

## Okin's Rawlsian Feminism? Justice in the Family and Another Liberalism

In recent years, Susan Moller Okin has become the main exponent of a variety of liberal feminism that purports to be based importantly in the thought of the liberal philosopher John Rawls. Both Okin and her critics have generally described her project as involving an attempt to amend and extend a Rawlsian framework—or at least a certain contemporary liberal egalitarian framework of which Rawls is the main exponent—to challenge the gender-structured character of modern societies, in particular by extending principles of justice to apply to relations between men and women in the family.<sup>1</sup> One of my aims in this paper is to challenge the purported Rawlsian credentials and spirit of Okin's position as she develops and presents them. The effect of this argument will be to raise important doubts about the compatibility of Rawls's methodology and principles with certain prominent features of contemporary feminism. This is not a new objection to Rawls,<sup>2</sup> but Okin's work has, to an important extent, tried to meet that objection, in part by attempting to reformulate some aspects of his thought. The emphasis of my argument, then, is different from many feminist critiques of Rawls. I shall focus mainly on the ways in which Okin's own views are often at odds with a Rawlsian approach to justice, thus undercutting her claim that a Rawlsian framework, suitably amended, can be used effectively "as a tool" to defend her version of liberal feminism.

This represents the negative thesis of the paper. Its positive thesis looks at the way that Okin's position fails to fit a Rawlsian framework and uses that evidence to claim that the sort of neo-Aristotelian functional framework defended in an earlier liberal tradition, and recently defended by Martha Nussbaum and others, provides a more appropriate, if not wholly embracing,

normative framework for the sort of position that Okin defends. This presents a controversial reading of Okin who, like many other feminists, has been anything but enamored of the feminist potential of Aristotelian theories. But I shall show that the evidence for this interpretation is compelling, and that it represents a fruitful way of framing Okin's liberal feminist position. Interestingly, part of that evidence comes from an important figure in the liberal tradition that feminist scholarship has completely overlooked, the neo-Aristotelian liberal feminist philosopher L.T. Hobhouse. We shall see that Hobhouse's views about marital relations and justice in the family anticipate Okin's in important ways.

### 1. Okin's Feminism

Okin's position stems from what is now a familiar and persuasive feminist critique of theories of justice. That critique, which Okin has played a main role in developing, focuses on the ways in which political thought, including contemporary political thought, has placed the traditional family beyond the regulative ambit of theories of justice. Feminists argue that the effect has been to ignore the way in which the institution of the family interferes with the realization of the standards of justice those theories purport to uphold, by allowing women to be placed in positions of vulnerability and submission. As a response to this situation, many feminists have argued that to create a social environment that will properly support the values of a just society for all its members, we must extend standards of justice to apply to the relations between adult members of the family. In short, for there to be justice generally requires that there be justice in the family.

It is with the interpretation and application of these claims that Okin's position begins to represent a distinctive contribution to feminism and to the literature on justice. She argues that justice requires adoption of principles and policies that would facilitate the creation of a "genderless family" in which the responsibilities and burdens of parenting and married life would be shared equally between female and male members of the family. Such an egalitarian distribution of responsibilities is necessary to

overcome the relations of dominance and submission that characterize contemporary married relations between men and women, preventing realization of justice for women and also for many children. But while this account of justice in the family represents Okin's most carefully developed idea, it is in fact not all, or even the most fundamental part, of what justice requires. To overcome patterns of male dominance and female submission, Okin argues that a genderless family must be a part of a more general and radical transformation of all aspects of our current gender-dominated social relations into ones in which, aside from the physical process of child-bearing, traditional sex-related roles would disappear, making one's sex of no more relevance to social structures and customs than "one's eye colour or the length of one's toes."<sup>3</sup> The establishment of a "genderless society" is thus the most basic object of Okin's feminist program. However, since the traditional family represents "the linchpin of the gender structure," the primary practical focus remains on the family. Its transformation into a genderless institution represents the main element in a more general program to create a genderless society characterized by a truly non-sexist or, as Okin aptly calls it, a "humanist" conception of justice.

That justice ultimately requires the creation of a genderless society, a society in which all sex-related roles and customs aside from child-bearing would disappear, is an interesting but controversial idea. Unfortunately, Okin limits the force of her argument by spending little effort to defend it against charges that it may be practically unrealizable because gender may not be an altogether eliminable factor in our conceptions of ourselves or our relations with others.<sup>4</sup> I shall have some things to say later about the plausibility of Okin's vision of a gender-free society. For now, I want to consider to what extent her defense of this position can be supported by a Rawlsian framework.<sup>5</sup>

## 2. Okin and Rawls

There is little doubt that Okin thinks of herself as indebted in important ways to Rawls. She shares many of his egalitarian and

liberal sympathies and she finds attractive his methodology for choosing principles of justice. In particular, she has defended Rawls's device of the original position against feminist criticisms that its methodology involves "unacceptably egoistic assumptions about human nature" and is "excessively rationalistic, individualistic, and abstracted from real human beings," and thus is in conflict with an ethic of responsibility, care, and concern for others and respect for difference that are reflected in much contemporary feminist thought.<sup>6</sup> I think that Okin is, in the main, right about these criticisms. They have commonly relied on a failure to appreciate that the original position is intended as a highly abstract and artificial heuristic and justificatory device for choosing principles of justice which is not supposed to reflect what people are actually like or even how they normally reason about moral or practical matters. They also fail to recognize the power of the veil of ignorance as a device to protect difference (although we shall see later that Okin herself may underestimate its capacity in this respect). Okin's defense of Rawls, then, forms part of a project that is meant to clear the way for the use of the original position "as a tool for feminist criticism," using it as a device that "can be read in a way" that answers feminist criticisms of it and can lead us to apply Rawlsian methodology and principles "to challenge fundamentally the gender system of our society."<sup>7</sup>

Okin's claim to enlist the original position to defend her feminist principles is clear evidence that she means to be a Rawlsian of some sort, but there is another, perhaps deeper, sense in which she claims to be a Rawlsian. This is reflected in her idea that the feminist potential of Rawls's theory stems crucially from a nonformal principle of equality of opportunity that can be found there and that is expressed in the principle of fair equality of opportunity.<sup>8</sup> This principle represents a basic and pervading feature of Rawls's theory. It is explicitly formulated in his second principle of justice, but the same principle is also acknowledged to be at work in his first principle in the notion of political justice.<sup>9</sup> Okin believes that more careful reflection by Rawls on what is required by fair equality of opportunity would have led him to adopt her own feminist principles. I shall argue that Okin is wrong about the feminist potential of both the original position and

