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RESPECT AND THE VEIL

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The ethical challenge of multiculturalism

In 2007, in Mississauga, Ontario, Canada, 16-year-old Aqsa Parvez was murdered by her father and brother for refusing to wear the hijab.¹ According to media reports, not one of the 12 people present in the house at the time would bear witness to this “honor killing.”² Discussing this crime in a workshop for South Asian women three years later, Aruna Papp³, a Toronto Family therapist, noted with alarm, **that the consensus among the 19 South Asian Mothers present was that Aqsa brought her death upon herself for being a disobedient daughter.**

In Canada there is an average of approximately 2 honor killings of girls and women every year⁴ (though in 2011, 3 teenage girls and a superfluous wife in the Shafia family of Ontario were murdered all at the same time in a so-called honor killing). Papp’s worry, however, is not primarily focused on the horror of culturally driven murder. Her worry, rather, is more general; namely that those of us brought up immersed in the values of the Western world, and who normally could be relied on to fight vigorously in defense of equality and freedom for all, have somehow been rendered mute to the creeping female oppression that is sneaking in through the back door of multiculturalist tolerance. Thus Papp writes:

The ideology of multiculturalism, even among the most well-meaning advocates for female equality, tends to preclude any discussion of cultural values and traditions. Such advocates are afraid of being seen as “colonialists” and try to avoid a perceived “racialization” of an entire ethnic community.

¹ http://en.wikipedia.org/wiki/Aqsa_Parvez

² Papp 2010, p. A11.

³ Ibid.

⁴ Ibid.

Such advocates of *multiculturalism run amok* are afraid to ever imply some cultures are better than others where treatment of women is concerned (emphasis added).

Problematically, most advocates and activists for female victims of abuse shy away from challenging the immigrant communities to examine their own traditions and cultural values in explaining the violence in their homes.⁵

In poignant emphasis of Papp's point, four days later in the same newspaper, the founders of *Free the Children*, (an organization whose mission is to eliminate the exploitation of children around the world), Craig and Marc Kielburger sang praises to the Designer House of Givenchy for sending models down catwalks with their faces covered in protest the French government's ban on *burkas*. The French law, which the Kielburgers refer to as "institutionalized racism" and one that "counteracts the gains we've made toward a more tolerant world,"⁶ fines women \$190 US if they are caught wearing a face-covering in public, while it fines men *who force their wives or daughters to wear such face coverings* \$38,000 and up to a year in prison (emphasis added to underscore that the Kielburger thus apparently think that there is no problem with women being forced to wear face coverings). The Kielburgers' objections to such a law are that it further isolates such women and perpetuates stereotypes that Muslim women are submissive, and that it validates racism and Islamophobia in the West.

These opposing views create a dilemma for those of us outside the Muslim tradition who (a) wish to adopt the most ethical attitude possible but (b) believe that women covering their faces is, at least on the face of it (!), symbolic of oppression, subservience, and gender inequality. What would the notion of "respect for persons" have us do? Ought we to follow Papp's call to vigorously challenge "the immigrant communities to examine their own traditions and cultural values," or ought we, rather, to follow the lead of Kielburgers and vigorously defend cultural differences, at least those that are not obviously harmful? How might philosophy help us answer this question?

What does "respect for persons" require of us?

⁵ Ibid.

⁶ Kielburger 2010, p. B3.

Kant famously argued that morality requires that we treat others never merely as “means to ends” but also always as “end-in-themselves.” Kant argued that we ought to do so because to act morally was to act freely. If we take either part of Kant’s dictum to be true, i.e., that (1) morality requires that we treat others as ends (which I take to be the Kantian definition of “respect for persons”) and/or (2) that treating others as ends is actually a benefit to ourselves, we are nonetheless left with the problem of having an unclear guide as to what precisely treating others as ends requires that we do. What precisely does “respect for persons” demand of us?

The guideline that most easily emerges from this categorical imperative is that, since Kant took the paradigm characteristic of persons to be the capacity for self-conscious rational choice, respecting persons would appear to require of us that, at least as long as a choice does not hinder the choices of others, we ought to honour the choices that another makes.

Honoring choices.

