treaties signed in 1966, the number of multilateral treaties has risen to nine, with nine optional protocols. Three regional bodies of law have emerged and there are 99 international instruments. Further, these authors state that the impact of human rights law in specific jurisdictions has seen a proliferation of instruments to be used as indicators of both protection and violations. We can see that 'the world is now awash in laws and indicators of legal violations' of human rights (Farris & Dancy, 2017, p. 273).

A key outcome of this juridical situation is that once rights treaties are ratified then states must enact laws and create institutions, practices and report this to various international bodies. Human rights law, compliance and the creation and implementation of monitoring instruments are mutually constitutive phenomena (Farris & Dancy, 2017, p. 283). What this means is that they arise together and inform each other. This constitutes a compliance regime that operates at the international level. Organisations situated within civil society, within nations and in international contexts, also contribute to this compliance regime as they connect with domestic institutions and can also engage in monitoring and the collection of information (Farris & Dancy, 2017). It is in civil society, within states and in international arenas, that the profession of social work may play a role in advocating and monitoring the compliance of institutions to human rights law (Walliman, 2014).

For example, Weiner et al. (2012, p. 1) recommend that closer attention should be paid to the intersection between human rights instruments, national legislatures and different political orders. This was in light of the *Kadi case* heard in the European Court of Justice. Briefly, a United Nations Security Council (UNSC) directive to member states to freeze assets of suspected terrorists was deemed to violate the rights of a Saudi Arabian national with assets in the European Union (Shekhtman, 2011). The problem here was that a non-state institutional authority operating across juridical borders was deemed to violate Mr. Kadi's rights to 'fair hearing, the right to judicial review, and the respect for property and principle of proportionality' (Shekhtman, 2011, pp. 90–91). In the context of challenging the UNSC judgement, the European Court of Justice opened a compelling rationale for attention to global constitutionalism (Weiner et al., 2012). The relevance here is that increasingly the claims for human rights and their defence are occurring beyond or outside the perimeters of various states and their obligations or adherence to human rights instruments. Furthermore, many regional and internationally based agreements and practices may be unconstitutional and operate outside—or at least in a contested dialogue with—the rule of law and acceptable norms. This may pose a problem for when, where and how juridical human rights instruments apply, or do not apply.

For example, the world is seeing an unprecedented rise in stateless and displaced people. Displaced people can be held in camps within bordering states. Although these camps are maintained by global and domestic NGOs, people in these camps are effectively without opportunities to exercise their capacities to develop any mechanisms for their own autonomy and self-government within the camps, or to access

legal recourse and rights as citizens. This makes people in this situation effectively non-persons (Benhabib, 2015) and extremely vulnerable to human rights abuses and violations because they are denied the opportunities to exercise self-government over their own futures. To a significant extent, these situations create modern forms of *unfreedom* in the sense that people are dependent on the arbitrary will of faceless others. Social work must resist and challenge state and non-state arrangements that perpetuate this situation of unfreedom and the violation of human rights. As Tully (2008, p. 305) says:

> it should not be the burden of the wretched of the earth to refuse to submit and act otherwise, as in the dominant theories of resistance, but of the most powerful and privileged to refuse to comply and engage in the work of glocal citizenship.

In other words, it behoves social work to draw attention to, contest, resist and seek to transform human rights violations and abuses both within *and* outside the confines of the jurisdictions of the nation-state.

Autonomy

So far, we have considered human rights and the aspiration they hold for everyone. We have also outlined how increasingly human rights law, politics and compliance regimes are creating a global human rights regime. This regime relies also on significant national and international NGOs operating within civil society and how this may be a prime site for local and transnational social work involvement to progress human rights aspirations. In this next section, we want to turn our attention to the more micro level of enacting a human rights focus within everyday interactions in practice. We start from the premise that social work has an important role to play in fostering the human dignity and worth of people everywhere, and a key route to doing so is to foster the opportunities for exercising autonomy in our interactions with others.