Rawls's principle of fair equality of opportunity. I shall begin by challenging Okin's claim to employ the original position as a tool for defending her feminism. Once we have seen how the original position fails as a tool to defend Okin's feminism, we will then be in a position to see how Rawls's notion of equality of opportunity is limited by the methodology of the original position in ways that restrict its feminist potential. Recent discussions of Rawls, including contributions by Okin, have tended to argue that the position of the Rawls of *A Theory of Justice* is more congenial to feminist aims than the recent Rawls of *Political Liberalism*. One implication of my remarks is to raise some serious doubts about the ability of the Rawls of *Theory* to support the basic feminist ideals that Okin advances.<sup>10</sup>

### a. The Original Position

Both Okin and Rawls seem to think that the original position can ensure respect for pluralism by framing it so that principles of justice will be "acceptable to everyone" once the veil of ignorance is lifted. And both seem to think that the way to ensure such acceptability is to require the principles to be endorsed unanimously by the contracting parties. Thus, Okin says that the main merit of the original position is

that it forces one to question and consider traditions, customs, and institutions from all points of view, and ensures that the principles of justice will be acceptable to everyone, regardless of what position "he" ends up in.<sup>11</sup>

This echoes important aspects of Rawls's own account, but Okin has a number of substantive criticisms of the terms Rawls sets on the deliberations of the parties to the original position. In particular, she claims that Rawls's requirement of unanimity among the parties rests on the assumption that they all have similar motivations, psychologies, and experiences of moral development. But she says that the emerging evidence from feminist theorists, though incomplete, seems to indicate that in our currently gender-structured society there is "a distinct standpoint of women" that incorporates different basic motivations, psychologies, and moral development, and produces distinct attitudes toward justice. Ac-

According to Okin, such evidence throws into question the possibility of unanimous agreement on principles of justice by the parties:

The coherence of Rawls's original position, with its unanimity of representative human beings . . . is placed in doubt if the kinds of human beings we actually become in society differ not only with respect to interests, superficial opinions, prejudices, and points of view that we can discard for the purposes of formulating principles of justice, but also in their basic psychologies, conceptions of the self in relation to others, and experiences of moral development.<sup>12</sup>

The conclusion that Okin draws is that agreement by representative persons on a truly non-sexist or human conception of justice is only possible for persons who share a similar basic psychology and moral development.<sup>13</sup> That in turn means that the original position must incorporate these requirements, including the idea that all gender-structured institutions and practices must be overturned, since these reflect differences in psychology and moral development that will undermine agreement on justice:

If principles of justice are to be adopted unanimously by representative human beings ignorant of their particular characteristics and positions in society, they must be persons whose psychological and moral development is in all essentials identical. This means that the social factors influencing the differences presently found between the sexes—from female parenting to all the manifestations of female subordination and dependence—would have to be replaced by genderless institutions and customs.<sup>14</sup>

Now the crucial problem with this discussion is that, as Okin frames it, the notion of the original position plays no interesting role in generating an argument for a truly genderless approach to justice.<sup>15</sup> Okin's argument is simply that if principles of justice are to be acceptable to women and men alike, we need to assume that they can share a sort of basic psychology and moral development that will permit such agreement. Because gendered institutions and customs apparently interfere with that prospect by creating, in effect, distinctive moral points of view, it is necessary to have genderless institutions, including (most importantly) a genderless family, in order to generate a common moral point of view. The original position thus plays no important role in generating the principles of a genderless society and a genderless

family; the argument is simply added as a premise and a normative conclusion in the formulation of the terms of the original position.

This creates problems for Okin's claim to use the original position as a tool "to challenge fundamentally the gender system of our society," for within Rawls's system principles of justice are not to be assumed by, or to form datums for, the deliberations of the parties to the original position. Thus, Rawls requires that the parties be mutually disinterested in order to provide a motivational basis for selecting principles of justice that does not include controversial-ethical elements. Rawls's rationale for adopting this strategy is to attempt construction of the initial situation in a way that tries *to account for*, and does not simply take as given, important moral judgments about justice.<sup>16</sup> The aim is also to simplify and clarify the parties' deliberations in ways that, along with other assumptions (such as the veil of ignorance), ensure the effects of more morally attractive assumptions without requiring deliberation about the complex issues they raise. The different and more complex set of assumptions defended by Okin, regarding the importance of sharing a specific type of basic non-sexist psychology and experience of moral development to forging unanimous agreement on principles of justice, quite clearly carry along with them controversial ethical elements including certain principles of justice that Rawls hopes will be accounted for by the deliberations and choices of the parties, not simply accepted as givens or as background principles. By contrast, Okin argues that the parties must take up a thoroughly genderless moral point of view for the original position to represent a coherent context of choice for selecting principles of justice; and a genderless society and a related ideal of justice in the family are prerequisites for establishing that point of view. The practical relevance of this is that a genderless moral point of view, and thus justice in the family, is necessary if we (men and women) are going to be able to adopt the point of view of the parties ("representative" human beings) in a way that permits coherent and fruitful deliberation about matters of justice. But then of course the *parties* do not *choose* to adopt a genderless society or justice in the family as principles of justice; they are prerequisite to their (and our) deliberations.

Thus, the original position plays an important heuristic and justificatory role in Rawls which is not part of Okin's argument at this point to challenge the gender system of our society. There is no sense here in which the original position operates as a tool for feminist criticism, since the feminist principles of justice that she advances are in no sense a product of the original position. They are introduced and defended before the parties begin their deliberations about justice; they are not deliberated over or chosen within the original position. As well, if a genderless society is assumed and not chosen by the parties, we should ask what, if any, other feminist principles of justice would have to be chosen, for other principles of justice or aspects of them seem readily implicit in the commitment to a genderless society.

In response to these remarks, Okin can say she should be understood as also accepting that this argument for a genderless, fully humanist society takes place outside the original position. This is the very point of the argument just canvassed: it is meant to highlight the limitations of a Rawlsian theory for feminist purposes by showing that it does not represent a "complete . . . non-sexist, fully human theory of justice."<sup>17</sup> This position, however, is at odds with the more optimistic statements noted earlier that Rawls's theory can be read in a way that satisfactorily responds to feminist criticism of it, for the latter discussion indicates that Rawls's theory of justice is seriously incomplete from a feminist perspective. But even if we accept the latter discussion as Okin's considered view (as I think we should<sup>18</sup>), that discussion represents an important and, indeed, surprising admission if we are to take seriously the idea that Rawls's theory can be used to challenge fundamentally the gender-structured character of our society. For if the realization of the principles of a genderless (i.e. humanist) society are prerequisite to the coherent operation of the original position and unanimous agreement on a fully genderless/humanist account of justice, why should we suppose that the original position is itself capable of challenging fundamentally the gender structure of our society? The very opposite seems implied by these rather striking admissions about the limitations of Rawls's theory.<sup>19</sup>



This is a problem that needs an answer. Okin's discussion shows that she intends to rest her answer on the power of the original position within a partial theory of justice to challenge gender-structured institutions. In effect, her view is that Rawls's theory is the best we have to work with for forging agreement on feminist principles and on issues concerning gender and the family, even if it is not a complete or fully non-sexist, humanist theory of justice.<sup>20</sup> What we need to do at this point, then, is to assess the feminist potential of Rawls's theory while recognizing its incompleteness. However, the arguments that Okin generates in this connection fall well short of showing that Rawls's theory can be used to challenge fundamentally the gender structure of our society. Much of the problem stems from Okin's recognition that the parties would tolerate many traditional gendered practices. As we shall see, such tolerance means that it is difficult to show how the original position can be used to raise a fundamental challenge to gender. It also constrains her proposals for reform so that it is difficult to see this implication in them.

