

STRATEGIC GENDERING AS CAPABILITY: ONE LENS INTO THE COMPLEXITY OF POWERLESSNESS

SASKIA SASSEN*

In her influential work on capabilities, *Women and Human Development*,¹ Martha Nussbaum addresses questions that cut across diverse framings and philosophical conceptions, even as her project is to exit the confinements of these conceptions. Her conceptual exit aims at a precise locating of the core elements that should be at work in our understanding of human development: the individual as a bearer of capabilities that ought to be realized. These core elements should be recognized normatively and politically.² More specifically, her work establishes a norm: the right of women to be what they can be.

* Saskia Sassen is the Robert S. Lynd Professor of Sociology and Member, The Committee on Global Thought, Columbia University. Her recent books include *Territory, Authority, Rights: From Medieval to Global Assemblages* (2008) and *A Sociology Of Globalization* (2007).

¹ MARTHA C. NUSSBAUM, *WOMEN AND HUMAN DEVELOPMENT* (2000) [hereinafter NUSSBAUM, *WOMEN AND HUMAN DEVELOPMENT*].

² There is a large body of data on each of these two major processes, but it does not necessarily address and develop the connection between them. See generally Diana Alarcón-González & Terry McKinley, *The Adverse Effects of Structural Adjustment on Working Women in Mexico*, *LATIN AM. PERSP.*, May 1999, at 103; Simone Buechler, *Deciphering the Local in a Global Neoliberal Age: Three Favelas in Sao Paulo, Brazil*, in *DECIPHERING THE GLOBAL: ITS SCALES, SPACES, AND SUBJECTS* 95 (Saskia Sassen ed., 2007) [hereinafter *DECIPHERING THE GLOBAL*]; Nilufer Cagatay & Sule Ozler, *Feminization of the Labor Force: The Effects of Long-Term Development and Structural Adjustment*, 23 *WORLD DEV.* 1883 (1995); Giselle Datz, *Global-National Interactions and Sovereign Debt-Restructuring Outcomes*, in *DECIPHERING THE GLOBAL*, *supra*, at 323; *GLOBAL WOMAN: NANNIES, MAIDS, AND SEX WORKERS IN THE NEW ECONOMY* (Barbara Ehrenreich & Arlie R. Hochschild eds., 2003); MAX KIRSCH, *INCLUSION AND EXCLUSION IN THE GLOBAL ARENA* (2006); Jean L. Pyle & Kathryn B. Ward, *Recasting Our Understanding of Gender and Work During Global Restructuring*, 18 *INT'L SOC.* 461 (2003); HELEN I. SAFA, *THE MYTH OF THE MALE BREADWINNER: WOMEN AND INDUSTRIALIZATION IN THE CARIBBEAN* (1995) (examining female industrial workers in the Caribbean). For an additional resource focusing on migration, see the International Office for Migration ("IOM"), <http://www.iom.int/> (last visited Feb. 1, 2010).

I intersect with this proposition. But I start from and arrive at conceptual grounds that diverge from Nussbaum's. This divergence in beginnings and endings can coexist with that shared point of intersection: the recognition of individuals as bearers of capabilities. The divergence stems partly from our different disciplines and partly from substantive differences in focus. Nussbaum's concern in *Women and Human Development* is to recover the individual, in this case women, as the bearer of capabilities.³ My concern is to recover the larger assemblage of actors and conditions within which this individual can become a bearer of capabilities.

In terms of the focus of this Article, the major theoretical and political implication is a systemic repositioning of exploited or undervalued women. After twenty years of International Monetary Fund ("IMF") driven restructuring in poor Global South countries, these exploited and undervalued women are active factors in the making of alternative political economies for survival, not only for survival of their households but also for a range of economic sectors and for governments. In this process these women do not necessarily become empowered. The women themselves most likely do not gain anything from their functioning as a capability in the making of alternative economies for survival—or, from this analytic recognition/legibility of their systemic positioning as a vanguard actor in the making of a new history. But this recognition matters politically and theoretically: they are not only victims, and they can make history even if they do not become personally empowered. In this complexity of powerlessness lies a possibility for politics, including the making of the political. To sharpen the elaboration of the argument in this short article, I have chosen to focus on systems that can be seen as negative, notably, the trafficking of women for the sex industry, perhaps one of the most extreme forms of trafficking of workers. The analysis in this Article examines how these exploited women have become a key source for the survival not only of their households, as has been widely reported, but also, and less noted, for the survival of "entrepreneurship" in economies devastated by neoliberal policies that have destroyed traditional economies. Entrepreneurship in the context of trafficking ranges from global criminal syndicates, which are truly murderous, to small local entrepreneurs who are actually hired by the "trafficked" migrant, whether woman or man. Furthermore, these trafficked workers have become a source for enhancing government revenues at a time when many of these governments are burdened by massive debts to the international financial system and access

³ See generally, NUSSBAUM, *WOMEN AND HUMAN DEVELOPMENT*, *supra* note 1.

to hard currencies has become critical. The capacity to enable survival of households, economies and governments needs to be recognized. That these women remain powerless and are often enslaved is a fact, but that should not obscure a second fact, that there is complexity in this powerlessness, and hence the possibility of a politics—a reorienting of this collective capacity towards different aims and thereby a making of a history.

Part I discusses how the concept of capabilities becomes central to my analysis, albeit through a shift from individual to system. Part II shows how a feminist analytics of major features of economic systems can bring to the fore the collective capacity of women to *make* economies, even as this fact did not bring empowerment to women and was obscured in standard economic accounts. I name this collective capacity strategic gendering because it goes beyond the matter of gendered outcomes and involves making. Part III elaborates on this through a more detailed empirical examination of how strategic gendering emerges as a capability feeding the formation of alternative economies—for the survival of households, economic entrepreneurship, and governments—that operate on the backs of mostly poor and exploited women. A big question is whether the negative valence of this dynamic is one step in a larger trajectory where that capability might eventually become a positive one for those women, a subject I develop at greater length elsewhere.⁴

I. STRATEGIC GENDERING: WHEN CAPABILITIES BECOME MULTIVALENT

In this analytic shift from individual to system, the category of capabilities can change valence; more precisely, it is marked by multivalence in that it can be positive or negative, depending partly on the specific assemblage of elements within which it functions.⁵ I argue that capabilities can evince negative valence: under certain conditions, what is good for a system (including good for noxious systems) turns out not to be necessarily good for the individual even if her “capabilities” have come into play to enable, support, that system. In spite of this systemically driven

⁴ See SASKIA SASSEN, *A SOCIOLOGY OF GLOBALIZATION* 118–22 (2007) [hereinafter SASSEN, *SOCIOLOGY OF GLOBALIZATION*].

