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FEMINISM AND GENDER¹

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INTRODUCTION

Gender makes a difference to many central questions in political philosophy: the way we understand the demands of distributive and relational justice, the ideal form of democracy, the division between the private and the public domains, and the normative issues raised by the acceleration of globalization. We live in societies that are structured by gender in various ways: most obviously, we inherit a tradition of differential treatment of women and men, which bestowed numerous political, economic, and social privileges on the latter. The legal discrimination of women has been the main object of so-called first wave feminism. Pioneered by philosophers such as Wollstonecraft and Mill, feminists of the first wave have insisted on the illegitimacy of excluding women from political and economic life and legally confining them to the private sphere of the family (or monastery). In many countries, women are still subject to legal discrimination, and therefore the aims of first-wave feminism continue to be highly relevant in some parts of the world.

Women who live in liberal democracies today have the same legal standing as men: for instance, they enjoy the same legal rights as men with respect to voting, standing for election, holding property and occupational

freedom. Yet, they tend to be underrepresented in politics—particularly at the top levels—in many professions that are considered traditionally male and from the higher end positions of most professions. They also tend to be more affected by poverty than men are and receive less pay; they are the victims of most rapes and domestic violence and do most of the housework and childrearing—both in their homes and in commodified form. Finally, their bodies are objectified through pornography and commodified through prostitution to a much larger extent than men's. Therefore, women appear to have a lesser share than men in political and social power, economic assets, and social recognition. The core belief of feminism is that people should not suffer disadvantage by dint of belonging to a particular gender, and therefore the earlier facts represent core concerns for feminist political philosophy.

Indeed, current feminist political philosophy offers a thorough analysis of all these issues and their ramifications. According to Jaggar's (1983) helpful classification, feminist thinking comes in several varieties—liberal, socialist, and radical—reflecting the diversity of feminist authors' value and methodological commitments. More recently added broad categories include ecofeminism and postcolonial feminism. Not all normative feminist thinking

is properly understood as a contribution to political theory which, traditionally, focuses on questions concerning the legitimate limits and uses of state power. Because it is restricted to political philosophy, this chapter mainly draws on work belonging to liberal and socialist feminism. By contrast, the traditions of radical feminism, ecofeminism, and postcolonial feminism are more obviously relevant to ethics and social philosophy, or else they contain suggestions for political changes that are too radical to assess within the framework of liberal, egalitarian, and democratic states.

This chapter is also limited to a presentation of the contribution made by feminism to political philosophy at the most general level. It discusses the two main issues in contemporary political philosophy: justice—comprising theories of fair distributions and of equal relationships between citizens—and democratic theory. Theories of justice and democratic theory are the two main areas of political philosophy: the first is about substantial requirements of justice, and the second is about the procedures through which legitimate political decisions can be reached. Gender plays a role in both, and, in particular, the gendered division of labor raises difficulties for mainstream theories in both areas. The last section outlines new developments in feminist theory: explorations of the phenomena of implicit bias, and stereotype threat and thinking about epistemic injustice in the context of gender; I explain their potential import for theories of justice and democratic theories.

RELATIONAL IDENTITIES AND THE ETHICS OF CARE

Both in their professional and in their private lives, women tend to carry most of the

responsibilities of meeting other people's needs: they are often the main caregivers for children, ill and disabled individuals, and the frail elderly. They are also often expected to take responsibility for maintaining good relationships between friends, peers, and colleagues. All these are aspects of the gendered division of labor which, as I will show in the following sections, is the source of much political inequality between women and men (Okin, 1989a). Unlike other inequalities—resulting, for instance, from violence or outward discrimination—liberal political philosophy has difficulties identifying the normative status of inequalities flowing from the gendered division of labor, because the individual choices that generate them are typically uncoerced. One of the main contributions of feminist philosophy over the past 30 years was to uncover the moral and political importance of caregiving. The general conclusion of this body of work is that the practical and emotional labor done by women as caregivers should be acknowledged as essential to social cooperation and rewarded adequately.

First, on the moral importance of caring. Most generally, care is defined as the activity of meeting another person's needs, whether material or emotional (Tronto, 1993). The majority of care ethicists follow Noddings (1982) in the belief that, to qualify as care, the activity in question must be hands-on (rather than, say, meeting someone's needs indirectly, by paying someone else to provide necessary services). Others further restrict the definition to needs that cannot possibly be met by the person in need herself (Bubeck, 1995). The moral value of meeting needs can be accounted for by major ethical traditions, yet direct reference to needs does not figure in the most influential test of assessing individual moral development, devised

by the psychologist Kohlberg (1981). In the early-mid-1980s, the psychologist Gilligan made two important observations: first, that Kohlberg's scale of moral development—according to which reaching moral maturity depends on individuals' ability to outgrow particular attachments to other people and to reason in terms of rights and duties—was developed using only male subjects. Second, that women typically engaged in moral reasoning in which others' needs and relationships between people played a central role. The female, but not male, subjects of this research systematically tended to describe their identities as relational (Gilligan, 1982, 1995). Gilligan did not conclude that women's absence from Kohlberg's studies was inconsequential for his theory and that those female subjects who talked about needs and relationships were morally less developed than subjects able to reason in terms of rights and duties. Instead, she thought that in her conversation with girls and women she heard a different "moral voice," one equally important yet different from the moral "voice of justice" more familiar from men's moral reasoning. She did not think—as some critics believe—that women and men are structurally unable to speak both "moral languages" but merely noted the gendered aspect of moral reasoning, whatever their explanation may be (Gilligan, 1995). At the time when Gilligan wrote her book, the topic of caregiving—that is, a large part of women's traditional work—was absent from philosophy. Gilligan's work broke new ground in reevaluating the moral importance of care; following her, many feminists went on to explore "the ethics of care," which has since evolved into a large body of moral and political theory.