Okin accepts that the parties would be likely to recognize as part of justice that there is a personal sphere of life in which the state must not intrude, and that this sphere is large enough to allow for tolerance of many traditionalist views about gender. In this respect, her feminism probably does not mean to reject entirely a public/domestic dichotomy.<sup>21</sup> As a result, Okin's substantive proposals for reform are especially sensitive and tolerant toward the diversity of conscientiously held views about gender. In particular, her practical proposals for reform avoid coercive measures to promote a genderless society, focusing instead on incentives rather than disincentives, for example, on the provision of quality day-care, flexible work arrangements, better divorce laws, and public education. In these respects, the spirit of her discussion seems distinctly liberal and Rawlsian. But there is a problem here for the idea that the original position can be used to challenge fundamentally the gender structure of our society. For if the parties to the original position recognize that traditionalist views and practices about gender and the family are permissible and fall within the boundaries of the principles of justice, then according to Rawls's views about "strict compliance" this means

that such gendered practices are to be accepted as consistent with justice. How can the original position be used in this circumstance to challenge fundamentally the gender structure of our society? For if, as Okin intends, the parties are permitted to imagine themselves as possibly holding and practicing a range of traditionalist views about gender once the veil of ignorance is lifted,<sup>22</sup> it is quite unclear why they would not veto any principles that apparently entail that their ways of life lie beyond the boundary of a just society. Remember that traditionalists will reject the idea that the traditional family is inconsistent with justice or represents, in itself, an institution that puts women and children in positions of vulnerability and submission. Why would parties, who are to imagine themselves as possibly holding such views once the veil of ignorance is lifted, find such principles "acceptable"? There is a problem, then, about the coherence of Okin's use of the original position, an unresolved tension between using the original position to recognize certain claims of liberty and pluralism and using it to advance the ideals of a genderless society and her own specific principle of justice in the family.<sup>23</sup>

Despite her official view that the original position can be used to challenge fundamentally the gender structure of our society (at one point she says it implies "the abolition of gender"<sup>24</sup>), Okin's own commitments to tolerance permit her to use the original position only in an indirect and qualified way to challenge traditional gender-structured institutions and customs in the family and elsewhere. And indeed, despite her claims to the contrary, this limitation is implicit in her attempts to employ the original position, and in particular the veil of ignorance, to support her official view.

Okin discusses three main ways in which Rawls overlooks how the veil of ignorance would combat the oppression of women. She does not think these cases exhaust the possibilities, but we must take them as her strongest examples for her position.<sup>25</sup> She says (1) that parties behind the veil who were ignorant of their sex would not divide up family duties in a way that encourages their economic dependence on one sex; (2) that political justice requires "the abolition of gender," specifically requiring the equal political representation of women and men in political office as part of

political justice that, in turn, would require "a revolution" in the division of responsibilities within the family; and (3) that the parties would not allow social conditions that undermine self-respect and would thus emphasize the importance of girls and boys growing up with an equal sense of self-respect for themselves, including "equal expectations of self-definition and development."<sup>26</sup>

Leaving aside the problem of how parties, who are to imagine themselves as possibly living in gendered relationships, could accept the abolition of gender or a revolution in the division of responsibilities in the family as requirements of justice, the main problem here is that it is not at all certain in any of these cases that the parties would have to opt for a genderless family or society to correct the substantive injustices Okin identifies. It seems plausible, and Okin does not show otherwise, that we could address problems of women's economic dependence and vulnerability while retaining a Rawlsian respect for traditional family forms by paying care-givers generously for their work, eliminating economic discrimination against women in the workplace, retraining caregivers, and reforming divorce laws.<sup>27</sup> Such proposals, although they do challenge some gender-structured institutions, do not necessarily require a fundamental challenge to the traditional family. With respect to political representation, the same measures combined with universal, quality daycare and, say, special provision for homecare for candidates' and elected officials' children, might very well serve to provide caregivers with equal worth of their political liberties without recourse to a principle that requires a genderless society or family. More generally, measures encouraging the sharing of burdens of marriage and parenthood could perhaps be adopted in order to encourage political justice without recognizing that a genderless family is part of justice. This, of course, would represent a weaker principle of justice in the family than Okin advances. It might also be argued that such policies, if they succeed, would secure an appropriate degree of self-respect for women. So again, despite some important challenges to gender-structured institutions, it is difficult to see a compelling case here for the capacity of the original position to challenge

fundamentally the gender system of our society.<sup>28</sup> Indeed, most of these are Okin's own proposals for reform, but none of them entails the disappearance or abolition of gender or a fundamental challenge to it as an aspect of relations between the sexes; nor should they, given the respect for liberty and tolerance that is built into Okin's discussion.

### **b. Equality of Opportunity and the Original Position**

We are now in a position to see how certain features of Rawls's theory constrain the feminist potential of his principle of fair equality of opportunity. Okin is impressed by the feminist potential of this principle,<sup>29</sup> but this expression of an ideal of equality comes up against the methodology of the original position as well. For if the parties decide to tolerate gender-structured institutions, as Okin says they will, it must be because they hold that those institutions are consistent with principles of justice. It follows, then, that if the parties recognize that gender-structured practices fall within the bounds of justice as part of their liberty of choice, Rawls's principle of fair equality of opportunity must be interpreted within this limitation and cannot itself generate an argument for a gender-free society given the priority that liberty receives in his theory. Crucially, Okin overlooks the limitation that the original position places on the interpretation of Rawls's principles of justice, and this raises a serious objection to the idea that *Rawls's* principle of fair equality of opportunity can be employed for the purposes she proposes.