This “liberal” ideal of honoring the choices of others as a foundational value has wide-ranging repercussions. The medical establishment, for example, whose original compass was anchored in the value of paternal beneficence, now expects doctors to consult patients and to honor their choices, at least in so far as those choices are not illegal and/or unprofessional, and as long as they can be considered authentic, and not a result of pain and fear, or the pressure of manipulating relatives. But this is the elephant in the room, is it not? How can we know when a patient chooses to, for example, forego life-saving treatment that it is “her choice”? And returning to our original topic, how can we know when a Muslim woman chooses to wear a hijab, or a more pronounced face covering such as the niqaab, that that it is really “her choice”?

Supporting “real” choice requires challenging the chooser.

Within the medical context, Buchanan and Brock argue, in their article *Standards of Competence*, that the degree to which one ought to **shoulder the responsibility of checking** to make sure that the patient’s choice does indeed stem from her “own conception of her own good”⁷ varies with the degree to which the

⁷ Buchanan 2009, p.28.

potential outcome is substantially worse than other alternatives.⁸ Buchanan and Brock stress that what is important in such scrutiny is that one focus on the *process* of the decision-making (rather than the actual decision made), which would include a check to make sure that all other options are clearly understood. With regard to the interesting question as to whether or not **we have a responsibility to check whether wearing the veil is an authentic choice**, since veiling one's face almost inevitably distorts and/or curtails communication with those outside one's reference group thus short-circuiting the kind of communicative rationality⁹ necessary to underpin authentic choice, Buchanan and Brock's position suggests that we shirk our responsibility if we do not challenge this practice.

Drawing from a more feminist tradition, Susan Sherwin worries about Buchanan and Brock individualized method of evaluating autonomous choice as it fails to recognize the possibility of "internalized oppression."¹⁰ Sherwin argues that we need to distinguish "agency" from "autonomy," where agency can be described as the capacity to merely exercise reasonable choice, while autonomy, i.e., self-governance, requires that one have the capacity to at least recognize and possibly (*perhaps even easily*) resist structures that may be oppressive.¹¹ According to Sherwin, "*The condition of being oppressed can be so fundamentally restrictive that it is distorting to describe as autonomous some specific choices made under such conditions*"¹² (emphasis added). Interestingly, Sherwin focuses on Western women in this regard. She says, for example, that many Western women "believe they have no real choice but to seek expensive, risky cosmetic surgery because they accurately perceive that their opportunities for success in work or love depend on their more closely approximating some externally defined standard of beauty."¹³ Sherwin's example thus brings some balance to the "veil argument" by pointing out that many Western women may be as blind to their own oppression as those they seek to liberate. Sherwin goes on to argue that if we are truly concerned that individuals have the opportunity to live autonomously by making real choices, then it is not enough to merely offer these individuals choices. "It also requires that the person have had the opportunity to develop the skills necessary for making the type of choice in question, the experience of being respected in her decisions, and encouragement to reflect on her own values."¹⁴ And Sherwin goes on to say that it

⁸ Ibid., p. 30.

⁹ Of the sort described by Habermas in *The Theory of Communicative Action*.

¹⁰ Sherwin 2009, pp. 41-2.

¹¹ Ibid., p. 40.

¹² Ibid., p. 37.

¹³ Ibid., p. 37.

¹⁴ Ibid., p. 42.

is the *society*, not just the agent, that ought to be the subject of critical scrutiny under the rubric of what she refers to as “*relational autonomy*”¹⁵ (emphasis added). In so doing, her position supports Papp’s call to vigorously challenge communities (immigrant or otherwise) to examine their traditions and cultural values that may, by their very nature, preclude genuinely autonomous choice.

Is wearing a veil a sign of internal oppression?