⁵ Elsewhere I have developed an analytics that situates capabilities in longer temporal trajectories which allows us to see shifts in valence, whereby a positive capability can become negative, or vice versa, it can become positive as it gets embedded in a different organizing logic or systemic formation. For an elaboration, see SASKIA SASSEN, *TERRITORY, AUTHORITY, RIGHTS: FROM MEDIEVAL TO GLOBAL ASSEMBLAGES*, chs. 1, 8–9 (2006) [hereinafter SASSEN, *TERRITORY, AUTHORITY, RIGHTS*].

negative valence for the individual, I consider it important to recover the fact that an individual's capabilities are at work. One conceptual instrument in this analysis is, then, the notion of capabilities.

Extricating the category of capabilities from its positive valence opens up the analytic possibility that powerlessness can range from elementary to complex, a critical element for my attempt to capture how powerless women can be bearers of capabilities that materialize not at the individual but at the system level. This variability in the meaning of powerlessness does not simply depend on the characteristics of individuals: the settings also matter. For instance, the powerlessness of a specific undocumented immigrant will be quite elementary in the context of a California commercial farm but can become complex in a city like New York or Los Angeles. Strategic gendering is one instantiation of the complexity of powerlessness.

Martha Nussbaum's work has redrawn the conceptual map within which we situate the notion of capabilities today; indeed, her work has been of major importance to the development of a feminist analytics centered in this concept. What Nussbaum calls for is:

[A] *principle of each person's capability*: the capabilities sought are sought for *each and every person*, not, in the first instance, for groups or families or states or other corporate bodies. Such bodies may be extremely important in promoting human capabilities, and in this way they may deservedly gain our support: but it is because of what they do for people that they are so worthy, and the ultimate political goal is always the promotion of the capabilities of *each person*.⁶

In this regard she argues forcefully:

When we look at the family, whose capabilities do we look at? Here we must repeat: we look at *each person*. Here, as in the case of religion, a *principle of each person's capability* should guide us. It is not enough to ask whether the family promotes a diffuse and general kind of affection and solidarity. We must ask in detail what it does for the capabilities of each of its members—in the area of love and care, and also with regard to the other capabilities.⁷

⁶ NUSSBAUM, WOMEN AND HUMAN DEVELOPMENT, *supra* note 1, at 74 (emphasis in the original).

⁷ *Id.* at 246 (emphasis in the original).

Further,

The basic political principles [of liberal individualism as argued here] mandate that society secure a threshold level of the basic goods of life to *each*, seeing *each* life as deserving of basic life support and of the basic liberties and opportunities; that we do not rest content with a glorious total or average, when some individuals are lacking, whether in liberty or in material well-being.⁸

There is much I agree with here, content-wise.

Nussbaum's emphasis on the individual takes her in a specific direction conceived of as univocal. She writes, "A capabilities analysis, by contrast [to a utility-based analysis], looks at how people are actually enabled to live."⁹ This statement implies a one-to-one relationship between capabilities and individual, and, perhaps more clearly, attaches a positive valence to "enabled to live." I would agree that this is an important question and that many such enablements to live can be positive. But are they always? The shift from individual to system brings with it a triangulation: there is now a third actor in the frame, and this, in turn, problematizes the question of who is the beneficiary of an individual's capabilities, or of an individual being "enabled to live," and thereby problematizes the proposition that capabilities are necessarily positive in valence. In some ways, this triangulation parallels feminist analyses of patriarchy in the household insofar as women's work is critical to the household and to maintaining patriarchy even as the latter is noxious. The switch from individual to system allows us to recognize that the capabilities are a variable when it comes to the *practical* world. This does not necessarily preclude its being *constructed* as positive in the world of *norms*.

The emphasis on the individual has placed this important book at the center of multiple debates. At a time when diversity, group rights, and other divergent conceptions have proliferated, her book has drawn much commentary and critiques. It is not my purpose in this Article to discuss this vast body of responses.¹⁰ Here I only want to reference some of the

⁸ *Id.* at 247 (emphasis in original).

⁹ *Id.* at 99.

¹⁰ For a discussion of Nussbaum's concept of capabilities, see Brooke Ackerly, *Women and Human Development: The Capabilities Approach*, 29 *SIGNS* 248 (2003); Rachana Kamtekar, *Review of Sex and Social Justice and Women and Human Development: The Capabilities Approach*, 111 *THE PHIL. REV.* 262 (2002) (book review); Anne Phillips, *Review of Women and Human Development: The Capabilities Approach*, 112 *ETHICS* 398

statements by Nussbaum in her book that address some of the commentary and critique that was to come. My engagement with Nussbaum's conceptualization of capabilities comes from angles different from those present in these commentaries. My analysis does engage the fact of individuals who even though powerless need to be recognized as bearers of capabilities. In many settings this individuating is profoundly unsettling of established cultural norms and group rights. Nussbaum addresses this frontally:

I have argued that legitimate concerns for diversity, pluralism, and personal freedom are not incompatible with the recognition of universal norms; indeed, universal norms are actually required if we are to protect diversity, pluralism, and freedom, treating each human being as an agent and an end. The best way to hold all these concerns together, I have argued, is to formulate the universal norms as a set of capabilities for fully human functioning, emphasizing the fact that capabilities protect, and do not close off, spheres of human freedom.¹¹

Elaborating, she notes:

The capabilities framework, when used to evaluate these lives, does not appear to be an alien importation: it seems to square pretty well with the things these women are already thinking about, or start thinking about at some time in their lives, and want when they think about them. Insofar as it entails criticism of traditional culture, these women are already full of criticism; indeed, any framework that did not suggest criticism would not be adequate to capture what they want and aim for, and would hardly be an accurate description of the culture in which they live. In particular, the ideas of practical reason, control over environment, and non-humiliation (including sexual non-humiliation) seem especially salient in their thought, alongside more obvious considerations of nutrition, health, and freedom from violence.¹²

(2002) (book review); Elliot Turiel, *Striving for Justice, Equality and Decent Lives—Essay Review of Women and Human Development: The Capabilities Approach* by Martha C. Nussbaum, 46 HUM. DEV. 363 (2003); Eiman Zein-Baldin, *Review of Women and Human Development: The Capabilities Approach*, 36 J. ECON. ISSUES 229 (2002) (book review).

