Gender reflection: Reconciling feminism and equality
Laurie Gaughran
Philosophy & Social Criticism 1998 24: 37
DOI: 10.1177/019145379802400502

The online version of this article can be found at:
http://psc.sagepub.com/content/24/5/37

Published by:
http://www.sagepublications.com

Additional services and information for Philosophy & Social Criticism can be found at:

Email Alerts: http://psc.sagepub.com/cgi/alerts
Subscriptions: http://psc.sagepub.com/subscriptions
Reprints: http://www.sagepub.com/journalsReprints.nav
Permissions: http://www.sagepub.com/journalsPermissions.nav
Laurie Gaughran

Gender reflection

Reconciling feminism and equality

Abstract Recent feminist debates reveal a concern about the notion that equality is no longer a valuable ideal for feminist thinkers. Suspicious that equality represents sameness, feminists have leaned toward rejecting the ideal of equality and moved toward the recognition of differences among women as the guide of political judgement. In this article, equality is approached from a feminist perspective that does not conclude that identical sameness is the only reading of equality. Borrowing Rawls' notion of the moral person, I argue that gender reflection should be considered part of an expanded view of equality.

Key words equality · feminism · gender · personhood · Rawls · reflection

I Introduction

Feminists have been deeply concerned about the promise of ‘equality’ for women. At one time the concept of equality brought with it the idea that sexism would be challenged, women would be recognized as complete human beings,¹ and social justice would be achieved. These goals, however, have not been met and equality frameworks, rather than contributing to a solution, have been targeted as part of the problem. Instead of recognizing women as human beings, equality seems to be little more than a declaration of identical sameness with men and therefore an inadequate basis for women’s claims for justice and freedom. Once regarded as a valuable ideal, equality is now regarded with deep uncertainty.

Recent feminist debates that explore the dilemma of equality and difference do not necessarily require feminists to reject the idea of
equality, however. Based on these debates on equality and difference, I want to explore a conception of equality that is not grounded on the idea of identical sameness, but on how differences among individuals with regard to sex can help us think about what equality entails. The question is: How does sexual injustice inform a view of what equality requires? How do sex and gender affect the meaning of the idea of equal persons? Can we envision a view of equal personhood that is grounded on an expanded view of what equal personhood means rather than a narrow view of identical sameness?3

Drawing on a Rawlsian conception of the moral personality, I want to consider how the ability to be ‘gender reflective’ must be considered fundamental to a concept of equal personhood. I understand ‘gender reflection’ as the capacity to distance ourselves from our immediate circumstances as persons who are gendered. The ability to distance ourselves from the immediacy of our sexuality is crucial to equal personhood because it is this kind of distance that allows us to understand, reflect on and address the complexities of living in a sexually unjust society.4

II Distance from gender

Some theorists have said that the task of political theory is to describe a set of shared understandings about social and political institutions. This unanimity is a condition, it is argued, for choosing the principles that govern society. In fact, the very notion of equality is derived from the idea that there is a shared understanding about what human beings hold in common which makes us equally entitled to the benefits and burdens of society.

The idea of a ‘shared understanding’, however, is difficult for some thinkers to embrace. Feminists in particular have been critical of the idea of a ‘shared understanding’ for several reasons. First, feminists have correctly argued that the experiences and perspectives of women have been historically excluded from traditional approaches to politics. One of the central contributions of the Women’s Movement has been that the view of ‘politics’ cannot be limited to events that take place in the public sphere. Issues regarding family, childcare, domestic violence, sexuality and gender have raised fundamental political questions. The answers for these questions cannot necessarily be found in the works of Locke, Rousseau, Hobbies or Marx. We must turn to a broader notion of the political to fully understand the meaning and impact of these questions.

Second, many feminists are critical of the idea of a shared understanding because of its abstract nature. Alison Jaggar has argued that there is a tendency among political thinkers to place more value on
abstract ideas than material experience. She argues, in her classic work *Feminist Politics and Human Nature*, that liberal philosophers conceive of human beings in abstraction from their social circumstances. According to Jaggar, this 'abstract individualism' poses a problem because it assumes that human beings are fundamentally the same and that their equality follows from this similarity.5

Finally, feminists have criticized the idea of a shared understanding, as a kind of 'false universalism'. It is misleading, they argue, to suggest that the needs of an abstract individual can represent those of real persons. Because the views of women have historically not defined traditional political theory, the view of the abstract individual, which is meant to represent all persons, in fact represents only that of a male subject.