Preliminary Definitions and Concepts of Autonomy

Ideas about autonomy can be traced to philosophical arguments about human nature, the uses of reason, and the role of emotion in practices of freedom and struggle. In some respects, this is the link between human rights and autonomy—both involve ideas about human nature and the relationship to society, and both are considered normative aspirations in struggles for freedom and justice. If people are to be considered the authors of their own will, able to make choices, and treated as moral agents, what then does this suggest about the nature of the *self* that is doing the choosing or the exercising of will? What role does autonomy play in fostering a just society? And what impacts do external social conditions such as inequality, poverty,

violence and processes of imperialism and oppression have on the autonomous will of individuals?

In trying to untangle these issues, Christman (2018) suggests that it is important to start with a working definition of autonomy. In simple terms, autonomy refers 'to the independence and authenticity of the desires (values, emotions, etc.) that move one to act in the first place' (Christman, 2018, paragraph five). Autonomy is typically associated with a personal capability, trait or ability to act freely and without constraint (Dworkin, cited in Christman, 2018). An example of personal autonomy might be where a person exercises their will and desire to live healthily and are consequently moved to carry out the actions of exercising regularly, eating moderately and getting sufficient sleep so as to achieve that desire or aspiration. In moral and political philosophy, autonomy is typically conceptualised to include self-ownership and self-government. We can situate the idea of autonomy within the Western tradition where it means to 'be one's own person, to be directed by considerations, desires, conditions, and characteristics that are not simply imposed externally upon one, but are part of what can somehow be considered one's authentic self' (Christman, 2018, paragraph two). Citing Feinberg (1989), Christman (2018) outlines the basic features of autonomy as 'the capacity to govern oneself, the actual condition of self-government, a personal ideal, and a set of rights expressive of one's sovereignty over oneself' (paragraph nine). It is from this idea of self-ownership that autonomy and freedom are often related together. Both the concepts of autonomy and freedom have considerable history and carry normative weight as being desirable. As mentioned previously, freedom refers to the power that people have to act without interference from external agencies, or to act within conditions of independence from the arbitrary will of others (Skinner, 2012). Freedom can also include opportunities for self-realisation across a range of essences: political, moral or spiritual.

So far we can see that autonomy is thought to be phenomenologically internal to the person. However, there are several external and contextual considerations that are important to understanding autonomy, even at its most basic level. Given that human beings are invariably subject to debilitating circumstances or oppressive and constricting conditions, to be autonomous is an 'achievement [where a] person is maximally authentic and free of manipulative, self-distorting influences' (Christman, 2018, paragraph one).

Furthermore, Ben-Ishai (2008) suggests that there is another aspect to autonomy, not captured in these particular conceptualisations, which concerns the *status* and *recognition* of autonomy in socially mediated contexts. In order to be autonomous, not only does one have to be able to think, act and express a personal sovereignty, a person must also be *recognised* by others as being autonomous. Failure to recognise that people are or might be able to be autonomous may result in misrecognition and oppression (Ben-Ishai, 2008). For example, a stateless person or someone with low social or economic status frequently suffers from a misrecognition of their autonomous potential, and therefore, may be subject to controlling, paternalistic or oppressive relations that constitute significant threats to their well-being (Lamont, Guetzkow, & Herzog, 2016; Sayer, 2005).

In the above conceptual sketch of the basic level of autonomy, embedded is a key assumption that an autonomous person is able to 'act, reflect, and choose on the basis of factors that are somehow her own (authentic in some sense)' (Christman, 2018, paragraph eight). This feature of autonomy as self-reflecting and as able to respond to reasons, and able to think and decide, is central to liberal and Kantian notions of autonomy.

Liberal and Kantian Notions of Autonomy

There are many liberalisms but central to all of them is the individual. Under liberalism, it is individuals who contribute to the formulation of social contracts through which free people come to govern themselves. How the individual is conceptualised within liberal thought has led to divergent views about the nature of freedom and the conditions of government. For example, some versions of liberal thought see society as an aggregation of the rational choices and interests of individuals, while others see individuals as embedded in social relations and thus society should take these relations into account. Each of these divergent forms of liberalism emphasises different aspects of autonomy situated within individuals (Webb, 2018).