¹¹ NUSSBAUM, WOMEN AND HUMAN DEVELOPMENT, *supra* note 1, at 106.

¹² *Id.* at 109.

And on the particularly delicate matter of religion:

I have argued that [an adequate approach to the dilemma presented by religion] must respect the intrinsic value of religious capabilities and of religious women and men as choosers of a way of life (a basic commitment of political liberalism), while at the same time taking just as seriously the importance of the full range of the human capabilities that are sometimes at risk for women in traditional religious cultures. Finally, [such approach] must understand and respect the plurality and diversity of voices in each religious tradition, both traditional and critical, both female and male. This entails being skeptical from the start of any account that fails to recognize the complexity both of religion and of women's interests.¹³

Returning to the focus in this Article, the analytic shift from individual to system does reposition the range of contents of what is conceived of as positive in Nussbaum's analysis. This shift allows me, at the limit, to reposition workers who are powerless and vulnerable as, nonetheless, bearers of capabilities that can be activated when scaled up to (particular) systems. One of the propositions I have developed elsewhere, and that comes into play in this analysis, is that this shift from individual to system also allows us to open up the condition of powerlessness into a variable: powerlessness can range from elementary to complex.¹⁴

A substantive question for me in this analytic opening is whether specific systemic conditions make powerlessness, often seen as an absolute negative, into a capability by making it complex, a condition that in my reading is articulated with a systemic, rather than individual, level. In my research I find this possibility of a complex powerlessness as capability in particular strategic conjunctures where the powerless become actors in a systemic shift, often at the price of their lives and suffering. I want to recognize this condition, and resist submerging it under a generic powerlessness with an exclusively negative valence. By positing it might be a capability under certain conditions I unsettle both the meaning of powerlessness and of capability. Further, it entails distinguishing complex powerlessness from empowerment. Opening up powerlessness into a variable contests its status as a fixed condition that derives its meaning from the opposite condition—power or empowerment. From there, then, comes

¹³ *Id.* at 188.

¹⁴ SASSEN, TERRITORY, AUTHORITY, RIGHTS, *supra* note 5, at 277–321.

the analytic possibility that powerlessness can range from elementary to complex.

II. STRATEGIC GENDERING IN THE GLOBAL DIVISION OF LABOR

Introducing the notion of strategic gendering in the explanation of economic processes lays bare the existence of a gender nexus as an operational reality, a factor in the making of those economic processes. Once made visible, this nexus can then be made into an analytic category. A rich feminist scholarship emerging in the 1970s has done precisely this for past phases of the global division of labor. But as each phase in this long history of international divisions of labor has generated specific forms of strategic gendering, we must recover the distinctiveness of today's global phase, even as older forms of gendering in the world economy also continue to function. Subjecting the current phase to a feminist analytics is perhaps more elusive given the financializing of whole economies, the weight of technical issues in economic operation, and generally an enormously intermediated economy that tends to leave the human factor out of the picture. Further, the massive increase in poverty and inequality affecting growing numbers of men, women and children in both rich and poor countries easily obscures the particularity of gendering in these conditions. But let me first briefly address the older feminist scholarship.

There is a long-standing research and theorization effort engaged in uncovering the role of women in international economic processes. We can identify at least two phases. A first phase focused especially on the implantation, typically by foreign firms, of cash crops and wage labor in "traditional" economies dominated by small-holder production.¹⁵ The critical analytical insight introduced by feminist scholars was the partial dependence of large-scale modern commercial agriculture on women subsidizing the waged labor of men through their household production and subsistence farming. The subsistence sector and the modern capitalist enterprise were shown to be articulated through a gender dynamic. This gender dynamic, in turn, veiled this articulation. This contrasted sharply with the standard development literature, which represented the subsistence

¹⁵ See Carmen Diana Deere, *Rural Women's Subsistence Production in the Capitalist Periphery*, REV. OF RADICAL POL. ECON., Apr. 1976, at 9 (analyzing women's roles in agricultural production and how gender division in labor roles affects the value of labor power); see also ESTER BOSERUP, *WOMAN'S ROLE IN ECONOMIC DEVELOPMENT* (1970) (one of the first comprehensive examinations of women's contribution to the modernizing of economies through their unpaid household work).

sector as a drain on the modern sector and as an indicator of backwardness; it was not measured in standard economic analyses.

A second phase in feminist economic analysis was the scholarship on the internationalization of manufacturing production that took off in the 1970s and the feminization of the proletariat in the developing countries that came with it.¹⁶ The key analytic insight was that the formation of a feminized offshore proletariat helped firms in the developed countries in their efforts to weaken what had become increasingly strong unions, and insofar as the offshored proletariat was female, it was less objectionable to those unions.¹⁷ Offshore production also helped firms in the Global North secure competitive prices for the reimported goods assembled offshore, a significant advantage given the growth of cheap imports from other countries.¹⁸ Further, this offshoring generated a disproportionately female workforce in the poorer countries where those jobs moved.¹⁹ These women had hitherto largely remained outside the industrial economy. In this regard, it is an analysis that also intersected with issues in the Global North, such as why women predominate in certain industries, notably, garment and electronics assembly, no matter what the level of development of a country.²⁰ To some extent, offshoring and feminizing this proletariat also

¹⁶ See generally MARÍA PATRICIA FERNÁNDEZ-KELLY, *FOR WE ARE SOLD, I AND MY PEOPLE: WOMEN AND INDUSTRY IN MEXICO'S FRONTIER* (1983) (examining assembly plants and the female labor force in Ciudad Juárez, Mexico); SASKIA SASSEN, *THE MOBILITY OF LABOR AND CAPITAL* (1988) [hereinafter SASSEN, *MOBILITY OF LABOR AND CAPITAL*] (examining the connection between economic globalization, foreign investment and labor emigration to the U.S. in the 1960s–1980s); Mirjana Morokvasic, *Birds of Passage Are Also Women . . .*, 18 INT'L MIGRATION REV. 886 (1984) (introducing a gender perspective in a scholarship that had not quite done so); JUNE NASH & MARÍA PATRICIA FERNÁNDEZ-KELLY, *WOMEN, MEN, AND THE INTERNATIONAL DIVISION OF LABOR* (3rd ed. 1983) (providing one of the first treatments of global economic realignments with a gender perspective); LYDIA POTTS & TERRY BOND, *THE WORLD LABOR MARKET: A HISTORY OF MIGRATION* (1990) (providing a global market perspective on a subject usually examined as people flows from one to another country); *PERSISTENT INEQUALITIES: WOMEN AND WORLD DEVELOPMENT* (Irene Tinker ed., 1990) (providing an examination of the negative effects on women of the first generation of structural adjustment programs by the IMF and World Bank); KATHRYN WARD, *WOMEN WORKERS AND GLOBAL RESTRUCTURING* (1991) (providing a similar perspective with a greater focus on work and the world-system).