Supporting Jaggar's critique of political theory as too abstract, Nancy Hartsock claims that if our material conditions were considered an important part of our experience, then women's work as primary caretakers would be taken more seriously as affecting one's view of the world. Gender, for Hartsock, helps to structure one's worldview. Hartsock says:

> [I]f material life structures consciousness, women's relationally defined existence, bodily experience of boundary challenges, and activity of transforming both physical objects and human beings must be expected to result in a [distinct worldview].6

For these feminists, then, the idea of a shared understanding stands in opposition to the assertion that sexual difference matters. The idea of commonality among persons ignores the feminist assertion that traditional political philosophy does not represent those who fall outside the mainstream.7

This suspicion of a shared understanding, however, is not an absolute one for feminists. Many feminists hold that ideals of freedom, equality, individuality and autonomy are the very same ideals that inspired the first and second wave of the Women's Movement in the United States. At the same time that feminists have been suspicious of these ideals, it is also true that without such benchmarks it would be difficult to make demands about the rights that have not been delivered. As Martha Nussbaum has said, these benchmarks are necessary 'to say clearly what women need and what has been denied them'.8 The challenge then, in my opinion, is how to evaluate sexual injustice without abandoning the value of these abstract ideals altogether.
III The feminist standpoint and the impersonal standpoint

My suggestion is that the feminist concern with sexual difference and the liberal concern with commonality of experience can be bridged by a broadened approach to the idea of equality. Equality, that is, should not be regarded as a static conception of sameness among all individuals. Rather our approach to the idea of equality should encompass how we evaluate sexual injustice. In this way, the significance of equality radically changes for feminist theory. Equality is no longer an ideal that declares sameness, but one that provides the theoretical demand for meaningful reflection on gender inequality.

How is critical reflection an aspect of our equality as persons? Thomas Nagel points out that human beings are in the peculiar position of being forced to reconcile their individual needs with the needs of the collectivity – needs which are frequently at odds with one another. It is difficult, he points out, to reconcile personal and impersonal needs because they pull us in two different directions. The personal standpoint defines our needs as Nagel says, ‘from here’ – from the standpoint of the individual. It is from the personal standpoint that we focus on the ‘raw data provided by the individual’s desires, interests, projects, attachments, allegiances, plans of life that define personal points of view of the multitude of distinct individuals, ourselves included’. The impersonal standpoint, by contrast, demands a different orientation. We must consider what is best not ‘from here’, but from an impartial point of view. It is from the standpoint of the collectivity that we must reflect on needs and plans that are not our own and may not even affect us personally.

Nagel’s perspective is important because it shows why the impartial perspective is not intended to be a biased view, although it is often interpreted as such. In fact, it is precisely the influence of individual bias that impartiality is meant to mitigate. Specifically, the impartial view identifies the capacity to take seriously the value of every person’s life and well-being by abstracting from our own experience. Nagel refers to this capacity as an ‘imaginative identification with the points of view of others’ or ‘putting oneself in everyone’s shoes’. By adopting an impersonal standpoint, we can stand back and evaluate the effects that political institutions have on our lives and on the lives of others. The impartial view allows us to think about the world not only in a view ‘from here’, but also in abstraction from our particular position in the world. Nagel says that the impartial point of view enables us to ‘remove ourselves in thought from our own particular position in the world and think simply of all those people, without singling out as the one I happen to be’. That is, the impartial viewpoint places our particular position in the background, creating distance between our immediate situation and an abstract one that we can imagine.
The ability to take up this abstract position, however, is not independent of our personal standpoint. As Nagel explains, the material of ethics, and hence the ability for this type of impartial abstraction, is built on our personal aims, interests and desires. As Nagel says, ‘[t]his large collection of diverse but essentially perspectival motives, ranging from self-interest to national solidarity, forms the other side of the broad mental conflict with which political theory must deal’. Thus, just as the ability to abstract ourselves is integral to our ethical standpoint, so too are the particulars from which we abstract ourselves. The personal standpoint is not disregarded by the impersonal point of view. Rather, the personal standpoint coexists with values that are derived from the impersonal standpoint.