Now admittedly there will exist some non-formal principle of equality of opportunity that will have the sorts of feminist implications that Okin wants, and the same will be true of some version of egalitarian justice. Okin is clearly right to this extent. And Rawls's egalitarianism admittedly contains important and suggestive egalitarian ideas that, though not always unique to his theory, would naturally lead one to recognize this potential within egalitarian theories. In particular, the basic idea of fair equality of opportunity (roughly, that morally arbitrary contingencies or circumstances, such as one's sex, or race, or social or economic class, should not interfere with opportunities to attain offices and

positions open to all based on talent) undoubtedly represents a powerful tool for feminist criticism under some interpretations. But it is important to remember that this idea has been around a long time, as Rawls acknowledges,<sup>30</sup> and has been a part of many left-liberal, socialist, and Marxist programs. A feminism like Okin's that is drawn from this principle is, therefore, not necessarily distinctively Rawlsian. Moreover, whether it could be Rawlsian in any sense will depend on the nature of any restrictions Rawls imposes on feminist interpretations of the principle, and we have just seen a restriction that interferes with such interpretations. More specifically, it is difficult to see how we can derive or defend Okin's feminist principles using Rawls's theory and his own principle of equality of opportunity, unless we suppose that the parties will all agree that all gender-structured institutions are unjust and, therefore, agree to comply strictly with genderless institutions. While this is certainly conceivable, it also seems unlikely. As Okin herself recognizes, there is currently just too much controversy surrounding questions of gender to suppose that the parties would not recognize that they might end up supporting and participating in gender-structured practices once the veil of ignorance is lifted.<sup>31</sup> If so, it is difficult to see how the parties could avoid vetoing principles that say that those practices fall outside of the boundaries of justice. This must be of particular concern to feminists who wish to challenge traditional gender-structured family and other social institutions and customs. The parties would thus be rejecting the feminist principles that Okin proposes, including some, and perhaps many, of the egalitarian political and social arrangements between the sexes and within the family that Okin sees as necessary components of a proper non-formal conception of equality of opportunity.

Whether this undermines any possibility of untapped feminist potential in Rawls's theory is not precisely clear. Of course, if Okin is right, the absence of a more robust notion of equal opportunity, one that can be used to challenge all gender-structured institutions and customs, will importantly fail to provide justice for women. It appears, therefore, that the value of Rawls's theory of justice, and of his principle of equality of opportunity, are importantly limited for certain feminist purposes by the respect for pluralism

and liberty that is built into his methodology. This is true both of the Rawls of *A Theory of Justice* and the Rawls of *Political Liberalism*. Indeed, the uncertainty and doubts about how far Rawls's recent work supports contemporary feminist ideals appear to apply similarly to his earlier work as well.<sup>32</sup>

I conclude that Okin makes no effective use of the original position in her various arguments for defending a genderless society or a principle of justice in the family; that there is a general problem about the coherence of her use of the original position to challenge fundamentally gender-structured institutions and customs while at the same time using it to acknowledge respect and tolerance for certain traditional views about gender; that where she employs the original position in a relatively straightforward way it is unlikely that it can yield the strong conclusions that she wishes to draw from it; and that Rawls's own principle of fair equality of opportunity is constrained by the respect for pluralism and liberty in his theory in ways that prevent its use to defend Okin's feminist principles. The lesson to be drawn, I think, is that Rawls's methodology and principles cannot be employed to defend Okin's main principled objectives or that they fail to give such objectives a satisfying defense. In short, there is no reason to think that Okin has used Rawls's framework as a tool to challenge effectively and fundamentally the gender structure of our society.

### 3. Okin and the Human Good

If there are serious impediments to placing Okin's feminism within a Rawlsian framework, it is an interesting question what sort of normative framework is better able to accommodate the sort of position she advances. There are a variety of reasons to think that a neo-Aristotelian normative framework of the sort advanced recently by Martha Nussbaum and, perhaps, Amartya Sen<sup>33</sup> is a suitable candidate. Okin has generally been critical of the feminist potential of Aristotelian outlooks, though in a recent paper she has admitted that the views of Nussbaum and Sen have significant feminist potential.<sup>34</sup> It will be interesting in light of these recent remarks and the foregoing critique to consider how readily her

own position can be given an Aristotelian interpretation. In fact, I think that there are also tensions between Okin's position and an Aristotelian one, but these tensions do not raise questions about whether her view can be construed within this framework (as they do with a Rawlsian framework), but rather over what the right Aristotelian account of justice would look like.

Another reason to consider the Aristotelian credentials of Okin's view is that it will highlight certain tensions between her outlook and Kantian liberal egalitarian outlooks generally. I do not claim here that Okin's position cannot be reconciled with some version of this variety of egalitarianism,<sup>35</sup> but the following discussion will highlight some apparent obstacles to this project, and will imply that to the extent that a Kantian liberal egalitarian outlook can overcome these obstacles, the boundaries between certain versions of the two normative outlooks will appear less definite. Whether there would be an important distinction to be drawn between them is an issue that is beyond the scope of the present paper, although this as an issue that deserves attention.

Recent Aristotelian theories of justice have been primarily concerned with establishing the social conditions that permit individuals to acquire and exercise the sorts of capacities that are requisite to achieving healthy human functioning. This position underlies a conception of social and political arrangements that is addressed ultimately to establishing conditions that will promote "the totality of functionings that constitute the good human life."<sup>36</sup> As a result, Aristotelian theories are open to the way in which comprehensive views about human nature and social interaction can help to inform their conception of the good and of healthy human functioning. There are, of course, questions about whether such views can be liberal, mainly with respect to the extent to which they tolerate diversity in individuals' pursuit of good lives. But the mark of a liberal Aristotelian is, I think, suggested by Nussbaum's idea that it gives priority to a comprehensive ideal of the good that she characterizes as "the thick vague conception of the good."<sup>37</sup> Such a view does not purport to specify precisely the appropriate conceptions of the good, but acknowledges a diversity of plausible views about the good, and focuses on establishing the social conditions that will permit the pursuit of those different

conceptions, particularly by ensuring that institutions will be in place that will secure the basic components of healthy human functioning for all persons. Of course, these are not all the views of the good that an Aristotelian may have to allow, since it will often be counterproductive to interfere with persons who wish to pursue lives of apparently little or no value, and there will also be important value in tolerating certain experiments in living that are, or may appear to be, of little or no value. But the focus in such a theory, nevertheless, will remain on establishing conditions that will permit individuals to pursue rich, worthwhile lives characterized by healthy human functioning.

This is not an uncontroversial characterization of an Aristotelian normative theory, and there may be senses in which Okin's views are in tension with it too, but it is a sort of liberal view that is plausible, and it will be useful to see to what extent Okin's views fit within it. First, notice that Okin's own views are clearly drawn from comprehensive ideas about the good and represent a contribution to debate about what healthy human functioning consists in. Her discussion assumes that men and women share the same potential for basic, genderless emotional, moral, and psychological capacities, and that they could each be motivated to adopt institutions and practices that would promote in each other certain capacities that they do not now typically share, nor perhaps want to share, because of our gender-structured institutions. Now the assumption about motivation seems to rely on the functional idea that acquisition and exercise by both sexes of certain capacities now unequally distributed on gendered lines would be good for both sexes, involving greater realization of human potential, enriching lives individually and contributing to more productive and harmonious social relations. In fact, this sort of argument is evident at certain important points in Okin's discussion: restructuring the family so that the traditional tasks of parenting and marriage are distributed equally between men and women is justified, in significant measure, because the product will be individuals who function in ways that realize "a *more complete* human personality than has hitherto been possible."<sup>38</sup> Part of what is implied here is that such individuals will have better-realized moral capacities, thus supporting a more just and



harmonious social life; they will have richer personal lives and relations with others; and opportunities will be increased for members of both sexes freely to choose to become the persons they want to be.<sup>39</sup>