With regard to the question of whether wearing the veil can be accurately perceived as a sign of internal oppression, Ayaan Hirsi Ali, in her book *Nomad*, argues forcefully that the greatest slavery of Muslim women is indeed internal. She writes, for example, that in Muslim schools, both abroad and in the West, “girls learn all day long to be subservient and lower their eyes, to veil themselves to symbolize the suppression of their individual will. They are taught to internalize male superiority and walk very softly into the mosque by a back door. In weekend Quran schools, girls learn that God requires them to obey, that they are worth less than boys and have fewer rights before God.”¹⁶

With regard to the veil, Ali writes that the “different sorts of masks and beaks and burkas are all gradations of mental slavery”—that “The veil deliberately marks women as private and restricted property, nonpersons—that the veil sets women apart from men and apart from the world; it restrains them, confines them, grooms them for docility. A mind can be cramped just as a body may be, and a Muslim veil blinkers both your vision and your destiny. It is the mark of a kind of apartheid, not the domination of a race but of a sex.”¹⁷

Yet Ali is not surprised by the fact that “Many Muslim women in Western societies are demanding that they be allowed to wear the *hijab* (the head scarf)—some even the *niqaab* (the face covering with only the eyes showing).” “These women,” according to Ali, “believe that their own bodies are so powerfully toxic that even making eye contact with other people is a sin. The extent of self-loathing that this expresses,” Ali believes, “is impossible to exaggerate . . .”¹⁸ And Ali goes on to say that though a veiled woman “may be downtrodden from an objective standpoint . . . she doesn’t feel that way. . . . she is protected from loneliness. She *belongs*. She has the certainty, the strength, the clear goals that stem from belief.”¹⁹

¹⁵ Ibid., p. 42.

¹⁶ Ali 2010, p. 129.

¹⁷ Ibid., p. 16.

¹⁸ Ibid., p. 18.

¹⁹ Ibid., p. 39.

This is her opportunity “to be like a child again, protected, taken by the arm and told what is right and what is wrong, what to do and what not to do—to take a break from thinking.”²⁰

Unlike those of us outside the tradition, Ayaan Hirsi Ali has the credentials and knows whereof she speaks. She was brought up in the Muslim way during her childhood in Somali and later in Kenya. She was subjected to female genital mutilation (FGM) without anesthetic at the age of five. And for those of you who think that this abomination—this cutting off of the young girl’s clitoris and the excision of the lips of her vagina so that they fuse together in wait for the virginity test of her wedding night—is just an aberration, it is important to note that roughly 130 million women around the world have had their genitals cut:²¹ i.e., this amounts to approximately six thousand little girls being subjected to genital mutilation every day. A brief survey of various countries reveals that, for instance, 98% of Somali women have undergone FGM, 97% in Egypt, 95% in Mali, and 90% in Sudan.²²

Ali goes on to note that since all but the most assimilated (of immigrant) parents want their children to marry within the community, and since they believe that an “impure” girl, i.e., one whose clitoris and vagina are intact, will not find a husband, it is not farfetched to assume that it is not an infrequent occurrence for little girls to have their genitals cut without anesthetic on kitchen tables in many parts of the West.²³

In support of this assumption, Ruth Macklin, in her article *Ethical Relativism in a Multicultural Society*, reports that the medical community is indeed increasingly experiencing requests for genital cutting, as well as increasingly having to deal with incidents of hemorrhage and/or infection following “at home” ritual female circumcision. Trying to walk a reasonable path through this treacherous multicultural territory, Macklin relates a talk given by a physician who conducted research with East African women living in Seattle, and who argued that “Western physicians must curb their tendency to judge cultural practices different from their own as ‘rational’ or ‘irrational.’” This physician went on to say that

²⁰ Ibid., p. 38.

²¹ Ibid., p. 128.

²² All figures come from *Integration of the Human Rights of Women and the Gender Perspective/Violence Against Women (2003)*, Report of the special Rapporteur on Violence against Women, Its Causes and Consequences, Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights Resolution 2002/52/.

²³ Ali 2010, p. 128.