Arriving at a perspective that encompasses our own particular point of view and the viewpoint of others sounds reasonable, but can often be difficult. Nagel notes that for most people such a process can result in a conflict, or as he says, a ‘division of self’. The person is divided because

... [f]rom his own point of view within the world, each person, with his particular concerns and attachments, is extremely important to himself, and is situated at the center of a set of concentric circles of rapidly diminishing identification with others. But from the impersonal standpoint which he can also occupy, so is everyone else: Everyone’s life matters as much as his does, and his matters no more than anyone else’s. These two attitudes are not easy to combine. This division of self is acknowledged by Nagel as an ‘acutely uncomfortable position’ where the individual must recognize that she is one among many, but also that her interests are as important as everyone else’s. There is no obvious way, says Nagel, to do justice to both points of view. We are all likely to find ourselves torn, particularly where our interests conflict with the interests of society at large or with other people’s interests, which are equally significant to our own.

Nagel points out that in order to be able to make political and moral evaluations, we must recognize the role that individual experience plays. We must also understand, however, the role played by the unique capacity to pull ourselves away from our individual needs to a more abstracted view of our world.

Liberal thinkers such as Nagel are not alone in the task of moral and political evaluation, however. The evaluating of the sexual injustice of our current political and social institutions has primarily been the work of feminist thinkers. In order for feminists, or any social theorists, to be able to exercise the capacity to evaluate these institutions, we must be able to stand apart from our experience in the way that Nagel suggests – to remove ourselves in thought. In order to make political and moral judgments, we must have the ability to abstract ourselves and in this way
adopt an impartial standpoint. Without this ability, we might record our experience, but in order to be able to evaluate it politically, we must have some distance from it.

The idea that we must be able to have gender distance, or the capacity for reflecting on our gender from an abstract point of view, stands in direct contrast to recent emphasis on the significance of personal experience among feminist thinkers. In addition to recognizing the many voices of women's experience as part of our political evaluation, we must also be able to think in abstraction from our own experience. Without the ability to abstract oneself from a situation of injustice, we cannot imagine the possibility of a more just world.

IV Theory of the moral person

Rawls provides a valuable way for feminists to think about how this capacity for abstraction can inform a view of equality that is attentive to gender inequality. Rawls' version of what Nagel called the impartial view is the concept of 'public reason'. He describes public reason as things that we endorse despite the differences in values that we have.15 Public reason enables citizens to explain their personal views to one another while maintaining public values as well. Citizens are acting in accordance with public reason, according to Rawls' theory, when they know that they affirm a diversity of moral doctrines and that they should be ready to explain the basis of their actions and beliefs in terms that each could endorse as consistent with freedom and equality.16 Rawls stresses that public reason is necessary, given that we live in a society in which individuals hold diverse religious, philosophical and moral doctrines as a permanent feature of public culture.17 It stands for the principles to which citizens appeal when exercising legitimate political power in accordance with a constitution. Without a public conception of justice, citizens have no basis for determining whether their claims are appropriate.

Rawls compares public reason to a judgment made according to a judiciary. He says that in order to be able to check whether we are following public reason we might ask 'How would our argument strike us presented in the form of a supreme court opinion? Reasonable? Outrageous?'18 Public reason is an impartial view, separate from our own personal interests and invoking our ability to abstract from these interests.

This view of public reason assumes a particular conception of the person. Rawls holds that a person can be said to be free to the extent that she can exercise the two 'moral powers'. Moral powers are (1) the capacity for a sense of justice and (2) the capacity to form a conception
of the good. He defines a sense of justice as ‘the capacity to understand, to apply, and to act from the public conception of justice which characterizes the fair terms of social cooperation’. The capacity for a conception of the good is defined as ‘[t]he capacity to form, to revise, and to rationally pursue a conception of one’s rational advantage or good’. In other words, moral powers define our ability to know and to affirm our values and norms, but also to know and to affirm our ability to change our minds about them after careful reflection.