If this argument is correct, it represents a powerful basis from which to defend, to both sexes, changes to the institution of the family and other gender-structured institutions, since it suggests that basic and comprehensive moral, psychological, and emotional capacities, drawn from genderless ideals of human functioning and human relations, represent some of the basic functional components in a theory of human flourishing. Indeed, it is difficult to see how Okin can avoid developing this argument, since its defense would apparently be essential to arguing that a genderless society is a realistic and desirable practical option. It is important too to notice that the argument gives a fundamental role to a certain comprehensive (in a Rawlsian sense) essentialist conception of human nature. In all these respects, Okin's position contains a distinctly Aristotelian emphasis which parallels the sort of liberal Aristotelian view I sketched earlier, and it is a view that contrasts strongly with limitations that Rawls places on his account of the good, limitations that are clearly designed to accommodate the special respect for pluralism that is incorporated into his theory. As Rawls acknowledges, liberal views that are based on comprehensive ideals will be somewhat less tolerant of diversity (unacceptably so in his view). We have already seen that Okin's official view is in principled conflict with these limits of a Rawlsian theory, but it does not appear to run into the same principled limitations within a certain type of liberal Aristotelian theory, especially if non-gendered ideals of moral and psychological development can be shown to be essential to the promotion of healthy human functioning.

The fundamental role given to a comprehensive, genderless theory of the human good also raises questions about whether priority is given to the right over the good in Okin's argument, as she seems to acknowledge.<sup>40</sup> It is not surprising then that Okin is also critical about the commitment to so-called "liberal neutrality" that Rawls and other liberal egalitarians have defended, stating that "it is no easy task for a liberal state to remain neutral in the

face of deep disagreements about gender, and therefore about what constitutes 'the good' in marital relations."<sup>41</sup> By contrast, Aristotelian theories typically defend the priority of the good (in some sense), and given this priority they are generally critical of liberal neutrality's categorical opposition to allowing government any role in promoting or discouraging permissible conceptions of the good on the basis of their intrinsic good. On these points, Okin's views seem once more to fit an Aristotelian outlook.<sup>42</sup>

All this is not to say that Okin's views must be construed as Aristotelian. This is not my position. The weaker position, namely, that they are congenial to a liberal Aristotelian position in more ways than they are to a Rawlsian position is all that I have claimed here, although on the basis of the foregoing discussion there are good reasons to think that the association of her views with an Aristotelian outlook is the most plausible one to make. There are some tensions, however, that deserve to be noted. If we take the defining characteristic of a liberal Aristotelian view to be its recognition of, and therefore tolerance toward, a diversity of plausible views about the good, it is natural to be concerned that this will be inconsistent with Okin's proposals for a gender-free society. Aren't there any gendered roles or practices that can figure in plausible conceptions of the good? If so, Okin's view does not fit within a liberal Aristotelian picture either.

It seems possible to make two sorts of answers here. First, an Aristotelian defending a position like Okin's might claim that the range of plausible conceptions of the good must be informed by our idea of the basic functional components of human well-being, and argue that promoting a genderless moral and basic psychology are basic features of the best "thick vague" account of human flourishing and that promoting genderless institutions in the family and elsewhere are essential to achieving this ideal. As I have already noted, this sort of argument appears implicit in Okin, and if it is right, it would apparently establish the sorts of constraints Okin would desire on what would count as a plausible conception of the good. If Okin is right that gendered institutions prevent children and others from properly realizing some of the basic components of a fully human personality, the argument for her position, based on preventing harm to others, is especially

strong. Of course, Okin's view is controversial (as she recognizes), and so its practical implementation will face obstacles from persons who disagree with it, and that will undoubtedly require that the boundaries of tolerance be extended further for some period of time at least. All this can take place within a liberal Aristotelian framework, but such a proposal cannot, as far as I can tell, even be considered within a Rawlsian framework. A second and perhaps related option would be to recognize the controversial nature of her position and see whether there was a weaker position that could be defended that would allow her to defend the implementation of her main practical proposals while a defense of her position could be raised in more compelling terms (part of this evidence may of course come from the experience of implementing these proposals). In this context, an alternative conception of a gender-free society might even be put forth provisionally for testing, namely, one whose basic structure (including the family) provides genuinely equal chances to men and women to pursue different ways of life but which would hypothesize that such equality could, sometimes at least, be consistent with decisions to live according to traditional sex roles. I will discuss this option in more detail in the next section, but it needs to be noted here that this is a way that Okin's view or something quite close to it may be accommodated within a liberal Aristotelian framework.<sup>43</sup>

Perhaps it will be argued that a more direct way in which her views are in tension with an Aristotelian view is that her outlook is not explicitly directed to the promotion of "the totality of functionings that constitute the good human life." But if Okin had admitted this, there would be no argument to be made here, so the interesting question is really whether her view could fit within such a normative outlook. As we have seen, it is relevant that she argues that a genderless society is fundamental to promoting "a more complete human personality than has hitherto been possible," and unlike Rawls the personality that she wants to develop is a comprehensive, not political one, encompassing both social and political relations. In these and other respects, what she says is consistent with the promotion of the human good in a thick, vague Aristotelian sense. And so, at the very least, it is clear that

her position is amenable to an Aristotelian construction. Notice also that Aristotelian theorists like Nussbaum have relatively cautious views about what government can do to promote the complete human good. While they may aim ultimately at promoting the totality of functionings that constitute the good life, their prescriptions and theories of the good, like Okin's, focus on the development of basic moral, psychological, and emotional capabilities. In this respect, Okin's proposals for the promotion of comprehensive but basic genderless ideals of moral and psychological development both echo and advance a contribution to the "basic capability" approach of Nussbaum and Sen. It is also worth noting in passing that if Okin is right that the promotion of comprehensive views of moral and psychological development is necessary for persons to be able to adopt properly and fully the moral point of view of women and others (or generally a humanist outlook) and to adopt a stable, non-sexist conception of justice, this project can be accommodated easily within an Aristotelian theory but will pose a variety of problems within a Rawlsian theory, as we saw in the previous section. So there is certainly a good argument to be made that Okin's views fit readily within an Aristotelian framework. At least, we need to see an argument to say why they are not, and that is important especially in light of Okin's skepticism about the feminist potential of Aristotelian theories.