¹⁷ See generally SASSEN, *MOBILITY OF LABOR AND CAPITAL*, *supra* note 16.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ See, e.g., *UNEQUAL BURDEN: ECONOMIC CRISES, PERSISTENT POVERTY, AND WOMEN'S WORK* (Lourdes Beneria & Shelley Feldman eds., 1992); RUTH MILKMAN,

contributed to keeping it from becoming an empowered workforce in developed countries, including actual union power, and it prevented existing, largely male unionized workforces from becoming stronger.²¹

But, what about the sites where gendering is strategic in today's leading processes of globalization? In part, at least, the analytic contributions of this long-standing scholarship remain critical for the current global phase insofar as both the expansion of commercial export-oriented agriculture and the off-shoring of jobs to low-wage countries continue. They do so with some new modalities and economic geographies, *e.g.* growing male workforces and the addition of China. In many ways, though not all, these developments are predicated on dynamics identified and theorized in that earlier literature.

We can identify a mix of literatures that amount to a third phase in the feminist analysis of economic development, even though they often contain an elaboration of the categories and findings of the previous two phases discussed above. One type of scholarship is that which uncovers the specifics of the current global phase focuses on transformations in women's subjectivities and in women's notions of community of membership. As did the older development literature, today's literature on economic globalization tends to assume gender neutrality. In addition, it tends to proceed as if questions of subjectivity somehow were not part of the diverse workforces involved.

In contrast, the feminist scholarship has recovered a range of critical conditions that point to the importance of gendering dynamics: the effects of economic globalization on the partial unbundling of sovereignty and what this means for the emergence of cross-border feminist agendas, the place of women and of feminist consciousness in the new Asian mode of implementing advanced global capitalism, and the global spread of a set of core human rights and its power to alter how women themselves understand their position in various potential communities of membership.²² Among the richest literatures, and most pertinent to the issues discussed in

GENDER AT WORK: THE DYNAMICS OF JOB SEGREGATION BY SEX DURING WORLD WAR II (1987); BEVERLY J. SILVER, FORCES OF LABOR: WORKERS' MOVEMENTS AND GLOBALIZATION SINCE 1870 (2003).

²¹ See sources discussed in note 16, *supra*.

²² See generally UMA KOTHARI, A RADICAL HISTORY OF DEVELOPMENT STUDIES: INDIVIDUALS, INSTITUTIONS AND IDEOLOGIES (2006); LINDA E. LUCAS, UNPACKING GLOBALISATION: MARKETS, GENDER AND WORK (2005); VALENTINE M. MOGHADAM, GLOBALIZING WOMEN: TRANSNATIONAL FEMINIST NETWORKS (2005); AIHWA ONG, FLEXIBLE CITIZENSHIP: THE CULTURAL LOGICS OF TRANSNATIONALITY (1999).

this Article, is a feminist scholarship specifically focused on female immigrants, including research on how international migration alters gender patterns and how the formation of transnational households can empower women.²³

Far more specific is the question of strategic gendering in today's leading global economic sectors. Research on the particular instances where gendering is actually strategic for such sectors is still rare.²⁴ The economic developments examined later in the paper are ones where the role of women, and especially the condition of being a migrant woman, emerges as crucial to the formation of novel economic arrangements, notably, particular components of global cities and of the alternative political economies in poor countries.

Strategic gendering in the global city occurs through both the sphere of production and that of social reproduction.²⁵ The critical background variable is that these cities are a crucial infrastructure for the

²³ See generally ELSA CHANEY & MARY G. CASTRO, *MUCHACHAS NO MORE: HOUSEHOLD WORKERS IN LATIN AMERICA AND THE CARIBBEAN* (1988); SHERRI GRASMUCK & PATRICIA R. PESSAR, *BETWEEN TWO ISLANDS: DOMINICAN INTERNATIONAL MIGRATION* 133–61 (1991); GENDER AND U.S. IMMIGRATION: CONTEMPORARY TRENDS (Pierrette Hondagneu-Sotelo ed., 2003); RHACEL SALAZAR PARREÑAS, *SERVANTS OF GLOBALIZATION: WOMEN, MIGRATION AND DOMESTIC WORKERS* (2001); Patricia R. Pessar & Sarah J. Mahler, *Transnational Migration: Bringing Gender In*, 37 INT'L MIGRATION REV. 812 (2003); NATALIA RIBAS-MATEOS, *THE MEDITERRANEAN IN THE AGE OF GLOBALIZATION: MIGRATION, WELFARE, & BORDERS* (2005); VANESSA TAIT, *POOR WORKERS' UNIONS: REBUILDING LABOR FROM BELOW* (2005).

²⁴ For a few representative examples, see LESLIE SALZINGER, *GENDERS IN PRODUCTION* 9–16 (2003) (analyzing labor roles of migrant women moving from developing nations to industrialized countries); SASSEN, *SOCIOLOGY OF GLOBALIZATION* *supra* note 4, at 107–15 (noting the increase of women in the immigrant labor force); Kathryn Ward & Jean L. Pyle, *Gender, Industrialization and Development*, in *WOMEN IN THE LATIN AMERICAN DEVELOPMENT PROCESS: FROM STRUCTURAL SUBORDINATION TO EMPOWERMENT* (Christine E. Bose & Edna Acosta-Belén, eds., 1995). In addition, see Cagatay & Ozler, *supra* note 2; GENDER IN LATIN AMERICA (Sylvia H. Chant & Nikki Craske eds., 2002); GLOBAL WOMAN, *supra* note 2 (especially chapters by Salazar and by Sassen); CHRISTIAN ZLOLNISKI, *JANITORS, STREET VENDORS, AND ACTIVISTS: THE LIVES OF MEXICAN IMMIGRANTS IN SILICON VALLEY* (2006).