In order to be considered free persons, we must have the option of revising our views, for example, of religious beliefs. Without the capacity to revise our norms, our religion does not inform our ideals, but dictates our norms to us. Since free persons are, according to Rawls’ view, the authors of their own claims, revision is an essential aspect of our equality because it implies the freedom to step back and change our mind on crucial norms that we hold as our own.

Gender traditions too should be the subject of such revision. We are all raised according to a society that has deep and longstanding expectations based on gender. Marriage, heterosexuality and parenthood, for example, firmly remain loaded with societal expectations, especially for women. Without the ability to reject such traditions, we become subject to the dictates of tradition and therefore not truly free to decide for ourselves whether and how we want to engage them.

Following Piaget and Kohlberg, Rawls shows how stages of moral development are essential to his conception of equal personhood. A child’s initial sense of right and wrong is grounded in authority, specifically the authority of the parents. At this early stage of moral questioning, the child does not assess the validity of the precepts and injunctions of those in authority. The child lacks ‘the knowledge and the understanding on the basis of which their guidance can be challenged. Indeed, the child lacks the concept of justification altogether, this being acquired much later.’ In short, in the first stage, parental norms are the norms the child adopts.

The second stage of moral development is characterized by what Rawls calls the morality of association. Morality of association describes a person’s ability to begin to take up the points of view of others and ‘rests upon the development of the intellectual skills required to regard things from a variety of points of view’. Only with these capacities will we be able to assess actions and claims of others as legitimate and reasonable.

The third stage of moral development is associated with having a sense of responsibility toward individuals with whom we are not in an immediate relationship. In order for an individual to acquire a ‘sense of justice’, she will not merely accept institutions as just, but develop a sense that the failure to prevent, or properly correct, harm on others is
a form of degradation. At this third stage, she might experience feelings of guilt, resentment, or anger if the system that she lives under does not effectively prevent harm against others. This sense of justice shows a willingness to evaluate existing institutions and work toward reform where the system fails to deliver on its own promises.

Having a sense of justice, it is important to note, is not profoundly different from other capacities that we regard as typical to human beings, according to Rawls. A sense of justice is not the property, that is, of only saints or martyrs. As Rawls says,

... it seems almost certain that at least the vast majority of mankind have the capacity for a sense of justice and that... any being capable of language is capable of the intellectual performances required to have a sense of justice; and, given these intellectual powers, the capacity for natural attitudes of love and affection, faith and mutual trust, appear universal.24

Rawls has no doubt that the minimum requisites for the development of a sense of justice are not an unusual human characteristic. As human beings, we learn to walk and communicate with others. In addition, adds Rawls, we learn to have a sense of justice about our communities and how we and others are treated within them.

For both Rawls and Nagel, the ability to abstract ourselves from our personal, immediate and concrete situations is pivotal to our ability for a sense of justice. For both thinkers, the individual has the ability to abstract herself from particulars and put herself in 'everyone's shoes' – a capacity that enables the person to look beyond her own immediate needs and see how the situation of others, and the stability of the well-being of others, is critical to justice for all, including herself.25

V Gender distance as capacity of moral personality

In A Theory of Justice, Rawls relies on the idea of 'primary goods' to evaluate the differing needs of individuals. Primary goods are described as goods that everyone agrees are needed by free and equal persons. In his later work, Rawls changes his emphasis so that primary goods are not a final end but the requirements for achieving the two moral powers. Persons, he says, can only be considered free and equal when they have these moral powers at least to a requisite minimum degree.26

The idea of the moral person provides a valuable theoretical framework for feminist questions about equality. As stated earlier, the moral person is characterized by two moral powers described by Rawls as the capacity for a sense of justice and the capacity to form, revise and rationally pursue a conception of the good.27 The deliberation and conduct of moral persons, Rawls says, are motivated by their conception of the
good.28 Once individuals reach the age of reason, they are said to have these two moral powers. Where they have these powers to the requisite minimum degree, Rawls says that they are considered equal.29

This conception of equal personhood provides a critical perspective on gender equality because the moral powers imply the ability to distance oneself from the particulars of one’s life and therefore from one’s gender, or, more specifically, those aspects of gender that are inconsistent with our view of equality. Critical distance has been best defined by John Exdell as ‘the examination of established belief, social expectations, and feelings, as these are manifested in the activities of personal and sexual relationships in everyday experience’.30 It describes the capacity to distance oneself from gender expectations that have been shaped by traditions that are inconsistent with gender equality.