Okin has, of course, also raised objections to Aristotelian normative theories, but her resistance to them is neither compelling nor is it as deeply principled as Rawls's. Her main objections seem to be to the hierarchical or conventional character of many Aristotelian theories.<sup>44</sup> But this has been criticized as flowing from inconsistent and unattractive elements that should be discarded from Aristotle's normative theory.<sup>45</sup> More generally, Okin's complaints about Aristotelian theories are just simply overdrawn. They are refuted by the many modern Aristotelian theorists, such as Nussbaum, Sen, Hobhouse, Mill,<sup>46</sup> and others, whose views are neither hierarchical nor conventionalist and who have defended equality for women in uncompromising terms. By contrast, we have seen some important reasons to be concerned

about conventionalist and indirectly hierarchical elements in Rawls's theory.

#### 4. Another Liberal Feminism

While Okin's views seem to fit readily within an Aristotelian normative perspective, this is not to say that such a perspective must endorse her vision of a genderless society. Though her arguments deserve attention, they do not yield the strong conclusions that she advances. The idea that coherent and fruitful deliberation on moral matters and, ultimately, equality of opportunity for women depends on making one's sex of no more relevance to social structures and customs than "one's eye colour or the length of one's toes" is a controversial—and thoroughly untested—idea. It has simply not yet been demonstrated that fruitful moral deliberation and equality of opportunity require such a radical elimination of all sex-related customs and practices; nor is it clear that we can come to see ourselves in such gender-free terms. Nussbaum puts this objection well:

The sense of being male or female is so strong in most of us that a richer psychological and historical inquiry into the nature of human desire would be needed to make the case for the kind of society that Okin seems to want . . . Might we discover ways of retaining differences between the sexes while reconceiving them so that they would not entail hierarchy? Couldn't gender identity, for example, be like ethnic or national identity—fundamental ways that many people have of defining themselves, but not necessarily linked to the depreciation or oppression of any other group? I sympathize intellectually with Okin's views, but I can't see myself in the world she projects . . .<sup>47</sup>

But however difficult it may be for those of us that live gender-structured lives to imagine living in such a society, the abundant historical and sociological evidence of the plasticity of human customs and relationships would seem to indicate that a genderless society cannot simply be rejected out of hand as outside the realm of practical possibility. And if it cannot be so rejected, Okin's proposal deserves to be investigated and taken all the more seriously in part because of its apparent capacity to address effectively a whole range of vexing problems of justice.<sup>48</sup> It is an idea that

needs a champion, and Okin has ably begun to take on that task. Perhaps the strongest conclusion that can be drawn from Okin's premises is that we have a number of reasons to take her vision of a genderless society seriously, but much more evidence and clarification about what it implies is required for its defense.

There is a sense too in which this situation fits well within an Aristotelian framework, for it is clear that to come to some conclusion either for or against Okin's position, what is required is a deeper investigation into the nature of the human good. Modern Aristotelian feminist theorists such as Hobhouse and Mill and, more recently, Nussbaum have differing views about the nature of this investigation, but they are agreed that deeper inquiry into the nature of the human good will be necessary to answer many vexing questions about social roles and social organization, including questions about the composition of the family and the nature and extent of any natural differences between the sexes. It is difficult to see how Okin can avoid taking the same position, making the defense of a genderless society a provisional hypothesis in search of confirmation in new social experiments, historical analysis, psychological research, and philosophical inquiry. But as Nussbaum recognizes, it is an hypothesis that is clearly in competition with other hypotheses that currently carry with them enough plausibility that they cannot be dismissed either.

This may appear to be a major setback for Okin, but I don't think that this is so. It seems to me that her main practical prescriptions for reform, including universal provision of quality day care, flexible working hours, public education to encourage sharing of domestic burdens, provisions for shared and more generous "maternity" leaves, reformed divorce laws, etc., are quite widely appealing, cutting across a variety of plausible comprehensive views of the good that do not entail "the disappearance of gender." That equal opportunity for women to flourish requires justice in the family, including the amendment of social institutions to encourage equal sharing between adult family members of the burdens of marriage and parenthood, seems highly plausible whatever one's views are about the desirability or possibility of a genderless society. In the absence of such policies, it is difficult to see how women will currently be able to avoid undue social

pressures to fulfil traditional domestic roles and shoulder the burdens and limitations that go along with them. As these policies are implemented and tested we will have some opportunity to gauge their effect on women's equality, the moral development of children, and the well-being of persons of both sexes. Okin's main proposal deserves to be tested, then, mainly on grounds of its contribution to promoting comprehensive ideals of equality and human flourishing. This more guarded philosophical justification preserves Okin's interesting hypothesis for further investigation and consideration while continuing to advance her main substantive proposals. Of course, to undertake such policies we must be prepared to challenge, to some extent, certain liberal views about tolerance and pluralism, but Okin has already indicated her preparedness for this by arguing for a certain way of extending the boundaries of justice to address these issues. Moreover, framing political and social arrangements around an interest in promoting and, at the same time investigating, comprehensive ideals of the human good is something that a Rawlsian theory would eschew but that Okin's position would apparently have to endorse.

It will be instructive at this point to note that Okin's substantive proposals about equality in the family are viewed sympathetically by Nussbaum.<sup>49</sup> What has gone unnoticed in recent surveys of women in political thought is that Hobhouse endorses exactly the position Okin and others claim is missing from contemporary liberal thought and from liberal thought in general. In a discussion of the burdens many women face in the home that have resulted from permitting them greater equality of opportunity in pursuing careers, Hobhouse states that the solution does not consist in "less social justice, but more—*equality in marriage and parenthood*, and more power of dissolving a loveless and unhappy union."<sup>50</sup> Hobhouse also rejects both traditional paternal and maternal forms of the family, arguing that they are inconsistent with the rights of personality of women and men and saying that discovering the proper form of the family is "a problem which civilization has yet to solve."<sup>51</sup> There are also some striking passages in one particular article that anticipate Nussbaum's and Sen's critiques of welfare economics. In "Competitive and Social Value,"<sup>52</sup> Hobhouse criticizes welfarist economic views in part on the grounds that they

fail adequately to consider the role of corruption of desire in assessing well-being. Interestingly for our purposes, he uses the position of women in modern society as a prime example of this phenomenon (as Nussbaum and Sen typically do), and argues instead that a better standard of value will allow one to establish social conditions that will ensure that basic functional needs are met. That Hobhouse defends his views within an Aristotelian framework is suggested by this critique and is readily evident in all of his works and in his idea that the aim of social theory is to promote conditions for "the harmonious fulfilment of human capacity as the substance of a happy life."<sup>53</sup>