²⁵ These terms are here used to refer respectively to: (a) the sphere of work, understood to include also the work that needs to get done in sectors such as advanced specialized services, usually not understood as production and (b) the range of activities and institutions that are necessary to ensure the livelihood of workers, including high-level professional workers. For a discussion of such terms, see SASKIA SASSEN, *THE GLOBAL CITY: NEW YORK, TOKYO, LONDON* 201–325 (2001) [hereinafter SASSEN, *THE GLOBAL CITY*]; SASSEN, *SOCIOLOGY OF GLOBALIZATION* *supra* note 4, at 118–122.

specialized servicing, financing, and management of global economic processes. The role of strategic gendering arises from the fact that all key components of this infrastructure need to function like clockwork.

One such key component is the professional workforce. Gendering becomes strategic for one specific function of globalizing firms: cultural brokering. Professional women are emerging as a key type of worker insofar as they are considered good at building trust across sharp cultural boundaries and differences.²⁶ The globalizing of a firm's or a market's operations entails opening up domains (sectors, countries, the world of consumers) to new kinds of businesses, practices, and norms. This kind of cultural brokering is critical, especially given the mistrust and the resistances that had to be overcome to implement economic globalization in much of the world.

Secondly, gendering becomes strategic in the global city for the social reproduction of the high-level professional workforce. There are two reasons for this. One is the growing demand for female professionals and the other is the strong preference among both male and female professionals for living in the city, given long work hours and very demanding responsibilities at work. The result is a proliferation in cities of what I like to refer to as "the professional household without a 'wife'"—where wife is a culturally produced subject considered responsible for the operation of the household. What matters here is that the absent "wife" is a factor precisely at a time when professional households need to function like clockwork because they are crucial to the functioning of globalized sectors. The demands placed on the top-level professional and managerial workforce in global cities are such that the usual modes of handling household tasks and lifestyle are inadequate. Thus I argue that these households should be reconceptualized as part of that infrastructure, and the low-wage domestic workers as strategic infrastructure maintenance workers.

Analytically, this perspective extricates those households from the classical patriarchy centered paradigm for conceptualizing households; this paradigm contains powerful explanatory variables, but is too generic to help us understand the specificity of strategic gendering in today's leading global economic sectors. Similarly, it also extricates such households from the new paradigm of the "serving classes." Again, the growing scholarship that has examined the return of the so-called "serving classes" in all the global cities

²⁶ See, e.g., Melissa S. Fisher, *Navigating Wall Street Women's Gendered Networks in the New Economy*, in *FRONTIERS OF CAPITAL: ETHNOGRAPHIC REFLECTIONS ON THE NEW ECONOMY* 209 (Melissa S. Fisher & Greg Downey eds., 2006). For a view from the side of expatriate professionals, see Heather Hindman, *Outsourcing Difference: Expatriate Training and the Disciplining of Culture*, in *DECIPHERING THE GLOBAL*, *supra* note 2, at 155.

around the world makes major contributions to the feminist analysis on the current economic phase.²⁷ Most of the research on this subject has focused on the poor working conditions, exploitation, and multiple vulnerabilities of these household workers. This is a fact, and it must be continuously highlighted. However, analytically we also need to highlight the strategic importance of well-functioning professional households for the leading globalized sectors in global cities and, hence, the importance of this new type of serving class. For a variety of reasons developed elsewhere, immigrant and minoritized women are a favored source for this type of work.²⁸ Theirs is a mode of economic incorporation that makes their crucial role invisible; being immigrant or minoritized citizens facilitates breaking the nexus between being workers with an important function in the global information economy, that is to say, in leading industries, and the opportunity to become an empowered workforce, as has historically been the case in industrialized economies. In this sense, the category “immigrant women” emerges as the systemic equivalent of the offshore proletariat.

The other key empirical site for examining strategic gendering in today’s global economy, and the one focused on in greater detail in this Article, is in poor countries.

III. THE FEMINIZING OF SURVIVAL: AN ALTERNATIVE POLITICAL ECONOMY

The growing immiseration of governments and whole economies in the Global South has promoted and enabled the proliferation of survival and profit-making activities that involve the migration and trafficking of people. Women are a rapidly growing presence in these trafficking and, more generally, migration circuits. To some extent, these are older circuits which used to be national or regional and today can operate at global scales. The same infrastructure that facilitates cross-border flows of capital, information, and trade is also making possible a range of cross-border flows not intended by the framers and designers of the current corporate globalization of economies. Growing numbers of traffickers and smugglers are making money off the backs of men, women, and children, and many governments are increasingly dependent on their remittances.

A key aspect here is that through their work and remittances, migrants enhance the government revenue of deeply indebted countries.

²⁷ See, e.g., GLOBAL WOMAN *supra* note 2; PARREÑAS, *supra* note 23; RIBAS-MATEOS, *supra* note 23.

²⁸ See SASSEN, THE GLOBAL CITY, *supra* note 25, at 201–325.

Traffickers range from small, business-like operators to criminal syndicates. The effective demand for traffickers to help in the migration effort also offers new profit-making possibilities to “entrepreneurs” who have seen other opportunities vanish as global firms and markets enter their countries. At the criminal end, trafficking is an expanding market for often old syndicates who can now operate their illegal trade globally. Migration and trafficking circuits are often complex, involving multiple locations and types of actors, and constituting increasingly global chains of traders, traffickers, and workers.

This mix of circuits for labor supply and demand is deeply imbricated with other dynamics of globalization: the formation of global markets, the intensifying of transnational and trans-local networks, and the geographic redeployment of a growing range of economic and financial operations. The strengthening, and in some of these cases, the formation of new global labor circuits, is embedded in the global economic system and its associated development of various institutional supports for cross-border markets and money flows. These circuits are dynamic and changing in their locational features. Some of these circuits are part of the shadow economy, but they use some of the institutional infrastructure of the regular economy. Most of these circuits are part of the formal economy and they service leading economic sectors and places worldwide. This mix of labor supply and demand circuits is highly differentiated and multi-locational.