Perhaps Rawls’ idea of the original position can help clarify how critical reflection regarding gender must be considered a requirement for all persons whom we would consider free and equal. Imagine that we do not know what gender position we will occupy, whether our lifeplans will strongly or weakly emphasize the care of others, such as infants and children. Nor do we know whether we will occupy the gender position that affirms our sexual agency or limits and punishes us for it. In such a situation, it would make sense for rational persons to choose principles that would mitigate discrimination based on gender and try to avoid sexual degradation.31 Gender reflection points to the impact that gender can have on our lives.

In other words, to be fully equal persons, individuals need to have the ability to think about whether and how they will make choices regarding gender. Would we want to enter into traditional gender roles? Or reject them altogether? How might we ensure our moral right to decide whether and with whom we might want to become parents? In short, will we choose to adopt the sexual norms that encode gender in our society or to reject them? The only way to make sure that we give these questions consideration is to take seriously the idea that sex, sexuality and gender will have an impact on the lives that we lead, the choices that we make, and the choices that we are prevented from making.

Rawls’ theory of justice therefore has enormous potential as a tool of feminist criticism because the capacities that he regards as necessary to moral thought are also necessary for thinking about gender. Moral maturity requires not only prudent choices, but also a critique of established ideas about gender, as well as a critical capacity for evaluating and making choices that are less burdened by traditional and oppressive gender roles.

This capacity for reflection is consistent with Nagel’s idea of impartiality and Susan Okin’s notion of the ‘as if’ position, which both approach abstract reasoning as part of evaluative choices.32 Gender
reflection assumes that persons who are able to plan and revise their life-
plans, must also be equally capable of distancing themselves from the
traditions of gender that exist in their society.33

I do not mean to suggest that gender distance – critical distance from
gender roles and expectations – should be something that we can call on
as a point of policy in social issues, laws, rules and regulations. It is,
rather, a hypothetical thought experiment that allows us to think
through how we could apply an idea of justice to gender issues.

VI Three objections to critical distance

There are three possible objections to the idea of critical distance that I
would like to consider. The first might be raised by theorists who
consider themselves committed to liberal principles, but who object to
introducing gender to discussions of moral theory on the grounds that
gender distinctions cannot be considered compatible with liberal prin-
ciples. Liberal principles assume ‘gender blindness’, they argue, and
therefore assume a similarity among subjects that transcends sexual
difference. Feminists, the argument goes, cannot claim themselves as
liberals while at the same time demanding legal interventions into the
private sphere of the family. Feminist liberals can only hope that equal-
ity will be achieved as social attitudes regarding gender roles change over
time.

These thinkers might also argue that gender is subjective in the sense
that there is no way to agree on the shape and effects of being one sex
or another. Any attempt to formulate a consensus on proper gender
roles, they would add, violates important private elements of our indi-
viduality. The concerns of gender and the family are private concerns
and therefore they are not within the arena of public reason. Policies
aimed at equalizing family roles are rejected as an illegitimate extension
of liberal principles.34

Rawls' liberalism, however, is not neutral on all aspects of moral
education.35 While Rawls' liberalism would reject the establishment of
a particular religion in a free society, it would nevertheless encourage
certain values. Rawls affirms certain political virtues, including civility
and tolerance, reasonableness and a sense of fairness. Such values are
encouraged, according to Rawls, in the form of civic education and are
recognized as a legitimate concern of the state because of the role
education plays in building citizenship. Children, he says, must be able
to acquire ‘the capacity to understand the public culture and to partici-
pate in its institutions’.36 Rawls' view of political liberalism therefore

... will ask that children’s education include such things as knowledge of
their constitutional and civic rights, so that, for example, they know that
liberty of conscience exists in their society and that apostasy is not a legal crime.\textsuperscript{37} The
differences. Their beliefs, religious or otherwise, ought not be based on simple ‘ignorance of their basic rights or fear of punishment’.\textsuperscript{38} Rather their beliefs and values should be grounded in their own values and self-supporting claims.