Individual autonomy is central to the most influential version of liberalism today, known as political liberalism (Christman, 2018). This is a version of liberal justice formulated by John Rawls, first in his *Theory of Justice* (1971) and extended later in his work *Political Liberalism* (1996) (see also chapter seven, this volume). Rawls' particular conception of autonomy argues that persons are capable of reasoned deliberative processes by virtue of their status as free and equal citizens. Note that this assumes a society in which institutions are fair and just, and in which there are actually opportunities for deliberation on social issues and conditions. This implies that we need some conditions that are central to the pursuit of social justice as fairness; for example, a state that is neutral towards citizens' pursuit of the good life is seen as foundational (O'Neill, 1996). The implication is that in the absence of fair and just institutions and opportunities for deliberation on social issues and conditions, then autonomy and the pursuit of justice is severely limited.

The principles, proposals and matters of importance that are subject to public deliberation within this conception of social justice take the autonomy of individuals as citizens seriously and 'these [proposals, invitations, and communications] will only be successful if they can be addressed to each citizen individually' (Laden, 2005, p. 53). Social workers do the work of taking the distinction between persons seriously when they recognise individuals as having moral status first and foremost as human beings, and second, when they support or enable the right of self-ownership, which includes individual capacity for free thought and expression on matters of justice. The philosophical origins of this notion of autonomy as indicative of the public use of reason and thinking for oneself can be traced to Immanuel Kant.

Autonomy is a core aspect of Kant's conception of practical reason (Christman, 2018). In the Kantian view, autonomy is linked to the human ability to subject our-

selves to moral laws via the use of our reason. Thus, in this conception of autonomy, we are subject to moral laws and can derive and debate principles and conditions of justice, but these laws are of our own making. For example, Kant's famous Categorical Imperative is stated as 'Act only on that maxim whereby thou canst at the same time will that it should be a universal law' (Kant, [1785]1952, p. 268). This is an example of the deployment of autonomy to develop and use one's reason and critical faculties to conceive of a moral law without recourse to tradition, imposed authority, or religious or superstitious metaphysical sources of knowledge, or ideological dogma. Free from external constraints and impositions, Kant thought that human beings can realise their true autonomous nature via the activation of reason and critical thought.

Communication, Speech and Deliberation

An important requisite condition for the use of reasoned communication and public discourse is tolerance for diverse views and opinions. O'Neill (1986) suggests that liberals contend that 'diversity of belief and its expression should be tolerated in order to respect either individuals or reason' (p. 523). However, not everything can or should be tolerated. In O'Neill's view, there is a problem if toleration means leaving the most vulnerable to their own devices, and if it means doing nothing about conditions of oppression. It all hangs on the meaning of toleration in the context of both liberalism and in relation to notions of autonomy. For liberals, toleration means 'forbearance, a willingness to allow people to think, speak and act in ways in which we disapprove' (Heywood, 1998, p. 36). Heywood (1998) points out that this does not mean that we accept all forms of communication, or that there are no limits to toleration, but generally it can come to mean that in public life no real action to suppress speech is taken unless forms of communication and social conditions become very intolerable to others. This is because if we allow intolerant speech, for example it might undermine the very conditions from which public deliberation actually occurs in the first place. An example of this might be hate speech. Most liberal democracies will not tolerate forms of speech and acts that demean or infringe on the rights of others.

It is *how* communication impacts on the development of public reason that provides a link to our discussion of autonomy (O'Neill, 1986). Communication is seen in this context as a practical problem, rather than a theoretical problem. People simply must learn to engage with the views of others if they are to become autonomous. In other words, engaging with the views of others helps foster a Kantian sense of maturity, which is where people become capable of thinking for themselves. Communications in this sense must: (1) be capable of being interpreted by others; (2) be deemed as sensible reasons that are unconfined or restricted by externally imposed authority; and, (3) constitute engagement in the public exchange of reasons that is between free and equal people, without the use of threats, violence or intimidation (O'Neill, 1986).