Much of it has to do with practices of caregiving within the family, mostly in

childrearing. Ruddick (1989) argued that people who are primarily responsible for the hands-on tasks of childrearing—and whom she calls "mothers" whether they are female or male—confront three specific tasks: the physical preservation of the children; their physical, emotional, and intellectual development; and their socialization into acceptable members of their group. To accomplish these tasks successfully, mothers develop, ideally, a number of distinct virtues and the ability to address daily dilemmas involving the negotiation of conflicting needs as well as conflicts between the different tasks of childrearing. She thought that the moral experience of mothers, and the specific virtues they develop can be a valuable resource in thinking about peaceful conflict resolution in the political realm. This idea has been further elaborated by Bubeck (1999). More specifically, Ruddick argued that "maternal thinking" identifies each individual as being, first and foremost, the result of someone's loving work of care, thus providing a specific justification and motivation for pacifism. Others relied on the fact that everybody is "some mother's child" (in Kittay's words) to argue for a politics of responsibility; the thought is that we all have duties to support others in their caregiving activities because none of us could have survived and thrived without it (Kittay, 1999, Engster, 2007).

Not only is our physical, intellectual, and emotional well-being the result of the care we received at the beginning of our lives, but also care is essential to our very identity as moral beings. Held drew attention to the fact that the mothering activity is not merely reproductive, but a creative activity because "in bringing up children, those who mother create new human persons" (Held, 1997, 634). Held describes the relationship between parents and children as a paradigm

case of moral relationships: it is, *par excellence*, a situation in which the parents' exercise of power is voluntarily limited by moral reasons. This is the ideal context for a child to learn that might is not right and hence to get a grasp on the essence of morality (Held, 1993).

Other feminists looked beyond the realm of childrearing and noted that the moral development of adults also requires close relationships such as friendship (Friedman, 1993). Yet others examined the importance of caring relationships for creating a climate of social trust, which in turn is necessary for working political communities and even more so for just institutions (Baier, 1994).

Beyond the differences in what they choose to emphasize, care ethicists convey the general conclusion that care is necessary if we are to survive and develop into functioning and moral adults who together can run a just political community. Yet, this very important activity has often been seen as instrumental in keeping women out or on the margins of the public domain of politics and the economy, and for a long time failed to earn women the status of equal and fully participating citizens. Echoing de Beauvoir's (1949) famous claim that one becomes a woman by taking on the functions of reproduction and mothering, some contemporary philosophers warned that feminists should not embrace an ethics of care (Dietz, 1985, Card, 1990). Part of the criticism to the ethics of care—that it is inherently parochial because it cannot account for duties owed to strangers with whom we have no caring relationship, nor the interest or hope to develop one—is easily addressed: some care ethicists have aimed from the very beginning to integrate the importance of care with that of justice (Tronto, 1993), and others have revised or extended their theories in this sense (Noddings, 2002, Held, 2006). It

is more difficult to refute the criticism that an ethics of care is potentially oppressive, by glorifying the private, and ideally selfless activity of caregiving. Yet, care ethicists do not uphold the value for strategic reasons, but because they believe it is genuinely ethically essential. One way to avoid injustice to caregivers may be to directly compensate them—through various public policies—for the work of care they do (Okin, 1989a). The ideal way, however, is to encourage men to share equally in the work of care.

To bring men into care as full partners has been on the political feminist agenda at least since the late 1960s, and in spite of some degree of change it still sounds utopian.

Most care work is different from other types of work due to its emotional and personal element; for this reason, one cannot (typically) do it well if one does not wish to engage in care. Having a relational self—genuinely valuing connection to others—may in general be a necessary characteristic of a good caregiver. Feminist psychoanalysis offers an explanation of why women, rather than men, tend to take on caregiving: as babies and then small children we form ourselves in reaction to the parent who cares for us most of the time, that is the mother. Thus, female children find it easier to identify with their mothers and therefore form a relational self, while male children strive to separate from the mother (Chodorow, 1978). On this view, the overburdening of women with care work and their ensuing social marginalization as well as their lack of social recognition and susceptibility to being dominated (Benjamin, 1988) are rooted in the psychosexual relationships between women and men. The direct involvement of both women and men in the care for babies and infants holds the key to change; much of the action, therefore, is in the private sphere. But, as we shall see,

this does not mean that state involvement is unwarranted.

JUSTICE AND GENDER

Is state intervention in the private sphere legitimate, and in what form? How can we make sense of the gender component of distributive justice? How does gender affect other aspects of justice beyond the distributive one—how does gender figure in the problem of relational justice? I now turn to these questions.