“Ritual genital cutting is an ‘inalienable’ part of some cultures, and it does a disservice to people from those cultures to view it as a human rights violation.” Furthermore, “in countries where female genital mutilation (FGM) is practiced, circumcised women are ‘normal’.”²⁴--thus trying to make a case in support for the increasing number of requests for genital cutting by immigrants to the Western world.²⁵

Arguing against this position that she characterizes as “overtolerance,”²⁶ Macklin notes that since cultures change over time, it makes little sense to consider any ritual as “inalienable” (let alone one that does harm—what in logic circles is known as an illegitimate appeal to tradition²⁷), to say nothing of the fact that the statistical normality of FGM no more supports its legitimacy than the fact that malnutrition and malaria are “normal” in Africa supports the suggestion that it ought to be maintained.²⁸ Macklin goes on to point out that, in any case, there is an inherent contradiction in the very notion of “multiculturalism.” If the basic premise of multiculturalism is that “all cultural groups be treated with respect and as equals,” what does this imply, she asks, with regard to cultural groups that oppress or fail to respect other cultural groups? And even more problematic, what does this imply with regard to cultural groups that oppress or fail to respect sub-groups within their own cultures?²⁹

Ali would reply that tolerance of oppression internal to a group is “racism of low expectations—that this Western attitude is based on the idea that people of colour must be exempted from ‘normal’ standards of behavior.”³⁰ She expresses anger that “this subjugation is silently tolerated, if not endorsed . . . by so many in Western societies where the equality of the sexes is legally enshrined.”³¹ And she is particularly aghast that “Even though their predecessors had once agitated for the rights of workers, the rights of women, and the rights of blacks, American liberals today are hesitant to speak out against the denial of rights (and the ill treatment of women) that is perpetrated in the name of Islam.”³²

²⁴ Macklin 2009, p. 53.

²⁵ *Ibid.*, p. 52.

²⁶ *Ibid.*, p. 49.

²⁷ Gardner 2009, p. 84.

²⁸ Macklin 2009, p. 53.

²⁹ *Ibid.*, pp. 55-56.

³⁰ Ali 2010, p. xviii.

³¹ *Ibid.*, p. 16.

³² *Ibid.*, p. 106.

Terry Glavin, in his book entitled *Come from the Shadows*, makes a similar point when he notes the disturbing tendency for human rights to be viewed as a peculiarly Western set of values. Glavin argues that this belief primarily benefits Western Liberals as it underscores a sense of superiority while simultaneously distancing themselves from the struggles of others in the name of respecting their cultural customs. “As if people in other societies somehow find oppression more agreeable.”³³

It could be argued, however, that such criticism of the apparent “overtolerance” of Western Liberals is unfairly harsh, as it fails to recognize the fact that differentiating *authentic choice* from *quasi-choice that emerges from internal oppression* is often difficult, and that it is this “masking” of authenticity, not condescension or lack of care, that the a major cause of a retreat behind tolerance.

Differentiating authentic choice from quasi-choices that emerge from internal oppression.

In her book *A Quiet Revolution: The Veil's Resurgence from the Middle East to America*, Leila Ahmed, a professor of Divinity at Harvard Divinity School, attempts to explore the threads of authentic versus “forced” choice as they are woven through the modern resurgence of the veil. Ahmed notes that this resurgence is particularly perplexing in light of the fact that, in the 1950's, being unveiled and bareheaded was the norm in the cities in Egypt and other Muslim majority societies.³⁴ Ahmad discusses at length the growing strength of the Muslim Brotherhood³⁵ (who have affirmed the veil as a foundational Islamic requirement)³⁶ and Islamism's ‘quintessentially political agenda’ of Islamizing society.³⁷ She notes that even here in America, the Islamic Society of North America (ISNA) appears to embrace what the veil seems to imply: male dominance and gender hierarchy and separation.³⁸ Nonetheless, she notes that a reluctance to discard the veil on the part of some women is at least partially a function of the fact that this may be perceived by non-Muslims as reinforcing the colonial assumption that it

³³ Sajoo 2011, p. A11.

³⁴ Ahmed 2011, p. 10.

³⁵ Brotherhood members are typically welcome immigrants because they are typically well-educated: engineers, chemists, doctors, scientists, and teachers. (Ahmed 2011, p. 57.)

³⁶ Ahmed 2011, p. 8.

³⁷ Ibid., p. 9.