Beginning in the 1980s, developing economies have had to implement a bundle of new policies to accommodate the conditions associated with globalization: the often forced adoption of structural adjustment programs (“SAPs”), prominently including the opening up of their economies to foreign firms; the elimination of multiple state subsidies to vulnerable or development-linked sectors, from public health to road construction and, almost inevitably, financial crises and the prevailing types of programmatic solutions put forth by the IMF.²⁹ In most of the countries

²⁹ World Bank, *GLOBAL ECONOMIC PROSPECTS: TRADE, REGIONALISM AND DEVELOPMENT* (2005). The IMF, World Bank, and other such programs establish the criteria and process these debts, thereby functioning as a global disciplining regime. The Heavily Indebted Poor Countries (“HIPC”) initiative was set up in 1996 by the World Bank and IMF to “assist” countries with debts equivalent to more than one and a half times their annual export earnings as part of an IMF and World Bank program. In order to be eligible countries must have been compliant with IMF requirements for at least three years. The HIPC process begins with a “decision point” document. This sets out eligibility requirements, among which is the development of a Poverty Reduction Strategy Paper (“PRSP”) that replaces the earlier Structural Adjustment Programs (“SAPs”). International Monetary Fund, Factsheet—Poverty Reduction Strategy Papers (Aug. 14, 2009), <https://www.imf.org/external/np/exr/facts/prsp.htm>.

involved—whether the Dominican Republic or Thailand or the Philippines—these conditions have created enormous costs for certain sectors of the economy and for most of the people, and they have not fundamentally reduced government debt.³⁰ Among these costs are the growth in unemployment, the closure of a large number of firms in traditional sectors oriented toward the local or national market, the promotion of export-oriented cash crops that have increasingly replaced subsistence agriculture and food production for local or national markets, and finally, an ongoing and mostly heavy burden of government debt in most of these economies. As of 2006, the poorest forty-nine countries (i.e., low income countries with less than \$935 per capita annual income) had debts of \$375 billion; when “developing countries” were added the resulting total of 144 countries had over \$2.9 trillion in debt and \$573 billion paid to service debts in 2006.³¹

Analytically, the critical dimension of strategic gendering in this configuration is the systemic link between the growing presence of women from developing economies in a variety of global migration and trafficking circuits on one hand and the rise in unemployment and debt in those same economies on the other.³² More specifically, we can posit that the following combination of conditions in poor countries has contributed to raising the importance of alternative ways of making a living, making a profit, and securing government revenue: (a) the shrinking opportunities for male employment; (b) the shrinking opportunities for more traditional forms of profit-making as these countries increasingly accept foreign firms in a widening range of economic sectors and are pressured to develop export industries; and (c) the fall in government revenues, partly linked to the first two conditions and to the burden of debt servicing.³³

³⁰ Jubilee Debt Campaign UK, *The Basics: 2. How big is the debt of poor countries?*, <http://www.jubileedebtcampaign.org.uk/2%20How%20big%20is%20the%20debt%20of%20poor%20countries%3F+2647.twl> (last visited Feb. 1, 2010).

³¹ *Id.*

³² There is a large body of data on each of these two major processes, but it does not necessarily address and develop the connection between them. *See, e.g.*, GLOBAL WOMAN *supra* note 2 (examining migrant women in various labor roles and as victims of human trafficking); *also see generally* SAFA, *supra* note 2; Alarcón-González & McKinley, *supra* note 2; Buechler, *supra* note 2; Cagatay & Ozler, *supra* note 2; Datz, *supra* note 2; KIRSCH, *supra* note 2; Pyle & Ward, *supra* note 2.

³³ UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP), HUMAN DEVELOPMENT REPORT (published annually); *see also* International Monetary Fund (IMF), Factsheet—Debt Relief Under the Heavily Indebted Poor Country (HIPC) Initiative (July 1 2009), <http://www.imf.org/external/np/exr/facts/hipc.htm>.

These conditions are critical in feeding the need for alternative survival strategies for households, enterprises, and governments. Elsewhere I have developed this argument further and argued that these three conditions are contributing to an alternative political economy, one arising partly from Global North interventions in poor countries and eventually extending back into those same Global North countries but through different circuits (notably, trafficking of women) from those of the earlier interventions.³⁴ Women from developing or struggling economies play an increasingly important role in the creation of this alternative political economy, even when this is often not self-evident or visible. This lack of visibility has long marked much of the difficulty in understanding the role of women in development, generally, and it continues today. In many ways, the three conditions listed above are not new. What is different today is their rapid internationalization and considerable institutionalization.

My thesis is that this goes well beyond a mere more of the same. What is actually happening is the formation of an alternative political economy built on the backs of women. Major global trends have combined with the specifics of traditional economies hit hard by high debt service payments to push towards the formation of alternative survival circuits for individuals, firms, and governments. Although many of these circuits do not generally get coded as having anything to do with the global economy, I argue that they are, to some extent, localizations of that global economy.³⁵ Gendering is constitutive in a double sense. On the one hand, there is the well documented fact that the debt burden has disproportionately led to cuts in social programs,³⁶ which in turn has added to women's work and responsibilities for household survival.³⁷ On the other hand, women have

³⁴ For a greater elaboration of the issues discussed next, see Saskia Sassen, *Two Stops in Today's New Global Geographies: Shaping Novel Labor Supplies and Employment Regimes*, 52 AM. BEHAV. SCIENTIST 457 (2008).

³⁵ *Id.*

³⁶ See SASSEN, SOCIOLOGY OF GLOBALIZATION, *supra* note 4. At the height of SAPs programs in the early to mid-1990s, Zambia's government paid \$1.3 billion in debt but only \$37 million for primary education; Ghana's social expenses, at \$75 million, represented twenty percent of its debt service; and Uganda paid \$9 per capita on its debt and only \$1 per capita for health care. Debt cancellation can make a difference. Millennium Development Goals Indicators, Debt Service as a Percentage of Exports of Goods and Services and net Income, <http://mdgs.un.org/unsd/mdg/SeriesDetail.aspx?srid=655> (last visited Feb. 1, 2010). Debt cancellation can make a difference, but let me emphasize the "can." See Saskia Sassen, *A Savage Sorting of Winners and Losers*, 7 GLOBALIZATIONS (forthcoming Feb. 2010).

³⁷ For overviews of the data, see UNDP, *A Time for Bold Ambition: Together We Can Cut Poverty in Half*, UNDP ANN. REP. (2005), available at

emerged as the strategic actors and instruments in the formation of alternative survival circuits for governments, firms, and households. One way of conceptualizing this is as the feminization of survival (not just of work) in poor countries.