In order to be fully participating members in a society then, a person must be the author of her or his religious beliefs and norms as well as the author of her or his views of gender roles. If we are to adopt an idea of fairness with regard to gender, all citizens need to be able to evaluate gendered norms and gender equality. Rawls says that we need to be able to think critically about our relationship to a religious upbringing. My argument is not that we need to have consensus on the meaning of gender for each individual, but that we need to agree that all individuals require a critical relationship to gender roles if we are to consider them free and equal citizens.

Still we must face another objection to the reconciliation of gender difference and equality. Some might say that it is redundant to include gender in the idea of moral reflection because the scope of moral reflection would include any and all aspects of our personality that take the shape of a moral query; further, because gender does not affect the choice of principles and therefore critical distance is moot. Gender is already assumed to be part of the background knowledge of society and any inequalities that emerge can be addressed either by the two principles of justice or at the legislative stage through a political process.

My response to this objection is that the ability to distance ourselves specifically from gender roles must be recognized as a capacity of moral persons. In contrast to the idea of ‘gender blindness’, gender reflection underscores the idea that it is the capacity for abstraction from our sex, and not blindness to our sex, that is significant. This idea of abstraction, I am arguing, enables us to make our gendered experience a remote one and to create a gap between what we experience in our day-to-day world and what we think all equal individuals require. By placing our own experience in the background, we are able to think about justice in the lives of others. Gender reflection gives a name to our ability to recognize gender injustice beyond merely being ‘gender blind’.

The final objection might be raised by feminists who adopt a ‘difference’ perspective. Some might argue that women’s experience is so different from men’s, with regard to their parenting responsibilities, mothering, bearing children, etc., that gender reflection as a universal capacity fails to recognize such differences. They might object that gender reflection pays too little attention to the differences in experience between men and women.
There is an important distinction to be made, however, between gender experience and gender reflection. We can reasonably expect that social responsibilities in a society will be divided unfairly along gender lines and that these inequities will play important and sometimes limiting roles in our lives. Precisely because of the limitations posed by gender inequality the ability to distance ourselves from gender becomes important. If I have been oppressed or disadvantaged because I am a woman, it is only by imagining a life with more freedom that I can make demands about how my situation should be different. I must be able to have enough distance to get a perspective on the inequalities that I face. I have to have a view to justice and what the equality that I deserve, but do not have, entails. All visions of equality are based therefore on the abstract expression of something that I can imagine myself to be.

Feminist theory is correct to say that our experience informs who we are. What gender experience provides for us are the hard facts – facts for evaluation about how far or near our lives are from or to the ideal concept of equality of persons. Based on these facts, we can think about how gender inequality affects us all. Sex discrimination, domestic violence, reproductive freedom, rape, adequate and affordable daycare, represent some of what have been called feminist issues. These social issues, however, are relevant not only for women but for any society concerned with equality. Gender reflection can help us expand our conception of equality so that it addresses what persons need. Drawing on Nagel’s distinction between the personal and the impartial standpoint, and Rawls’ view of moral reflection and the role it plays in our view of equal personhood, gender reflection situates feminist discussions of gender inequality as part of the way to inform the possibility of equality among persons.

John Dewey said that ‘[t]he different theories which mark political philosophy do not grow up externally to the facts which they aim to interpret . . . ideas belong to human beings who have bodies’. If we are confined to an idea of equality that assumes identical sameness, we abandon the meaning and import of equality. However, if we confine ourselves to what we experience as the primary guide to political and moral evaluations, we can only accumulate observations. We report what we see, but cannot judge our experience. In order to be able judge our experience, we need to recognize the significance of critical reflection. Feminists therefore should not give up on equality, but should continue the work of re-inventing it.

Brooklyn, NY, USA
Notes


3. Drucilla Cornell argues that who one is as a sexual being is linked to equality as persons because sex and sexuality are formative to one’s being. In the spirit of Kant’s postulation that all of us are equal as persons before the law, her defense of equality is that by the conditions of personhood, or minimum conditions of individuation as she calls it, all persons should be equivalently evaluated as worthy of achieving those conditions. See Drucilla Cornell, *The Imaginary Domain: Abortion, Pornography and Sexual Harassment* (New York: Routledge, 1995).