So there is a flag-bearer in the liberal Aristotelian tradition for the main practical prescription that Okin defends and who agrees that the traditional form of the family is inconsistent with women's emancipation. Hobhouse's position also represents an important contribution to the history of ideas and especially of liberal thought, going beyond Mill's apparent acceptance of the traditional patriarchal family and maternal role within it,<sup>54</sup> and it is unfortunate that this statement of support for equality in marriage and parenthood has been forgotten by liberals and overlooked by feminists along with Hobhouse's deep commitment to pressing the cause of women's equality. It is also an important statement because the liberal and feminist credentials of Aristotelian views are sometimes doubted. These worries are most commonly pressed, as they are by Okin, in relation to non-liberal Aristotelian theorists.<sup>55</sup> But that does not show that there cannot be a liberal feminist Aristotelianism. Hobhouse is an important figure in the liberal tradition whose views are accepted as meeting liberal standards of tolerance and respect for civil and political liberties. That is some evidence for taking the liberal credentials of certain Aristotelian normative theories seriously. That his view extends Mill's position and anticipates Okin's in important ways should also encourage us to entertain the feminist credentials of certain Aristotelian normative theories in this particular context. And of course, if the argument of the previous section is correct, it is further evidence that an Aristotelian normative theory can meet liberal standards of tolerance that Okin's "liberal humanism" has received essentially no comment questioning its liberal



credentials, even though it quite clearly has challenged certain central features of contemporary liberalism.<sup>56</sup> More deserves to be said on these topics, but there is no reason to dismiss the liberal or feminist credentials of Aristotelian theories out of hand.

## 5. Conclusion

I have argued that Rawls's theory cannot be used in an interesting or satisfying way to challenge fundamentally the gender system of our society. The difficulties encountered by Okin in her attempts to use Rawls for these purposes highlight various impediments in Rawls's methodology to adopting the sorts of principles advanced by her and other feminists, based on his views about the operation of the original position, strict compliance theory, the scope of a theory of justice, and the related limits he places on comprehensive ideals and their role in determining fundamental political arrangements. By contrast, a liberal Aristotelian theory affords a framework that seems to raise no principled opposition to the position Okin advances, taking her views as a contribution to ideas about healthy functioning and the human good that deserve to be investigated and tested. It can take her views seriously even where they are controversial, and then attempt to work toward a better understanding of the premises on which they rest. It is difficult to see how Okin could reasonably expect more than this of a normative framework for her views.<sup>57</sup>

## Notes

1. For discussions that stress the Rawlsian character of Okin's views see Joshua Cohen, "Okin on Justice, Gender, and the Family," *Canadian Journal of Philosophy* 22 (1991): 263-86; and Martha Nussbaum, "Justice For Women!" *The New York Review of Books* 39 (1992): 43-50. Also relevant is Will Kymlicka, "Rethinking the Family," *Philosophy and Public Affairs* 20 (1991): 77-97, which suggests that Okin's liberalism consists in an attempt to base impartial concern for others on the model of Rawls's original position (p. 93, n. 19). These papers review Susan Moller Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989), which will be the

- main work considered here. Okin's work is also importantly influenced by Michael Walzer, but I shall not investigate this relationship. See also Okin, "Justice and Gender," *Philosophy and Public Affairs* 16 (1987): 42-72; "Liberal Humanism," in *Liberalism and the Moral Life*, ed. Nancy L. Rosenblum (Cambridge, Mass.: Harvard University Press, 1989); "Reason and Feeling in Thinking About Justice," *Ethics* 99 (1989): 229-49; "Gender Inequality and Cultural Differences," *Political Theory* 22 (1994): 5-24; "Political Liberalism, Justice, and Gender," *Ethics* 105 (1994): 23-43; and "Sexual Orientation and Gender: Dichotomizing Differences," in *Laws and Nature: Shaping Sex Preference and Family*, ed. David Estlund and Martha C. Nussbaum (Oxford: Oxford University Press, forthcoming).
2. See, in particular, John Exdell, "Feminism, Fundamentalism, and Liberal Legitimacy," *Canadian Journal of Philosophy* 24 (1994):441-64, which explores the tensions in Rawls's recent work with Okin's liberal feminism. Okin has also been an important critic of Rawls. See Okin, "Justice and Gender," "Liberal Humanism," "Reason and Feeling in Thinking About Justice," "Political Liberalism, Justice, and Gender."
  3. *Justice, Gender, and the Family* (hereafter "JGF"), p. 171.
  4. She has, however, begun to develop her ideas further in her unpublished work (forthcoming).
  5. Contrary to critics who have suggested that Okin's position is implicitly heterosexist, an implication of her proposal for a genderless society is that discrimination based on sexual preference would be eliminated, since a society with no gendered roles and customs would see nothing unacceptable about such relations. The potential of Okin's views to address such other problems of justice provides some further reasons for taking her position seriously. Cf. Cohen, "Okin on Justice, Gender, and the Family," p. 281; Martha Fineman, "Review of *Justice, Gender and the Family*," *Ethics* 102 (1991): 647-49; and Kymlicka, "Rethinking the Family," pp. 83-84, 96-97. For Okin's response see "Sexual Orientation and Gender."
  6. "Reason and Feeling in Thinking About Justice," p. 230.
  7. *JGF*, pp. 89-90.
  8. *JGF*, pp. 103-4; "Political Liberalism, Justice, and Gender," pp. 39-43. Okin also stresses the role that Rawls's account of moral development in *A Theory of Justice* might have had in helping him to recognize the importance of justice in the family, but this is clearly related to her interest in equal opportunity and it is also relevant to her discussion of the original position, and so I will address this issue in these latter contexts.
  9. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), pp. 65-75, 224-25.
  10. Cf. Okin, "Political Liberalism, Justice, and Gender"; and Exdell, "Feminism, Fundamentalism, and Liberal Legitimacy."
  11. *JGF*, p. 101.
  12. *Ibid.*, p. 106.

13. *Ibid.*, pp. 105-7.
14. *Ibid.*, p. 107.
15. There are other problems with this argument that are relevant to the discussions in the following sections in the paper. In particular, it is speculative and highly abstract; and Okin does not explain how the putative differences in psychology and moral development are so deep that they undermine agreement over a conception of justice. Argument is required here, since even sympathetic critics of the view that women have a distinctive moral psychology and outlook have not been convinced that the putative differences with men are so deep that there cannot be agreement between the sexes on moral matters. See Owen Flanagan and Kathryn Jackson, "Justice, Care and Gender: The Kohlberg-Gilligan Debate," *Ethics* 97 (1987): 622-37. The argument also draws categorical conclusions from hedged premises, as the passages just quoted indicate; and Okin admits that the feminist research on which she is relying, mainly Nancy Chodorow's work on the reproduction of motherhood and Carol Gilligan's critique of Kohlbergian moral psychology, is both incomplete and controversial (*JGF*, pp. 15, 106).
16. *A Theory of Justice*, pp. 13-14, 120, 148-49.
17. *JGF*, pp. 105-8.
18. She concludes her discussion of Rawls by stating that her arguments have led to "mixed conclusions" about the potential usefulness of Rawls's theory from a feminist perspective (*JGF*, p. 108).
19. Okin's discussion on this point also represents an important qualification to her defense of the original position in "Reason and Feeling in Thinking About Justice."
20. *JGF*, pp. 102-5.
21. *Ibid.*, pp. 127 f., 170 f.
22. *Ibid.*, p. 174. She also says that proper deliberation about the principles of justice would lead the parties to the view that "Gender . . . could no longer form a legitimate part of the social structure" (p. 103).
23. Okin may want to defend traditionalist views by saying that freedom is a value separate from justice, since at one point she speaks of "balancing freedom and past choices against the needs of justice" (*JGF*, p. 172). But, as Cohen points out, her account of justice is built around finding terms of order that are acceptable from the point of view of each citizen, and therefore respect for freedom will be a requirement of justice, not a value to be weighed against it ("Okin on Justice, Gender, and the Family," p. 269 n.). Given the requirement of "acceptability" and the parties' assumption of strict compliance, Okin's enlistment of the original position still faces a problem about coherence. It is also a problem for a complete theory of justice, if that theory retains a similar respect for a private sphere.
24. *JGF*, p. 104.
25. Related to this discussion is her criticism of Rawls for making the parties behind the veil heads of families instead of individuals (*JGF*, p. 94). This