Beginning in the 1980s, debt and debt servicing became a systemic feature of the developing world. For years many of these countries paid twenty to twenty-five percent of their export earnings for interest on their debt.³⁸ In 2005, before the debt cancellations of early 2006, these debt-servicing levels remained high as a share of gross domestic product for most of these countries; by the end of 2006, debt servicing levels had declined but were still significantly higher than net foreign direct investment. Generally, IMF debt management policies from the 1980s onwards can be shown to have worsened the situation for the unemployed and poor.³⁹

One important effect has been the formation of the new survival strategies that concern me here. The effect on women and on the feminization of survival is mediated through the particular features of this debt, with its prioritizing of debt servicing rather than broad socio-economic development. Another factor is the tendency for households (rather than governments) to have to absorb the cuts of male unemployment. Unemployment of women themselves, this literature shows, as well as unemployment of the men in their households, has added to the pressure on women to find ways to ensure household survival.⁴⁰ Subsistence

<http://www.undp.org/annualreports/2005/english/IAR05-English.pdf>; UNDP, *Fighting Climate Change: Human Solidarity in a Divided World*, UNDP HUM. DEV. REP. (2008), available at <http://hdr.undp.org/en/reports/global/hdr2007-2008>; World Bank, *Increasing Aid and Its Effectiveness*, in GLOBAL MONITORING REPORT: MILLENNIUM DEVELOPMENT GOALS: FROM CONSENSUS TO MOMENTUM 151 (2005), available at http://siteresources.worldbank.org/INTGLOBALMONITORING/Resources/ch5_GMR2005.pdf; and WORLD BANK, *GLOBAL ECONOMIC PROSPECTS 2006: ECONOMIC IMPLICATIONS OF REMITTANCES AND MIGRATION* (2006).

³⁸ See IMF, *Debt Relief*, *supra* note 33.

³⁹ See UNDP, *A Time for Bold Ambition*, *supra* note 37; and UNDP, *Fighting Climate Change*, *supra* note 37.

⁴⁰ An older strand of literature on women and debt during the first generation of SAPs in the 1980s in several developing countries in response to growing government debt also documents the disproportionate burden that these programs put on women. See generally UNEQUAL BURDEN, *supra* note 20; WOMEN IN THE LATIN AMERICAN DEVELOPMENT PROCESS, *supra* note 24; York W. Bradshaw et al., *Borrowing Against The Future: Children and Third World Indebtedness*, 71 SOC. FORCES 629 (1993); see also MICHEL CHOSSUDOVSKY, *THE GLOBALIZATION OF POVERTY* (1997); MALE BIAS IN

food production, informal work, emigration, and prostitution have all become survival options for women and, by extension, often for their households.⁴¹

The search for survival alternatives extends beyond the household, to governments and enterprises. A shrinking regular economy in a growing number of poor countries has brought with it a widened use of illegal profit-making by enterprises and organizations. Thus, we can say that through their contribution to heavy debt burdens, SAPs have played an important role in the formation of counter-geographies of survival, of profit-making, and of government revenue enhancement. Furthermore, economic globalization has provided an institutional infrastructure for cross-border flows and global markets, thereby facilitating the operation of these counter-geographies on a global scale. Once there is an institutional infrastructure for globalization, processes that have basically operated at the national or regional level can scale up to the global level even when this is not necessary for their operation. This would contrast with processes that are by their very nature global, such as the network of financial centers underlying the formation of a global capital market.

The overall outcome is a systemic condition marked by particular types of interactions among high unemployment, poverty, widespread bankruptcies, and shrinking state resources (or allocation of resources) to meet social needs. The feminization of survival extends to firms and governments insofar as these seize on the new profit-making and government revenue-making possibilities built on the backs of migrants, and women migrants in particular. Trafficking generates entrepreneurial opportunities for small and large traffickers, and from there on to a whole range of components of the larger tourism industry and various consumer services. Such trafficking feeds government revenues, which is especially significant when IMF and World Bank adjustment programs force much government revenue into interest payments to the international system. More generally, immigrants' remittances are a significant source of foreign exchange for several poor countries.

Governments often see exporting workers and receiving their remittances as a means of coping with unemployment and foreign debt. Although the second might be a fact, the first is not; furthermore,

DEVELOPMENT (Diane Elson ed., 2nd ed. 1995); PERSISTENT INEQUALITIES, *supra* note 16; WARD, *supra* note 16; Buechler, *supra* note 2.

⁴¹ See SAFA, *supra* note 2; Alarcón-González & McKinley, *supra* note 2; Cagatay & Ozler, *supra* note 2; Erika Jones, *The Gendered Toll of Global Debt Crisis*, 25 SOJOURNER 20 (1999); LUCAS, *supra* note 22; Pyle & Ward, *supra* note 2.

emigration may be contributing to the slow down of development, as the most entrepreneurial and often well-educated leave. Some countries have developed formal labor export programs. Systemically, this fits into the reorganizing of the world economy that began in the 1970s and took off in the 1980s. Probably the strongest examples are South Korea and the Philippines.⁴² In the 1970s, South Korea developed extensive programs to promote the export of workers as an integral part of its growing overseas construction industry, initially to the Middle Eastern countries of the Organization of the Petroleum Exporting Countries (“OPEC”) and then worldwide. As South Korea entered its own economic boom, exporting workers became a less necessary and attractive option. In contrast, the Philippine government, if anything, expanded and diversified the concept of exporting its citizens as a way of dealing with unemployment and securing needed foreign exchange reserves through their remittances. Thailand started a campaign in 1998 after the 1997–1998 financial crises to promote migration for work and recruitment of Thai workers by firms overseas. The government sought to export workers to the Middle East, the United States, United Kingdom, Germany, Australia, and Greece. In the 1970s, Bangladesh was already organizing extensive labor export programs to the OPEC countries of the Middle East. These efforts continue, and along with the individual migrations to these and other countries, notably the U.S. and U.K., are a significant source of foreign exchange. Its workers annually remitted an estimated \$1.4 billion in the second half of the 1990s; by 2007, the 5 million Bangladeshi working abroad sent over \$5 billion dollars.⁴³

The Philippines is the country with the most developed labor export program. One indication is the \$17 billion remitted by overseas workers in 2007.⁴⁴ The Philippine government has played an important role in the emigration of Filipino women to the U.S., the Middle East, and Japan through the Philippines Overseas Employment Administration (“POEA”).⁴⁵

⁴² On all this, see Satomi Yamamoto, *Intermediaries and Migration in the United States* (May 2008) (Unpublished Ph.D. dissertation, University of Illinois at Urbana-Champaign) (on file with author); SASSEN, *SOCIOLOGY OF GLOBALIZATION*, *supra* note 4, at 157–59; SASSEN, *MOBILITY OF LABOR AND CAPITAL*, *supra* note 16, ch 2.

⁴³ WORLD BANK, *MIGRATION AND REMITTANCES FACTBOOK: TOP TEN*, at 6 (March 2008), <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/Top10.pdf>.