THE PUBLIC AND THE PRIVATE

Many of the problems mentioned in the introduction are at least partly caused by decisions made by individuals who interact with each other in the private sphere: women (living in liberal democracies) cannot be legally coerced to do housework and child-care; yet they often make career decisions that lead to lower lifetime earnings than those of men, are more reluctant than men to engage in politics, or compete for prestigious and powerful positions in various organizations and end up more often than men making a living out of pornography or prostitution. To the extent to which patterns of interaction are coerced—for instance, in cases when prostitution is embedded in modern forms of slavery, or in cases of domestic violence—they are obviously wrong, and easily addressed by liberal theories of justice. (Indeed, in such cases gender seems incidental, rather than essential, to the problem.) By contrast, when they result from freely made decisions of people interacting in their private capacity they raise difficulties to liberal theories of justice. Traditionally, liberal

thinking has been relying on a distinction between the public life of individuals, which is a legitimate subject to regulation, and their private life, which ought to be free from state intervention. Feminist philosophy challenges this foundational liberal belief.

The criticism mounted by Okin (1989a, 1994) to Rawls's theories of justice (1971, 1993) on the question of justice in the family is the clearest expression of the difficulty that political-liberal theories of justice have with integrating feminist concerns. The family is a prime example of "the private." Traditionally, the institution of the family has been particularly instrumental for keeping women outside political and economic life, socializing them into subordination and justifying various forms of violence against them, including marital rape. An obvious feminist requirement then is that the family ought to be internally just in order to be legitimate. Yet, according to Rawls—who formulated the most influential account of liberal justice in contemporary philosophy—the justice of a society is determined by the justice of its basic structure, which is that society's major political, economic, and social institutions. These institutions—rather than individual action or private associations such as the family—come under the purview of justice.

Rawls's earlier thinking about justice—before he moved on to defend political liberalism—is more amenable to feminist concerns. Okin (1989a, b) argued that gender concerns are internal to the logic of Rawls's early theory of justice (1971) in two distinct ways. First, she thought that, in order for the veil of ignorance—Rawls's device for determining the principles of justice—to work in practice, individuals in the original position have to be able to exercise empathy as well as reason. Without a concern for others, the process of deliberating

under the veil of ignorance would come to a standstill. As a consequence, she thought that Rawls's theory should be modified to give up the requirement of mutual disinterestedness. Given the limited knowledge about the self that characterizes the parties in the original position, plus the fact that choices in the original position are supposed to be made under the condition of uncertainty (the parties cannot attach probabilities to particular outcomes), the requirement of mutual disinterestedness will make deliberation impossible. Second, the family as the site of childrearing is the first school of justice. Individuals who choose principles of justice in the original position must be endowed with a sense of justice, which cannot be developed in the absence of the bonds of care that exist between parents and children and that go beyond parental duty. Therefore, a theory of justice needs to acknowledge the merits of care work and the necessity of caring relationships; in this sense, justice is rooted in care. But the bonds of care are not enough to ensure that children acquire a sense of justice; for this, one also needs to be socialized in just families, in which the distribution of resources and burdens between women and men is fair.

However, from the perspective of political liberalism as defended in Rawls's later thinking (Rawls, 1993), it is not clear in which way should the family respond to the requirements of justice. Specifically, the earlier considerations about the importance of care and justice in the family are not sufficient to show that the family should be *internally* regulated by justice (Okin, 1994, Lloyd, 1995). On the one hand, the family should be regarded as part of the basic structure of the society because, as the main site of childrearing, it obviously influences everybody's life chances from the start. On the

other hand, as voluntary associations, different families legitimately reflect a variety of conceptions of the good, some of which may indeed be inimical to feminist values. The principles of justice are supposed to regulate the basic structure in order to ensure that the *interaction* among a society's major political, economic, and social institutions is just. A safe conclusion is that, at a minimum, political liberalism will rule out families that deny women their basic freedoms. But this does not get close to the feminist aspiration to see families shaped by internally just arrangements.

A current debate within political philosophy concerns the question of whether individual actions should also come under the purview of justice. A positive answer will be friendlier to feminist goals (Cohen, 1997). But even some defenders of a negative answer take the side of Okin in considering it legitimate to regulate certain aspects of the family. Most prominent examples are regulating conditions of divorce, including financial settlements between breadwinners and homemakers and institutions concerning childcare, which are meant to enable both women and men to compete for desirable social and economic positions (Neufeld, 2009). The latter include flexible working hours for parents, parental rather than maternal leaves and subsidized childcare, all of which have a direct effect on the internal organization of the family. These proposals however fall short of addressing the riddle of how a theory of justice that relies on individuals' sense of justice could allow individuals to be socialized in internally unjust families.

If the family and, in general, the outcomes of private interactions ought to come under the purview of justice—either because justice concerns the internal organization of the family as part of the basic structure, or because

justice concerns individual action—how can we assess them as gender just or unjust?

DISTRIBUTIVE JUSTICE

Both the metric (resources in general, primary goods in particular, welfare, capabilities, outcomes) and the principle (equality, sufficiency, priority) of distributive justice are contentious issues. This is reflected in the variety of accounts of gender justice.