10 ibid., p. 65.

11 ibid., p. 69.

12 ibid., p. 12.


14 ibid.

16 *ibid.*, p. 218. Public reason is easier to understand if we also have an understanding of nonpublic reason. Nonpublic reason comprises what Rawls refers to as ‘background culture’, meaning reasons offered on behalf of associations such as churches and universities, societies and professional groups. As citizens we participate in different types of reason – individual, associational, political. All these ways of reasoning share common elements of inference, judgment, rules of evidence, or they would not be reasoning but rather persuasion or rhetoric. ‘A way of reasoning must incorporate fundamental concepts and principles of reason, and include standards of correctness and criteria of justification’ (Rawls, *Political Liberalism*, p. 220). Through an examination of feminist dilemmas of gender and equality, I am interested in expanding our understanding of these criteria.

17 *ibid.*, p. 217.

18 *ibid.*, p. 254. Rawls does not mean the actual court, plagued by political conflicts, but an ideal of the court as the ‘exemplar of public reason’. Rawls says that ‘[t]o say that the court is the exemplar of public reason also means that it is the task of the justices to try to develop and express in their reasoned opinions. . . . In doing this it is expected that the justices may and do appeal to the political values of the public conception. . . . [The justices] cannot invoke their own personal morality. . . . religious, or philosophical views. . . . Rather, they must appeal to the political values they think belong to the most reasonable understanding of the public conception and its political values of justice and public reason’ (*ibid.*, p. 236).

19 *ibid.*, p. 19.

20 *ibid.*


22 Children do not accept their parents’ norms unconditionally, however. In order for these norms to be accepted, certain conditions must be present. For example, parents must be worthy of the child’s admiration. In order for the child to want to adopt the rules and values of its parents, and to want to be like them, the parents must exemplify the norms and values that they say they uphold. Without these conditions, moral development ‘fails to take place. . . . especially if parental injunctions are not only harsh and unjustiﬁed, but enforced by punitive and even physical sanctions’ (Rawls, *Theory*, p. 466).

23 *ibid.*, p. 468. This comes close to the sense of justice that the hypothetical contractors adopt in Rawls’ original position. In *A Theory of Justice*, Rawls says that valid principles of social justice are those that would be adopted by rational persons in an ‘original position’. The hypothetical contractors are said to be behind the ‘veil of ignorance’ with regard to specific information about their position in society. They do not know the specifics about their sex, their values, their lifeplans. The idea of the original position is meant to model a fair procedure so that any of the principles agreed to will be just. It ensures that all are similarly situated vis-à-vis the choice of
principles that will govern social arrangements and that therefore these principles cannot be the result of chance or social circumstance.


25Rawls disagrees with Nagel's theory that the idea of an impersonal point of view is a 'view from nowhere'. For Rawls, a moral or political viewpoint 'must always be from somewhere . . . because, as calling on practical reason, it must express the point of view of persons'. See Rawls, Political Liberalism, p. 116 and Nagel, The View from Nowhere (New York: Oxford University Press, 1986), pp. 138–43.

26Rawls, Political Liberalism, p. 19.


28ibid.

29Rawls, Political Liberalism, p. 19.

30Exdell, 'Feminism', p. 446.


33Okin makes a similar defense of Rawls' original position. See ibid., p. 100.

34I am thinking of policies such as those specified by Susan Moller Okin. Okin suggests public policy recommendations whose task would be equalizing gender relations. They are: (1) shared parental responsibility facilitated by subsidized daycare; (2) workplace provisions that would protect workers' jobs in case of childbirth, would accommodate male and female parents equally for childbirth and postbirth months, and would allow for flexible working schedules until the child is 5 years of age; (3) a course of education that includes the 'politics of gender' and makes children aware of the inequalities, ambiguities and uncertainties of marriage, and the facts of workplace discrimination; (4) more aggressive education for young girls regarding birth control to reduce teenage pregnancy; (5) legal reforms aimed at eliminating the vulnerability that women are likely to experience in the result of a divorce. See Okin, Justice, Gender and the Family, pp. 175–180. Also see Exdell, 'Feminism', p. 443.


36ibid.: 268.

37ibid.: 267.

38ibid.