Autonomy and Practical and Social Identities

Some authors have taken these Kantian distinctions about reason and communication and considered how they rest on ideas about the identities of persons (Korsgaard, 1996, cited in Laden, 2001, p. 13). Such ideas are aimed at understanding how practical identities operate and contribute to the goals of a reasonable citizenry able to engage in political deliberation. The concept used here to make this point is that of *practical identity*. Practical identities have both a personal and social aspect (Laden, 2001). The personal side includes those aspects that 'are particular…things that serve to differentiate and thus individualize us' (Laden, 2001, p. 88). An example might be the fact of being the spouse of someone, the daughter or son of a specific person, which situates us within our relations to specific others. This characteristic generally involves reciprocal relationships that have both a public and private aspect. For example, your identity as the spouse of someone might be known but the quality of that specific relationship might be a private matter. It is often information about this side of people's practical identities that social workers collect in their engagement with service users and how the social worker relates and communicates with the service user is a reciprocal one that takes in their autonomy and identity as a person seriously.

The other feature of a practical identity as outlined by Laden is that of the *social*. The social identity is 'better thought of as arising from membership in various and sundry socially salient groups: being of a particular gender or race or ethnicity or religious group or profession' (Laden, 2001, p. 88). Social aspects are characterised as *non-reciprocal* and indicate where we stand in relation to each other in *salient* social structures or groups. This will be familiar to social work readers as this social aspect is often emphasised in structural and critical accounts of society when considering issues of marginalisation and oppression. As with the personal side of people's practical identity, social workers are often privy to the effects of misrecognition, stigma, discrimination and violence perpetrated on people based on perceptions of their membership in specific social groups. In other words, some notion of a person's autonomy is shaped by and through their social identity.

Why is this significant to our conception here of liberal autonomy? The practical identities of each of us provide us with salient information through which we form our capacities to engage in self-government and exercise choices and preferences. In other words, our autonomy and how we enter into communications and deliberations with others is not just a matter of reasoning, but is shaped by and expressed through our practical and social identities, which will be subject to limits and constraints. In this way, Laden (2001) has addressed one of the criticisms of earlier conceptions of autonomy: that they do not adequately account for difference and diversity. To be clear, autonomy is a variable quality and we should not assume or expect that the capacity to enter into self-government, speech, reasoning and communication modes will be the same for everyone.

This notion of a practical identity helps us understand how autonomy is a matter of bringing both the personal and social into relation with each other. It also addresses a

significant feminist critique (see below) about how the form of autonomy discussed by many liberals above can be seen as deeply gendered. Feminist notions of autonomy will be taken up in the next section as these have offered a robust critique of many assumptions embedded within Kantian and liberal notions of autonomy that we wish to take seriously. This does not mean, however, that we consider liberal notions as unimportant—quite the contrary. The liberal notion of justice as fairness by taking the distinction between persons seriously is a key basis for a social work emphasis on the moral status of individuals with a respect for difference and diversity. We do not think that this should be discarded, but included and critiqued in any practice that is aimed at fostering social justice.

Feminist Critique and Reconstruction of the Concept of Autonomy

O'Neill suggests that liberalism has been criticised for utilising '…a fictional conception of the solitary and unaffiliated self, which is both empirically false and morally offensive' (1995, p. 151). The discussion about practical and social identities covered earlier further illustrates the point that there is no such thing as individuals who exist as autonomous islands in discussion and relation with other autonomous individual islands. This is a central critique by feminists, particularly through the way that gender is conceptualised as a formative and significant social division. Feminists have mounted a number of significant challenges to many of the erroneous assumptions about women that have permeated philosophical accounts of relations between women and men, and that have also found their way into liberal notions of reason and autonomy. Patriarchy is a term used to denote these relations (Heywood, 1998), although this term is used differently among the different kinds of feminisms. It is fairly familiar to characterise these as 'waves' of feminist movements or theorising. Alternatively, we can see them in terms of deconstruction and reconstruction (Benhabib & Cornell, 1987).

First Wave Feminism

Strictly speaking, at least in the West, feminism began as a women's movement that situated its claims within the social contract tradition via arguments about the rights of women that unfolded at the same time as arguments about the rights of men were also being discussed and debated (Tong, 2009; Wearing, 1996). In this respect, early feminists accepted the existence of the public and private spheres and sought to extend the rights of women into the public sphere that was largely dominated by men. This continues to be a considerably influential approach to extending the rights of women and is often described as liberal feminism (Tong, 2009; Wearing, 1996).