Some feminists such as Kittay (1999) follow Rawls in the belief that primary goods are the correct metric of justice. Like Okin, she believes that Rawls's theory of justice is amenable to a modification that would let it accommodate feminist concerns. Kittay notes that dependency is not the exception, but the norm of social life—we all are, at times, dependent on others' care for survival. Hence she criticizes the mutual disinterestedness of parties in the original position as a normatively unacceptable distortion of social life. According to Kittay, care is akin to a primary good: it is necessary for individuals to survive, let alone develop and pursue their idea of a good life. A proper understanding of social life represents individuals as nodes in a network of care, in which the burden of care renders those who carry it particularly vulnerable and needy. Their vulnerability results from the emotional charge of care and from the need to defer their own interests for the sake of meeting the needs of their charges. Informal caregiving does not carry economic rewards, and as a market service care is underpaid (Tronto, 1993, 2002, Bubeck, 1995, Kittay, 1999). Caregivers ought to be able to depend on people and structures that support them, and the support should be made available as a matter of justice. Kittay, and more recently Engster (2007) took this account of dependency and

care as a justification of the welfare state. Bubeck (1995, 1999), who came from a Marxist background concerned with avoiding exploitation rather than from a Rawlsian distributive paradigm, gave an account of gender justice similar in its starting and ending points. Starting from the assumption of the universal dependency on care, she suggested the creation of a state-run civil service of caregiving, which would be similar to, or even replace, the military service.

Kittay's account may be read as an attempt to improve the justice of the basic structure by ensuring that the primary good of care is fairly distributed *via* the institutions of the welfare state, while Bubeck's suggestion of a mandatory universal system of caregiving is obviously at odds with political liberalism. But in both accounts gender plays an incidental, rather than constitutive role: they are accounts of gender justice only because caring is a highly feminized activity. Other philosophers consider directly the gendered aspect of typical *distribuenda*: opportunities, welfare, outcomes, capabilities. As already discussed, women fare worse with respect to at least some desirable social goods such as political and economic advantage.

Much contemporary thinking about distributive justice relies on the belief that it is unjust for people to be disadvantaged by factors that are not under their control and for which they cannot be held responsible. By contrast, different outcomes resulting from individual uncoerced and informed choices are just, as long as they reflect individuals' level of talent and ambition (but for a defense of equality of outcomes, including between women and men, see Phillips, 2004). This is the difficult question, then: is there anything unjust in women's lesser political participation and economic power if they result from women's decision to

focus on childrearing and family making? Some believe the answer is negative, that we should take women's preferences for a particular combination of work and family at face value and strive to accommodate them (Hakim, 2000). Yet, in a world like ours, with a history of formal discrimination against women's participation in politics and economic life, women's domesticity is not likely to be a merely individual choice but rather a significant symptom and future cause of gender injustice (Williams, 2000). It is not all history. First, social institutions are structured such that it is difficult to combine work and family. Second, ambition itself is socialized and so, to the extent that gender norms nudge women into domesticity, their lower political and economic ambition and unequal outcomes in these spheres ought to come under criticism (Arneson, 1998, Mason, 2000).

The likely conclusion of this debate is that gender justice is incompatible with gender norms. (An important question, which cannot be addressed here, is whether *all* gender norms are incompatible with gender justice.) Arneson (1998) suggested that gender justice obtains when social practices and individual conduct are regulated such that gender does not affect one's life prospects. According to Robeyns (2007) a society is gender just when women and men have the same capability sets, are free to choose without gender-related constraints on choice, and enjoy "pay-offs" which are also unstructured by gender norms. Gheaus (2012) argued that a society is gender just only if the costs of leading a gender-neutral lifestyle are, for both women and men, lower than, or at most equal to, the costs of gendered lifestyles. Costs in this context are to be understood very broadly, to cover financial burdens, time, effort, psychological discomfort, and so on.

RELATIONAL JUSTICE

It is counterintuitive that all kinds of social injustice in general, and gender injustice in particular, are distributive in nature. Some of it is relational, concerning how individuals relate to each other rather than how much each has compared to others. The demand that women's work of care be socially recognized and rewarded is perhaps the most widespread concern of relational justice and gender.

But recognition is not all there is to relational justice. Young (1990) famously distinguished between several forms of injustice that do not fit naturally in the "distributive paradigm." Together they explain, according to her, how women are being oppressed and dominated. The "five faces of oppression" identified by Young are exploitation, marginalization, cultural imperialism, powerlessness, and violence. Indeed, women's oppression and domination are at least as salient concerns for feminists as unequal outcomes in politics and the economy; Haslanger (2000) has proposed that the very definition of "woman" incorporates this concern: "S is a woman iff (df) S is systematically subordinated along some dimension (economic, political, legal, social, etc.), and S is 'marked' as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction" (Haslanger, 2000, 39).

Yet, antifeminists may express skepticism about the very existence of gender oppression in liberal societies, pointing out that women are active perpetrators of various mechanisms said to oppress them. Cudd (2006), who takes the oppression of women by men to be the paradigmatic example of oppression, answers this potential criticism by pointing out that often the best overall pay

off for women in particular circumstances depends on their compliance with oppressive norms. A bigger worry with an account of gender justice in terms of oppression is that the same patriarchal gender norms that hurt women's interests can also hurt, in other circumstances, men's interests: for instance, they result in men being more vulnerable to extreme violence in the public space (particularly in war) and in men having less access to family life (because there are no "daddy job tracks," men are more likely to lose custody battles, etc.).

DEMOCRATIC THEORY AND GENDER

Relational equality is called by some political philosophers "democratic equality" to signal its importance for the well functioning of a democratic community (Anderson, 1999). This indicates that, alongside with living in a society whose institutions, individuals, and relationships are just, we also care about the way in which society is being shaped, namely, through democratic procedures. Feminists made distinct contributions to democratic theory by drawing attention to the importance of deliberative and communicative democracy in giving women power and voice and analyzing the way in which the gendered division of labor has systematically excluded women from democratic participation.