⁴⁴ *Id.*

⁴⁵ See Yamamoto, *supra* note 42; SASSEN, *SOCIOLOGY OF GLOBALIZATION*, *supra* note 4, at 157; SASSEN, *THE GLOBAL CITY*, *supra* note 25, ch 2.

Established in 1982, POEA organized and oversaw the export of nurses and maids to high demand areas in the world. High foreign debt and high unemployment combined to make this an attractive policy. The various labor importing countries welcomed this policy for their own specific reasons. The OPEC countries of the Middle East saw the demand for domestic workers grow sharply after the 1973 oil boom. Confronted with a shortage of nurses, a profession that demanded years of training yet garnered rather low wages and little prestige or recognition, the U.S. passed the Immigration Nursing Relief Act of 1989,⁴⁶ which allowed for the import of nurses; about eighty percent of the nurses brought in under the new act were from the Philippines.⁴⁷ The Philippine government also passed regulations that permitted mail-order bride agencies to recruit young Filipinas to marry foreign men as a matter of contractual agreement. The rapid increase in this trade was due to the organized effort by the government.⁴⁸ Among the major clients were the United States and Japan. Japan's agricultural communities were a key destination for these brides, given enormous shortages of people, and especially young women, in the Japanese countryside when the economy was booming and demand for labor in the large metropolitan areas was extremely high.⁴⁹ Municipal governments in Japan made it a policy to accept Filipino brides.⁵⁰

This picture is, clearly, incomplete if we leave out the destinations of these various migrations. These destinations are the sites for some critical trends contributing to the existence of an ongoing demand for low-wage workers in even the most developed and richest economies.

⁴⁶ Immigration Nursing Relief Act of 1989, Pub. L. No. 101-238, 103 Stat. 2099 (1989).

⁴⁷ Satomi Yamamoto, *The Incorporation of Female Workers into a Global City: A Case Study of Filipina Nurses in the Chicago Area* (May 2000) (unpublished Master's Thesis) (on file with author).

⁴⁸ See Yamamoto, *supra* note 42; SASSEN, *SOCIOLOGY OF GLOBALIZATION*, *supra* note 4, at 157; SASSEN, *THE GLOBAL CITY*, *supra* note 25, ch 2.

⁴⁹ SASSEN, *SOCIOLOGY OF GLOBALIZATION*, *supra* note 4, at 157; SASSEN, *THE GLOBAL CITY*, *supra* note 25, ch 2.

⁵⁰ SASSEN, *SOCIOLOGY OF GLOBALIZATION*, *supra* note 4, at 157; SASSEN, *THE GLOBAL CITY*, *supra* note 25, ch 2.

IV. CONCLUSION

Martha Nussbaum's work has been crucial for the development of a feminist theorization of the concept of capabilities. Given the types of subjects I have worked on over the years, using the concept often requires shifting from individual to system, that is to say, to the larger assemblage of elements which a capability functions. This in turn opens up the question of the valence of a capability to include also negative valences. A given capability – the capacity of women to *make* economies—can be positive or negative.

These shifts are at work in the organizing question in this Article: How do we understand and conceptualize the case of exploited or undervalued women on whose backs whole alternative economies are built, to the advantage of entrepreneurs and governments, but not the women themselves? This is the type of situation where analyses have mostly emphasized the exploitation of women. I fully agree that the abuses of these women need to be recognized and be part of the analysis. But should we not also recognize that the capabilities of these women are at work in the making of these exploitative economies? For political, subjective and theoretical reasons I think it is important to recover the fact that even in this process of exploitation, there are capabilities at work: yes, the infrastructure for global transport and electronic financial transfers in the case of trafficking, and the capacity of high-level professional households to command the incomes that allow them to hire domestic workers, but also those of the exploited women who provide the key input—their work.

This is one way of scaling up particular capabilities of women. I use the notion of strategic gendering to capture a specific type of gendering, one where it is constitutive; that is to say, the emphasis is not on the outcomes of gendering, e.g. differences in income and in occupational distributions for men and women, but on how the fact of gendering enables the emergence of systemic formations. Here I have focused on contexts where strategic gendering in the current period entails a the shift from individual woman to system which transforms that strategic gendering into a capability at the level of the system. This analytic scale-up is partly a necessity if I am to deal with economies and if I want to capture the fact that powerless and exploited women are bearers of capabilities for those systems—they are not simply a surplus valueless workforce. These exploited workers are more typically represented in terms of the measures of their disadvantage and suffering. Again, I do not exclude such measures, but for theoretical and political reasons, my concern is to recover also their strategic function.

In this analytic shift from individual to system, the category of capabilities can change valence, more precisely it is marked by multi-valence in that it can be positive or negative. I argue that capabilities can also evince negative valence: under certain conditions what is good for a system (including good for noxious systems) turns out not to be necessarily good for the individual even if her “capabilities” have come into play to enable, support, that system. Yet this systemically driven negative valence for the individual, should not obscure the fact that an individual’s capabilities are at work.

The analytic gain of this problematizing of a core and powerful category is two-fold. On the one hand, to open up to the possibility of diverse interpretations of what is positive and what is negative, and for what, for whom, and when. If we look at it all through the eye of a multisited globality, the probability of changing valences rises sharply. We have had indications of this, perhaps most visibly on the question of human rights, notably the cross-cultural problematizing of a claim to universality. On the other hand, there is an analytic gain in the repositioning of the category “capability” itself. An analytics that situates capabilities in longer temporal trajectories allows us to see shifts in valence, whereby a positive capability can become negative, or vice versa, it can become positive as it gets embedded in a different organizing logic or systemic formation. A substantive question for me in this analytic opening is whether specific systemic conditions make powerlessness into a capability by making it complex at the systemic rather than individual level.

In short, the conceptual ground where I explore the emergence of a capabilities-bearing subject is at the other end of Nussbaum’s. It comes at the cost of stripping the category from a necessarily positive valence. Yet Nussbaum’s path-breaking work on capabilities is the essential contribution that makes my analysis possible: it brings to the fore the possibility of a capabilities-bearing subject that can be differentiated from the conventional notion of a powerful individual, where power can easily be negative. Her work and mine interact in a way that can be represented as a Phillips curve—a visualizing of the point of intersection in the x . Like Nussbaum, I also exit formal rights framings, but take the analysis in the opposite direction, towards a larger systemic condition. This may well be a debatable analytic move, but hopefully one that can add to productive discussions and disagreements.