In this sense, liberal feminists argued (and continue to argue) that women should enjoy the same autonomy as men, such as being able to take up public positions and offices, being able to vote and engage in democratic deliberation, and being able to enjoy the benefits of education. These notions were incredibly influential in social work especially via the influence of Beatrice Webb (Nyland, 1994). In short, this perspective pushes to extend the franchise to women so that autonomy in the public sphere between the genders is one of equality.

Second Wave and Radical Feminism

A second wave of feminism began in the early to mid-twentieth century spawning radical and socialist feminist forms. Radical feminist critique centres on the issue of patriarchy as a fundamental social cleavage. This perspective sees people as gendered first and foremost and there have been divergent perspectives about whether women should embrace or elide these differences (Heywood, 1998; Tong, 2009). For socialist feminists, patriarchy can be understood in both social and economic terms but the economic implications have been an important site of critique (Tong, 2009). Socialist feminists found a crucial resource in the work of Marx with the contention that gender inequality has its roots in the capitalist economic and social system (Tong, 2009). Marxist theory provided a historical account and critique of the separation of spheres of life from those based on kinship (family) and those that are public. This separation occurred with the development of the capitalist state. It is this separation that ushered in new capitalist economic relations leading to various inequalities and alienation associated with it. In this way, socialist feminists help us to see that the autonomy of individuals is seriously undermined by their position within economic relations, especially where this position induces experiences of alienation. For example, when women are confined to domestic labour and child care duties and have access to education and paid employment restricted, this can lead to economic dependency and a loss of autonomy. Another example is the spectre and reality of gendered violence against women, which impacts on autonomy regarding safety and mobility.

   The reason Marx became a central figure for socialist feminists was due to his 'recognition that the seeming autonomous operation of the economy belied its interdependence with other aspects of social life' (Nicholson, 1987, p. 16). Social work scholars have taken up this analysis too (Dominelli, 2002). While Marx recognised the interdependence between 'family, state and economy', Nicholson (1987, p. 16) suggests this was developed inconsistently in his theory, particularly the philosophical and anthropological aspects. As a result, it has been socialist feminists who have theorised this relation further. For our purposes, we can see that autonomy is *not* referring to individuals per se, as in the liberal tradition. Instead, autonomy (or lack thereof) is a feature of an economic system that entrenches gender marginalisation because it decouples economic production from everything else that has been relegated to the private sphere, or not considered at all. The consequence is that as a result of the patriarchal capitalist economy, women have had significantly less auton-

omy than men, making a fiction out of liberal ideas of equality as applicable to all. A recent critique from this point of view is that of O'Manique and Fourie (2016, p. 124) where they suggest that the work and 'costs of producing labouring bodies for capital …is largely (although not exclusively) the invisible work of women and girls'. The continued invisibility of this 'work' casts doubt on the extent to which the realisation of gender equality through Social Development Goals (SDGs) is possible without attention to underlying neoliberal global economic relations.

Postcolonial Feminism

Another way in which our understanding of autonomy has been further broadened is by work that includes experiences of previously excluded others. Much of this has meant a dialogical engagement with postcolonial scholarship for thinking through notions of identity, belonging and authenticity. A good example of this is Morwenna Griffith's work on self and identity (Griffiths, 1995). Griffiths uses the experience of various poets, authors and her own experience as a British feminist scholar to consider how identity and the self might be constructed. She finds that far from being an essence, identity is a fluid construction based on the social relations in which people are embedded. Here, Griffiths engages in a feminist explanatory-diagnostic analysis of the limits to conceptions of autonomy that has typically been tied to notions of a disembodied and disembedded being (Benhabib, 1992). In social work, this insight about the relational nature of self-making and autonomy is captured by the *person-in-environment* construct used in social work practice. Again, the point is that autonomy is not a matter of individual disembodied agency. Rather, autonomy is socially embedded and mediated.