DELIBERATIVE DEMOCRACY

Benhabib's work, influenced by critical theory, focuses on the *process* of shaping particular social and institutional arrangements. On her account, norms of social coexistence are valid only if they are reached through a process of deliberation in which all affected

parties participate under conditions of equality—that is, are equally enabled to voice their opinions on the issues at stake. Other conditions necessary for the democratic process to lead to legitimate outcomes are that all participants be equally able to bring new issues into discussion and challenge the very rules of how the deliberative process is conducted (Benhabib, 1996). This ideal of democracy goes hand in hand with Benhabib's conception of cultures as constantly changing through dialogue, as well as a conception of cosmopolitan multiculturalism that strives to combine diversity and robust equality. She argued that all citizens of multicultural societies ought to have the same civil, political, and economic rights and should not be enrolled, against their will, in the culture of their parents. Rather, she claims that individuals should retain an ability to exit it at any time (and the right to be accepted by other cultural groups if, for instance, they marry one of their members) (Benhabib, 2004).

Benhabib's ideal of democratic society is feminist because it gives women a voice in every aspect of their lives and tries to delegitimize patriarchal practices without requiring women to repudiate their culture; instead, it indicates the conditions in which multiculturalism need not be bad for women (to appreciate the complexity of the debate on feminism and multiculturalism, see Okin et al., 1999).

Other feminists working on democracy, such as Young (1990), are less optimistic than Benhabib about women's voice in politics, given their historical marginalization. Young's solution to this problem is that democratic practices should go beyond the deliberative—and hence rational—element and include forms of communication that have been traditionally practiced by women (such as storytelling). Another solution for making

democracies more women-friendly is introducing female quotas in politics (Phillips, 1995).

THE GENDERED DIVISION OF LABOR AND DEMOCRACY

The gendered division of labor is also important for understanding the role of gender in democratic theory. Pateman (1988) explained how the tradition of the social contract theory presupposes the existence of families: women's work in the home makes possible the political activity of the polity's members (male citizens, typically) by providing for their daily needs. Without such support, they would lack the time and resources needed to engage in politics; thus, the social contract between citizens requires a second, sexual—or marriage—contract between women and men. One result is the exclusion of women from political participation. Pateman's account is similar to Okin's claim that "major contemporary Anglo-American theories of justice are to a great extent about men with wives at home" (Okin, 1989a, 110). But, while Okin's main concern is with the requirements of *justice* in the context of a gendered division of labor, Pateman's work focuses on women as *citizens*. Unlike the first contract, the second went unrecognized by political philosophers, thus rendering women and their contribution to political life invisible. Pateman's ultimate goal is to cast doubt that an organization of social life based on contracts between individuals can be an emancipatory strategy for women. As a consequence of her view, she became one of the main advocates of the introduction of a universal, unconditional basic income as a path toward women's independence from men (Pateman, 2004).

POLICY AND FEMINIST THEORY

As already mentioned, feminist political philosophers support a variety of policy proposals aimed at ensuring a fairer distribution of the burdens and benefits of social cooperation between women and men, and also at improving the relational status of women. Many of these proposals have to do with a better distribution of care work, like the earlier mentioned civil service (Bubeck, 1999) and with the creation of safety nets for caregivers (Kittay, 1999). In other cases, the policy justification lies in enabling both women and men to engage equally in paid work and family life. As we have seen, the gendered division of labor is considered the source of distributive inequalities between women and men, lower recognition of women and their work, and women's impaired citizenship. Such policies could result in the generalization of a "caregiving parity" model of social organization which, according to Fraser (1994), would be better at addressing most of the concerns discussed earlier: it would help eliminate female poverty and income inequality, exploitation, marginalization, and lack of recognition. A comprehensive policy proposal that would make it possible for women and men to engage in both paid work and family care was advanced by sociologists Gornick and Meyers (2003).

The next logical step for feminist democratic theory was to devise an understanding of citizenship that transcends the gendered division of labor and can therefore equally empower—perhaps in spite of Pateman's skepticism—women and men. Building, among others, on the ethics of care and Bubeck's proposal, Lister (2002) argued for a redefinition of citizenship to include an obligation of caregiving. Lister thinks that an adequate understanding of citizenship

ought to include the private sphere and so her policy proposals partly overlap with those of Gornick and Meyers: employment regulations to allow parents to combine paid work and care, including parental leaves and childcare services. Other policy proposals are especially useful for including women as citizens on an equal standing to men, such as those concerning parliamentary design, pay and employment equity legislation, and the creation of adequate safety nets for women escaping domestic violence.

Another issue on which feminist political theory can directly feed into public policy is that of pornography. Pornography is a likely area that feminists would want regulated for its effects on women. Some feminists believe that there is a direct causal connection between pornography and violence, including sexual violence, against women (MacKinnon, 1987). Others think that pornography is, in effect, a way of subordinating women because pornographic images and words have the illocutionary force of communicating that women may be subject to degrading practices (Langton, 1995). They may also silence women by conveying the idea that women's explicit opposition to engage in sex (saying "no") does not constitute a refusal (Hornsby, 1995). If there are such causal connections—especially the more direct ones—they constitute reason for regulating pornography. Any all-things-considered judgment would have to take into account powerful reasons to refrain from its criminalization: for instance, that this would deprive of choices women who do not have many choices in the first place (Nussbaum, 1999).