³⁸ Ibid., p. 7.

was the job of white men to save brown women from brown men.³⁹ Her exploration of the history of the veil resurgence supports this claim. Following Nasser's and the Arab world's devastating defeat by Israel in the war of 1967, a mood of religiosity swept across the Arab world.⁴⁰ The defeat was interpreted as a clear sign of God's punishment of Arabs for putting their faith in nationalism and secularism and turning away from Islam.⁴¹ Women who now took up the veil reported undergoing an "internal transformation," or feeling "psychologically and intellectually separated from mainstream society."⁴² And the dress enabled them to easily recognize each other.⁴³ The general goal of this movement was to bring forth the ideal Islamic Society and to oppose such ideologies as Communism, Zionism, and Feminism.⁴⁴ The standardization of material and colour visibly modeled the egalitarian principles of social equality and justice for all. Islamic dress provided a way to "sit in judgment of mainstream society,"⁴⁵ and it imbued women with a kind of moral and religious authority that might discourage sexual harassment (which, in Egyptian universities, was routine).⁴⁶ In Saudi Arabia, particularly following the soaring oil prices after the war of 1973, Islamic dress became a sign of wealth, chic, and prestige.⁴⁷ Nonetheless Ahmed notes that both religious and social pressures made it difficult for individual women to choose **not** to wear the veil.⁴⁸ She notes that researchers studying the Islamist movement more broadly suggest that veiling spread because **male** leaders conceived of veiling as strategically important to the movement,⁴⁹ as a sign of resistance to Western civilization and of the beginning of *iltizam* (pious commitment) toward Islam,⁵⁰ and as a pushback against the degradation heaped on Muslims as a result of the economic imperialism of the West.⁵¹ The resurgence of the veil supported widespread optimism for an Islamist future, particularly as it accompanied what appeared to be a cultural decline of the West.⁵² Ahmed notes, though, that this so-called optimistic view of the future includes a "biologization" (i.e., enslavement)

³⁹ Ibid., p. 24.

⁴⁰ Ibid., p. 66.

⁴¹ Ibid., p. 66.

⁴² Ibid., p. 79.

⁴³ Ibid., p. 79.

⁴⁴ Ibid., p. 79.

⁴⁵ Ibid., p. 86.

⁴⁶ Ibid., p. 87.

⁴⁷ Ibid., p. 101.

⁴⁸ Ibid., p. 124.

⁴⁹ Ibid., p. 131.

⁵⁰ Ibid., p. 134.

⁵¹ Ibid., p. 139.

⁵² Ibid., p. 154.

of Muslim women—an ideological picture that was reinforced by the influential Islamist theorist and member of the Brotherhood in the 1950 and 60's, Sayyid Qutb, who was executed by Nasser in 1966. Sayyid Qutb stated unequivocally that the woman's responsibility to society is synonymous with her biological function in life. Being the caretakers of the family and children define women's identity, importance and dignity.⁵³

We thus leave Ahmed's exploration with the sense that Muslim women have been caught in a double bind. If she covers her face, she will inevitably short-circuit her capacity to access alternative viewpoints and challenges which in turn will undermine her ability to make real "self-affirming" choices (even if she avoids the religious and cultural oppressive practices that often accompany the wearing of the veil). Yet if she refuses the face covering, she undermines the efforts of her men, her religion, and her culture to launch a visible public pushback against the oppression that they suffered at the hands of the imperialist West.

The Answer.

Though on the face of it, it appears as if Muslim women are caught in a real dilemma, it is actually a false one, as there is **third option** already readily available whereby Muslim women can reaffirm her loyalty to the people and ideology that she cherishes, while not undermining the communicative rationality necessary to maintain her status as a person. The third option is that she can wear the hijab, i.e., the head covering. Thus, to the degree that criticism of full face covering is accompanied by a celebration of "the hijab option," charges of racism and promoting Islamophobia⁵⁴ are defused. Indeed, if criticism of face covering is persistently paired with an honoring of the hijab, it will become evident that condemnation of any sort of face covering has nothing whatsoever to do with Islamophobia. It will become clear that those who denigrate the covering of one's face do so **not** because it is perceived as a sign of religious piety; it is deemed wrong because it threatens the communicative personhood of the woman who wears it (and hence, importantly, the personhood of her female offspring). Face covering also instills highly-charged preoccupying worries in countless Western Liberals who fear that to tolerate such practices is to tolerate rampant oppression (witness the energy imbued in the writing of this paper). Echoing this pervasive

⁵³ Ibid., p. 108.