Feminists have demonstrated that the 'theoretical and practical exclusion of women from the universalist public is no mere accident or aberration' (Young, 1987, p. 59). Moreover, this exclusion shapes the very relations of identity that women form, in addition to relations that contribute to oppressive conditions that exclude women's interests and concerns from debate and deliberations associated with the public sphere (Young, 1987). This exclusion effects the whole edifice of normative reason that underpins conceptions of autonomy because the relevant reasons that might be communicated in discussions about justice are—for a vast proportion of the population—simply not counted as part of the *will* of the people (Benhabib, 1987). It should be said that women are not the only excluded others—people of colour, and people marginalised by their membership of certain groups are also excluded (Young, 1990). In summary, this is a conception of autonomy that does not assume an essential human nature or argue for 'the unity of a transcendent impartiality' (Young, 1987, p. 59). This is a version of autonomy based on recognising that the personal is political, and, therefore, both the personal and social aspects of a person's practical identity are seen to have salience in and for public life.

Poststructural Feminism

A further challenge to the essentialised notion of the autonomous self is offered via another wave of feminist thinking, namely poststructural feminism. Broadly speaking, poststructuralism (sometimes used interchangeably with the US term, postmodernism) signalled 'A crisis of confidence in Western conceptual systems' (Lather, 1991 cited in Gannon & Davies, 2012, p. 70). As with liberalisms and feminisms there are different variations of poststructuralism (Sarup, 1993) and it is beyond the scope here to offer an extensive discussion. The main aspect of poststructural feminism that concerns us here is the debate about subjectivity, identity and autonomy. Like other feminists, poststructural feminists have critiqued the assumptions of an essential human being modelled on a generalised masculine archetypical subject (Gannon & Davies, 2012). Indeed, Gannon and Davies (2006, cited in Gannon and Davies, 2012, p. 72) suggest that 'Post-structuralism troubles the individualism of humanist approaches, seeing the humanist individual as a (sometimes) troubling and fictional accomplishment of social and discursive practices'. Thus, for poststructural feminists, autonomy is not anchored in the existence of an essential human subject, rather it is a product of power and discourse.

Some authors associate this idea particularly with archaeological and genealogical work by Michel Foucault and in social work this has meant that this understanding of discourse sits uneasily with the deeply humanist project of the profession (Ife, 1999). Nevertheless, there has been a reappraisal of Foucault's work on the issue of autonomy relevant to our discussion and this has emerged from feminist philosopher Amy Allen. Without rehearsing the full discussion, Allen (2011, p. 44) suggests that we can understand autonomy as '…the twin capacities to reflect critically upon the power–knowledge relations that have constituted one's subjectivity and to engage in practices of self-transformation'. Allen (2011, p. 44) suggests that this means a subject is constituted within power relations, not one '…that stands outside of society or power relations'. This notion of autonomy is built in part from two aspects in Allen's work—a deep engagement with Foucauldian thought as a diagnostic on the present, and 'thinking through power and autonomy simultaneously…in order to chart paths of possible emancipatory transformation' (Allen, 2008, p. 21). For social work, this notion of autonomy is not separate from relations of power but is integral to how people engage with the conditions in which they find themselves. Given that this perspective argues that the autonomous subject is an artefact of power relations, there is no essentialist quality to human subjectivity. And if there is no essentialist quality, this should be a hopeful position to adopt because it means that if we achieve an emancipatory transformation of power relations, then we can positively influence the constitution of autonomy in subjugated individuals, and this is a route towards social justice.

Conclusion

In this chapter we have presented and discussed the issue of human rights and its links to ideas about human dignity and worth. Despite the focus on individual human dignity, when human rights practice is described in social work it often lends itself to more macro descriptions of the policy and practice environments at national and international levels. There is, however, another dimension that we have tried to capture here through the discussion of autonomy that would be applicable in everyday practice. Here, somewhat regardless of the field of practice, social workers can engage in practices that foster autonomy and dignity, such as respectful communication that embeds principles of listening, recognition and enabling choice and creating authentic relations. Although autonomy has a history within the liberal and Kantian traditions associated with freedom and the use of reason, it is important to note the contemporary criticisms of autonomy, as outlined, for example from different feminist perspectives. From this feminist critique, we can conclude that it is important to be wary of accounts of autonomy that do not take into account the practical and social identities of people, and that ignore the socially mediated side of autonomy. Practicing social work by paying due regard to people's capacities for autonomy is something that can occur in any practice arena and we believe this can contribute significantly to the human rights and social justice aspirations of the profession.

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