Recently, there has been much philosophical interest in more radical policy proposals meant to improve the general distribution of wealth in society: the introduction of a universal, unconditional basic income, or a move

toward property-owning democracy. Both proposals are very tempting to feminists since they would lift many women from poverty, empower all women economically, at least in the short run, and free them from oppressive marriages and market demands, allowing them to engage in caring (if they wish to) without the threat of economic dependency and poverty (Elgarte, 2008). The introduction of an unconditional basic income could also lead to more recognition for care work and support people's freedom to enjoy care in non-commodified form (Baker, 2008). Yet, the very last features are also potentially inimical to feminist goals because a basic income would serve as an incentive for some women to forgo careers and hence eventually regroup at the lower end of economic distributions (Robeyns, 2001, Gheaus, 2008). If a universal basic income or a property-owning democracy were to replace, rather than supplement, institutions such as (egalitarian) parental leaves and subsidized childcare, the detrimental effects on women would be larger (Bergmann, 2004).

GLOBAL JUSTICE AND GENDER

All the earlier concern domestic politics, but the acceleration of globalization is pressing new issues on the feminist agenda: duties to women living in nonliberal cultures, women's migration and transnational employment, the revival of a culture of domestic servants, the global transformation of caregiving, and reproductive tourism.

One debate takes place between cosmopolitan feminists and those who are more skeptic about the prospects of intercultural understanding. Starting from her version of the capabilities approach rooted in a universalistic account of human values, Nussbaum

(2000) argued that we ought to promote women's capabilities independently from the cultures in which these women happen to live. Nussbaum's project is to draw the attention of middle-class feminists from liberal democracies to the plight of poor women from developing countries and explain why the liberal convictions of the first commit them to the goal of advancing the capabilities of the second. Yet, where there are cultural barriers, it is not obvious that there exist legitimate means for doing this. Jaggar (2005) has argued that in order to create such means we must avoid the assumption that oppression by illiberal cultures is the gravest injustice suffered by distant women. Material deprivation for instance—itself a feminized phenomenon—may be a much more salient injustice in many cases.

The international migration of women continues to provide cheap labor for domestic services—primarily care services for children, disabled, and elderly persons. The often exploitative employment conditions of migrant women came under feminist criticism (Ehrenreich and Hochschild, 2002). But, given that even in developed countries welfare states fail to provide sufficient care services, cheap migrant labor is often the only solution for enabling women to pursue a career. This generates dilemmas for feminists. Some believe, for example, that feminist commitments to social justice are incompatible with relying on domestic servants (Tronto, 2002).

The feminization of migration in combination with the gendered division of labor has created shortages of care in migrants' countries of origin. Because this phenomenon—often referred to as “care drain”—happens against a background of stark global inequalities, it represents an issue of global gender justice (Gheaus, 2013). Care drain harms not only children and others in need of care but also parents who are physically separated

from their children, often for many years (Hochschild, 2005). An ideal solution to the problems of global care drain would be the creation of a global caring society such that adequate care is provided locally to all those who need it (Weir, 2005, Kittay, 2008).

Increased mobility across borders also enables well-off women to obtain cheaper reproductive services using the labor of poorer women. Thus, women from the so-called third world countries increasingly serve as surrogate mothers to children who are then raised in richer countries. This expanding practice raises moral and political issues for all participants in the transaction: does using a surrogate necessarily exploit her? (Panitch, 2013) What are the conditions in which surrogate women can be said to make an autonomous choice to engage in surrogacy? Arguing that conditions such as adequate income, education, and healthcare, as well as freedom from environmental hazards and state violence are necessary for autonomous decisions, Bailey (2011) concluded that oppression is often unavoidable in surrogacy contracts.

NEW FRONTIERS

GENDER, IMPLICIT BIAS, AND STEREOTYPE THREAT

We have seen why gender raises a difficult problem—at least for liberal theories of justice—when inequalities between women and men arise through free interaction. The liberal theory assumes that individuals could take full responsibility for such interactions. But what if free decisions are to a large extent driven by unconscious judgment and/or emotional reactions? Psychological research indicates that even people who hold explicit and

sincere egalitarian views make choices that reflect negative biases against women or racial minorities. (The best-known test measuring this is freely available at <https://implicit.harvard.edu/implicit/>.) Experiments show that both men and women evaluate differently *vitas* and job applications that are otherwise identical depending on whether they are believed to be from men or from women. Stereotype threat refers to people's tendency to confirm negative stereotypical expectations that others have of them, especially in social contexts that make the stereotypes salient.

A growing body of literature explores the effect of stereotype threat and implicit bias for inequalities between women and men in academic philosophy (see, for instance, Saul, 2013). But the possible application of these findings is much wider: some of the inequalities between women and men are likely to result from unconscious processes that characterize both the people who engage in competition for political and economic positions and those who are supposed to evaluate the former. In this case, it is far from clear that individuals can be held fully responsible for their achievements (or lack thereof). This means that the "different conceptions of the good" cannot be straightforwardly invoked to justify the feminization of certain jobs, women's lower earnings, and other kinds of gender inequalities. Similarly, to the extent to which mechanisms to reduce implicit bias and stereotype threat are being discovered, there may be a strong case for their use in social practices and state institutions (such as, for instance, job interviews or courts).