⁵⁴ Kielburger 2010, p. B3.

worry, Craig McInnes,⁵⁵ a noted member of the editorial board of the Vancouver Sun, writing in support of Canada's new restriction on veiling one's face while taking the oath of citizenship, notes that the practice of females covering their faces is troubling because it is associated with parts of the world where women have fewer rights than men and that therefore we ought to be legitimately worried that this unacceptable inequality is filtering into Canada. As well, echoing the communicative issue discussed above, McInnes says that what he finds even more troubling is that wearing the veil is "like hiding behind a one-way mirror; (that wearing) a mask allows a person to read the faces of others without themselves being read" –and that therefore "wearing a full face covering is just plain "rude."⁵⁶ He concludes that accommodation cannot be a one-way street.

Conclusion

The overall conclusion to which this foray into veil territory thus brings us is this. It is a mistake to perceive persons and their choices as "objects" in the sense of "things that ought to be revered as one finds them," and to do a "liberty dance" around them to the tune of the sort favored by John Stewart Mill. To do so, is to view a person or a culture as one might view a work of art, as if one has an obligation to preserve it as a finished product. In Buber's terms, this is to enter into an "I-It" relationship with the other, rather than one he poetically describes as "I-Thou."

It brings us to the conclusion that respect, rather, requires the sort of communicative interchange that underscores one's recognition that one is **freedom** interacting with others who are **essentially free** (to borrow Sartre terms); it is to embody a deep understanding that we are **processes**⁵⁷ not **objects**, and that, as such, the foundational cognitive/moral attitude ought to be one of genuine, though challenging, curiosity with regard to the ever-changing social landscape and the wildly different ways in which persons, not wholly dissimilar to ourselves, attempt to carve out a good life.

It is absolutely imperative, however, that we keep in mind that "the other" may be unwilling and/or unable to meet us in the "in-between" of communicative rationality, and that even if such an interchange takes place, compatibility may not

⁵⁵ McInnes 2011, p. A1.

⁵⁶ Ibid., p. A9.

⁵⁷ Or, as Sartre says more poetically "I am what I am not, and I am not what I am."

be possible. In such situations, personhood, nonetheless, requires of us that we vigorously don the mantle of active responsibility in the lifelong pursuit of constantly reconstructing our own best answers to the questions that life continuously asks of us.⁵⁸

And so, with regard to the specific questions that address us here, the answers seem to be as follows.

With regard to harmful traditions, such as Female Genital Mutilation, precisely because they cause harm, the onus lies squarely with those who would continue such practices to articulate a reason-based defence of such traditions, which in turn needs to compete “objectively” against the very strong reasons that oppose them.

With regard to veiling, since the sort that hides the human face interferes with the communicative interchange that is necessary to maintain mutually dependent personhood, if the choice is forced, then clearly it ought not to be respected. If the wearer argues that the choice is hers, since the practice is indicative of a shirking of one’s responsibility to do one’s part in maintaining our common humanity (though she maintains a one-way read on others), it is a form of disrespect, and hence ought not to be respected. And since, to those outside the practice, a veiled face is symbolic of internal oppression that cries out for external assistance, to the degree that those who maintain this practice know this, this is similar to crying “Fire” when they themselves perceive no threat present. This, too, is a form of disrespect that ought not to be respected.

“Respect for persons” is not, and should not be seen as, unconditional. Respect is an attitude of openness and genuine inquiry that fuels communicative rationality that, in the best of times, leads to the sort of rational choice that Kant envisioned. However, when others refuse to play by these communicative rules, a one-sided attempt to maintain “the game of respect” that is *essentially* intersubjective is not only futile, it undermines one’s responsibility to maintain of one’s own self respect.

The short answer to the veil question is, thus, that face covering, if apparently a product of personal choice, is disrespectful to others, and hence ought not to elicit respect. If face covering is not a product of personal choice, it is

⁵⁸ Frankl 1984, p. 98.

oppressive, and hence also ought not to elicit respect. The practice of face covering and respect for that practice are, in other words, incompatible.

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