important modification, which Rawls has accepted, is assumed in the following discussion.

26. *JGF*, pp. 103-5.
27. Relevant here is Cohen's cogent discussion suggesting that one fundamental source of gender inequities and motivation to maintain the traditional family may be due to economic discrimination in the workplace, especially wage discrimination ("Okin on Justice, Gender, and the Family," pp. 280-85).
28. See also Nussbaum's remarks quoted in section 4 below.
29. *JGF*, pp. 103-4; "Political Justice, Liberalism, and Gender," pp. 39-43.
30. *A Theory of Justice*, p. 73 n.
31. *JGF*, p. 174.
32. Okin also says that the earlier Rawls's emphasis on moral development supports a challenge to gender structures in the family and can be motivated in part by a commitment to fair equality of opportunity (*JGF*, pp. 97-100), but this also falls into conflict with the parties' commitment to tolerance. It is possible to see in this an explanation for Rawls's somewhat cryptic recent remarks about finding his views on in Part III of *Theory* (centrally including the discussion of moral development) to be inconsistent with the view expressed elsewhere in that work (*Political Liberalism*, pp. xv-xviii).
33. See Martha Nussbaum, "Nature, Function, and Capability: Aristotle on Political Distribution," *Oxford Studies in Ancient Philosophy*, suppl. vol., 1988, pp. 145-83; "Aristotelian Social Democracy," in *Liberalism and the Good*, ed. R.B. Douglas et al. (New York: Routledge, 1990); "Human Functioning and Social Justice: In Defense of Aristotelian Essentialism," *Political Theory* 20 (1992): 202-46; "Justice for Women!"; and "Non-Relative Virtues: An Aristotelian Approach," in *The Quality of Life*, ed. M. Nussbaum and A. Sen (Oxford: Oxford University Press, 1993); and Amartya Sen, *The Standard of Living* (Cambridge: Cambridge University Press, 1987); and *Inequality Reexamined* (Cambridge, Mass.: Harvard University Press (1987, 1992)). Nussbaum's views are explicitly Aristotelian. Sen's notion of "basic capabilities" and his interest in promoting them appears Aristotelian in nature, but unlike an Aristotelian he does not require a comprehensive ideal of the good to underpin his position but focuses instead on key functionings that need to be preserved. Hence, my discussion will focus mainly on Nussbaum's views.
34. "Gender Inequality and Cultural Differences," p. 19.
35. The sort of liberal egalitarian outlook defended recently by Will Kymlicka in *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 1990) may be of more use to Okin.
36. Nussbaum, "Aristotelian Social Democracy," p. 209.
37. *Ibid.*, p. 217.
38. *JGF*, p. 107 (emphasis added); see also p. 105.
39. *Ibid.*, pp. 17-18, 177 f., 179, 184 f., 186.
40. *Ibid.*, p. 171.

41. "Liberal Humanism," pp. 52-53.
42. I don't mean to suggest that Okin's position must be interpreted as giving priority to the good. Similarly, given the narrow interpretation of the relation between ideas of the right and the good that has become almost canonical through Rawls's writings, it could be doubted that the Aristotelian theories of Nussbaum and others give priority to the good. For a brief but insightful critique of contemporary ideas of the relation between ideas of the right and the good see David O. Brink, *Moral Realism and the Foundations of Ethics* (Cambridge: Cambridge University Press, 1989), pp. 213-17.
43. This amendment, of course, would diminish some of the tensions with a Rawlsian view, but they would still exist to the extent that comprehensive views about human psychology and moral development (which I take to be basic to Okin's views) provided some of the justification for framing and testing such a view. It would be a matter of recognizing the ambiguity about the evidence for and implications of such views and testing a weaker interpretation of them. See note 5.
44. *JGF*, pp. 53-54.
45. Nussbaum, "Nature, Function, and Capability"; T.H. Irwin, *Aristotle's First Principles* (Oxford: Oxford University Press, 1988).
46. My interpretation of Mill as an Aristotelian is implied in Berger's work on Mill: Fred R. Berger, *Happiness, Justice, and Freedom* (Berkeley: University of California, 1984).
47. "Justice For Women!" p. 46.
48. As mentioned earlier, this has the potential not only to resolve longer-standing questions of justice between the sexes but other gender- and justice-related issues involving sexual orientation. See note 5.
49. "Justice For Women!"
50. L.T. Hobhouse, *Social Development: Its Nature and Conditions* (London: George Allen and Unwin, 1924), pp. 120-21, my emphasis.
51. Hobhouse, *Morals in Evolution* (London: Chapman and Hall, 1915; 3d ed., orig. publ. 1906), pp. 158-59.
52. Hobhouse, "Competitive and Social Value," *Economica* 4 (1924): 278-90.
53. Hobhouse, *The Elements of Social Justice* (George Allen and Unwin, 1922), p. 28. The Aristotelian character of Hobhouse's views is most carefully developed in his *The Rational Good* (London: George Allen and Unwin, 1921) and *The Elements of Social Justice* (1922), but it is also evident in his best known work *Liberalism* (1911) (New York: Oxford University Press, 1964). For further discussion of Hobhouse's views on women see my "L.T. Hobhouse's New Liberal Feminism" (unpublished).
54. Okin, *Women in Western Political Thought* (Princeton: Princeton University Press, 1992; 2d ed., orig. publ. 1979).
55. See, for example, Okin's discussion of Alasdair MacIntyre: *JGF*, chap. 3.
56. See in particular Cohen ("Okin on Justice, Gender, and the Family"), who places Okin straightforwardly among contemporary liberal egalitarians. On

the liberal credentials of Aristotelian normative theories see Nussbaum, "Aristotelian Social Democracy" and "Justice For Women!" and Thomas Hurka, *Perfectionism* (Oxford: Oxford University Press, 1993), chapters 11-12.

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