GENDER AND EPISTEMIC INJUSTICE

According to Fricker (2007), epistemic injustice is a distinct kind of injustice that harms

individuals in their capacity as knowers; it arises when people are being wrongly treated as unreliable sources of information due to the hearers' prejudice. Epistemic injustice can be testimonial—for instance, when someone is not believed because she is a woman; or it can be hermeneutical, when insufficient collective interpretive resources generates disadvantages—for instance, when a woman's complaint that she has been the subject of sexual harassment cannot be made sense of in a linguistic community that lacks the concept of sexual harassment.

Epistemic injustice bears on most of the issues discussed in this chapter, including fair distributions, deliberative democracy, and women's oppression. First, there is an interesting question about the nature of the harms at stake in testimonial injustice. According to Fricker, the deepest harm of epistemic injustice is preventing people to become who they really are, as knowers. So does the injustice arise because we have a moral right to become who we are? And does the injustice have a distributional side: is there a right to become who you are as much as others do?

Second, the existence of epistemic injustice has direct implications for thinking about democracy, in particular its deliberative component, since testimonial injustice can prevent some individuals from having an equal voice. Similarly, it has consequences for thinking about domination and exploitation, since having a voice is a main strategy for avoiding these forms of injustice: if you suffer from persistent epistemic injustice or from hermeneutical injustice, you are likely to be seriously disadvantaged in negotiations.

In conclusion, feminist political philosophy has been making distinctive contributions to the central issues of justice and democracy. Over the next years, it is likely that new

developments in our understanding of non-conscious forms of discrimination and of nonconscious reactions to discrimination are likely to fuel debates about gender justice and about the relationship between gender and democratic exercises of power.

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WORKS CITED

- Anderson, E. (1999), "What is the Point of Equality?" *Ethics*, 109 (2): 287–337.
- Arneson, R. (1998), "What Sort of Sexual Equality Should Feminists Seek," *Journal of Contemporary Legal Issues*, 9: 21–36.
- Baier, A. C. (1994), *Moral Prejudices: Essays on Ethics*. Harvard: Harvard University Press.
- Bailey, A. (2011), "Reconceiving Surrogacy: Toward a Reproductive Justice Account of Indian Surrogacy," *Hypatia*, 26 (4): 715–741.
- Baker, J. (2008), "All Things Considered, Should Feminists Embrace Basic Income?" *Basic Income Studies*, 3 (3)
- Benhabib, S. (ed.) (1996), "Toward a Deliberative Model of Democratic Legitimacy," in *Democracy and Difference: Contesting the Boundaries of the Political*. Princeton, NJ: Princeton University Press.
- (2004), *The Rights of Others. Aliens, Residents, and Citizens*. Cambridge: Cambridge University Press.
- Benjamin, J. (1988), *The Bonds of Love. Psychoanalysis, Feminism and the Problem of Domination*. New York: Pantheon Books.
- Bergmann, B. R. (2004), "A Swedish-Style Welfare State or Basic Income: Which Should Have Priority?" *Politics and Society*, 32 (1): 107–118.
- Bubeck, D. E. (1995), *Care, Gender, and Justice*. Oxford: Clarendon Press.
- (1999), "A Feminist Approach to Citizenship," in O. Hufton and Y. Kravaritou (eds), *Gender and the Use of Time*. The Hague: Kluwer Academic Publishers, pp. 401–428.
- Card, C. (1990), "Caring and Evil," *Hypatia*, 5 (1): 101–108.
- Chodrow, N. (1978), *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender*. Berkeley, CA: University of California.
- Cohen, G. A. (1997), "Where the action is: On the Site of Distributive Justice," *Philosophy and Public Affairs*, 26 (1): 3–30.
- Cudd, A. (2006), *Analysing Oppression*. New York: Oxford University Press.
- De Beauvoir, S. (1949), *Le Deuxième sexe*. Paris: Gallimard.
- Dietz, M. (1985), "Citizenship with a Feminist Face: The Problem With Maternal Thinking," *Political Theory*, 13 (1): 19–37.
- Ehrenreich, B. and A. R. Hochschild (eds) (2002), *Global Women: Nannies, Maid and Sex Workers in the New Economy*. New York: Holt.
- Elgarte, J. (2008), "Basic Income and the Gendered Division of Labour," *Basic Income Studies*, 3 (3).
- Engster, D. (2007), *The Heart of Justice. Care Ethics and Political Theory*. Oxford: Oxford University Press.

- Fraser, N. (1994), "After the Family Wage. Gender Equity and the Welfare State," *Political Theory*, 22 (4): 591–618.
- Fricker, M. (2007), *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford: Oxford University Press.
- Friedman, M. (1993), *What Are Friends For?: Feminist Perspectives on Personal Relationships and Moral Theory*. Ithaca, NY: Cornell University Press.
- Gheaus, A. (2008), "Basic Income, Gender Justice and the Costs of Gender-Symmetrical Lifestyles," *Basic Income Studies*, 3 (3).
- (2012), "Gender Justice," *Journal of Ethics and Social Philosophy*, 6: 1–24.
- (2013), "Care Drain As An Issue of Global Gender Justice," *Ethical Perspectives*, 20 (1): 61–80.
- Gilligan, C. (1982), *In a Different Voice: Psychological Theory and Women's Development*. Cambridge, MA: Harvard University Press.
- (1995), "Moral Orientation and Moral Development," in V. Held (ed.), *Justice and Care*. Boulder, CO: Westview Press.
- Gornick, J. C. and M. K. Meyers (2003), *Families That Work. Policies for Reconciling Parenthood and Employment*. New York: Russel Sage Foundation.
- Hakim, C. (2000), *Work Lifestyle Choices in the 21st Century: Preference Theory*. Oxford: Oxford University Press.
- Haslanger, S. (2000), "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" *Noûs*, 34 (1): 31–55.
- Held, V. (1993), *Feminist Morality: Transforming Culture, Society and Politics*. Chicago: University of Chicago.
- (1997), "Feminism and Moral Theory," in D. T. Meyers (ed.), *Feminist Social Thought: A Reader*. New York: Routledge.
- (2006), *The Ethics of Care Personal, Political, and Global*. New York: Oxford University Press.
- Hochschild, A. R. (2005), "Love and Gold," in L. Ricciutelli, A. Miles, and M. H. McFadden (eds), *Feminist Politics, Activism and Vision: Local and Global Challenges*. London, Toronto: Zed/Innana Books, pp. 34–46.
- Hornsby, J. (1995), "Speech Acts and Pornography," in S. Dwyer (ed.), *The Problem of Pornography*. Belmont, CA: Wadsworth Publishing Company.
- Jaggar, A. (1983), *Feminist Politics and Human Nature*. Lanham, MD: Rowman & Littlefield.
- (2005), "'Saving Amina': Global Justice for Women and Intercultural Dialogue," *Ethics & International Affairs*, 19 (3): 55–75.
- Kittay, E. F. (1999), *Love's Labor: Essays on Women, Equality, and Dependency*. New York: Routledge.
- (2008), "The Global Heart Transplant and Caring across National Boundaries," *The Southern Journal of Philosophy*, XLVI: 138–165.
- Kohlberg, L. (1981), *The Philosophy of Moral Development: Moral Stages and the Idea of Justice*. San Francisco: Harper & Row.
- Langton, R. (1995), "Speech Acts and Unspeakable Acts," in S. Dwyer (ed.), *The Problem of Pornography*. Belmont, CA: Wadsworth Publishing Company.
- Lister, R. (2002), *Citizenship: Feminist Perspectives*. New York: New York University Press.
- Lloyd, S. A. (1995), "Situating a Feminist Criticism of John Rawls's Political Liberalism," *Loyola of Los Angeles Law Review*, 28: 1319–1344.
- MacKinnon, C. (1987), *Feminism Unmodified: Discourses on Life and Law*.

- Cambridge, MA: Harvard University Press.
- Mason, A. (2000), "Equality, Personal Responsibility, and Gender Socialisation," *Proceedings of the Aristotelian Society*, 100 (3): 227–246.
- Neufeld, B. (2009), "Coercion, the Basic Structure, and the Family," *Journal of Social Philosophy*, 40: 37–54.
- Noddings, N. (1982), *Caring: A Feminine Approach to Ethics and Moral Education*. Berkeley, CA: University of California Press, 1982.
- (2002), *Starting at Home: Caring and Social Policy*. Berkeley, CA: University of California Press.
- Nussbaum, M. (1999), *Sex and Social Justice*. Oxford: Oxford University Press.
- (2000), *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press.
- Okin, S. M. (1989a), *Justice, Gender, and the Family*. New York: Basic Books.
- (1989b), "Reason and Feeling in Thinking about Justice," *Ethics*, 99 (2): 229–249.
- (1994), "Political Liberalism, Justice, and Gender," *Ethics*, 105 (1): 23–43.
- Okin, S. M., Cohen, J., Howard, M., and Nussbaum, M. (1999), *Is Multiculturalism Bad for Women?* Princeton, NJ: Princeton University Press.
- Panitch, V. (2013), "Surrogate Tourism and Reproductive Rights," *Hypatia*, 28 (2): 274–289.
- Pateman, C. (1988), *The Sexual Contract*. Stanford, CA: Polity Press.
- (2004), "Democratizing Citizenship: Some Advantages of a Basic Income," *Politics and Society*, 32 (1): 89–105.
- Phillips, A. (2004), "Defending Equality of Outcome," *Journal of Political Philosophy*, 12: 1–19.
- (1995), *The Politics of Presence*. Oxford: Oxford University Press.
- Rawls, J. (1971), *A Theory of Justice*. Oxford: Oxford University Press.
- (1993), *Political Liberalism*. New York: Columbia University Press.
- Robeyns, I. (2007), "When Will Society Be Gender Just?" in J. Browne (ed.), *The Future of Gender*. Cambridge: Cambridge University Press.
- (2001), "Will a Basic Income Do Justice to Women?" *Analyse und Kritik*, 22 (2): 88–105.
- Ruddick, S. (1989), *Maternal Thinking. Towards a Politics of Peace*. Boston, MA: Beacon Press.
- Saul, J. (2013), "Implicit Bias, Stereotype Threat, and Women in Philosophy," in K. Hutchison and F. Jenkins (eds), *Women in Philosophy: What Needs to Change*. Oxford: Oxford University Press.
- Tronto, J. (1993), *Moral Boundaries: A Political Argument for an Ethic of Care*. New York: Routledge.
- (2002), "The 'Nanny' Question in Feminism," *Hypatia*, 17 (2): 34–51.
- Young, I. M. (1990), *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.
- Weir, A. (2005), "The Global Universal Caregiver: Imagining Women's Liberation in the New Millennium," *Constellations*, 12 (3): 308–330.
- Williams, J. (2000), *Unbending Gender: Why Family and Work Conflict and What to Do About It*. New York: Oxford University Press.