

In the next selection, Annette Baier develops a feminist critique of the primacy assigned to justice and impersonal principles by contemporary Kantian approaches to ethics. While acknowledging that justice and universal human rights are clearly important moral notions, she explores the shortcomings that she finds in a moral outlook based exclusively on these notions. Annette Baier was Distinguished Service Professor of Philosophy at the University of Pittsburgh until her retirement. She has written widely in moral philosophy, the philosophy of mind, and the history of philosophy. Her books include *Postures of Mind: Essays on Mind and Morals* (1985), *A Progress of Sentiments: Reflections on Hume's Treatise* (1991), *Moral Prejudices: Essays on Ethics* (1994), and *The Commons of the Mind* (1997).

The Need for More than Justice

In recent decades in North American social and moral philosophy, alongside the development and discussion of widely influential theories of justice, taken as Rawls takes it as the "first virtue of social institutions,"¹ there has been a counter-movement gathering strength, one coming from some interesting sources. For some of the most outspoken of the diverse group who have in a variety of ways been challenging the assumed supremacy of justice among the moral and social virtues are members of those sections of society whom one might have expected to be especially aware of the supreme importance of justice, namely blacks and women. Those who have only recently won recognition of their equal rights, who have only recently seen the correction or partial correction of longstanding racist and sexist injustices to their race and sex, are among the philosophers now suggesting that justice is only one virtue among many, and one that may need the presence of the others in order to deliver its own undenied value. Among these philosophers of the philosophical counterculture, as it were—but an increasingly large counterculture—include Alasdair MacIntyre,² Michael Stocker,³ Lawrence Blum,⁴ Michael Slote,⁵ Laurence Thomas,⁶ Claudia Card,⁷ Alison Jaggar,⁸ Susan Wolf⁹ and a

¹John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press 1970).

²Alasdair MacIntyre, *After Virtue* (Notre Dame: Notre Dame University Press 1981).

³Michael Stocker, "The Schizophrenia of Modern Ethical Theories," *Journal of Philosophy* 73, 14, 453–66, and "Agent and Other: Against Ethical Universalism," *Australasian Journal of Philosophy* 54, 206–20.

⁴Lawrence Blum, *Friendship, Altruism and Morality* (London: Routledge & Kegan Paul 1980).

⁵Michael Slote, *Goods and Virtues* (Oxford: Oxford University Press 1983).

⁶Laurence Thomas, "Love and Morality," in *Epistemology and Sociobiology*, James Fetzer, ed. (1985); and "Justice, Happiness and Self Knowledge," *Canadian Journal of Philosophy* (March 1986). Also "Beliefs and the Motivation to Be Just," *American Philosophical Quarterly* 22 (4), 347–52.

⁷Claudia Card, "Mercy," *Philosophical Review* 81, 1, and "Gender and Moral Luck," in *Identity, Character, and Morality*, ed. Owen Flanagan and Amélie O. Rorty (Cambridge: MIT Press 1990).

whole group of men and women, myself included, who have been influenced by the writings of Harvard educational psychologist Carol Gilligan, whose book *In a Different Voice* (Harvard 1982; hereafter D. V.) caused a considerable stir both in the popular press and, more slowly, in the philosophical journals.¹⁰

Let me say quite clearly at this early point that there is little disagreement that justice is a social value of very great importance, and injustice an evil. Nor would those who have worked on theories of justice want to deny that other things matter besides justice. Rawls, for example, incorporates the value of freedom into his account of justice, so that denial of basic freedoms counts as injustice. Rawls also leaves room for a wider theory of the right, of which the theory of justice is just a part. Still, he does claim that justice is the "first" virtue of social institutions, and it is only that claim about priority that I think has been challenged. It is easy to exaggerate the differences of view that exist, and I want to avoid that. The differences are as much in emphasis as in substance, or we can say that they are differences in tone of voice. But these differences do tend to make a difference in approaches to a wide range of topics not just in moral theory but in areas like medical ethics, where the discussion used to be conducted in terms of patients' rights, of informed consent, and so on, but now tends to get conducted in an enlarged moral vocabulary, which draws on what Gilligan calls the ethics of *care* as well as that of *justice*.

For "care" is the new buzz-word. It is not, as Shakespeare's Portia demanded, mercy that is to season justice, but a less authoritarian humanitarian supplement, a felt concern for the good of others and for community with them. The "cold jealous virtue of justice" (Hume) is found to be too cold, and it is "warmer" more communitarian virtues and social ideals that are being called in to supplement it. One might say that liberty and equality are being found inadequate without fraternity, except that "fraternity" will be quite the wrong word, if as Gilligan initially suggested, it is *women* who perceive this value most easily. ("Sorority" will do no better, since it is too exclusive, and English has no gender-neuter word for the mutual concern of siblings.) She has since modified this claim, allowing that there are two perspectives on moral and social issues that we all tend to alternate between, and which are not always easy to combine, one of them what she called the justice perspective, the other the care perspective. It is increasingly obvious that there are many male philosophical spokespersons for the care perspective (Laurence Thomas, Lawrence Blum, Michael Stocker) so that it cannot be the prerogative of women. Nevertheless Gilligan still wants to claim that women are the most unlikely to take *only* the justice perspective, as some men are claimed to, at least until some mid-life crisis jolts them into "bifocal" moral vision (see D. V., ch. 6).

Gilligan in her book did not offer any explanatory theory of why there should be any difference between female and male moral outlook, but she did tend to link the naturalness to women of the care perspective with their role as primary caretakers of young children, that is with their parental and specifically maternal role.

⁸ Alison Jaggar, *Feminist Politics and Human Nature* (London: Rowman and Allanheld 1983).

⁹ Susan Wolf, "Moral Saints," *Journal of Philosophy* 79 (August 1982), 419-39.

¹⁰ For a helpful survey article see Owen Flanagan and Kathryn Jackson, "Justice Care & Gender: The Kohlberg-Gilligan Debate Revisited," *Ethics* 97, 3 (April 1987).

She avoided the question of whether it is their biological or their social parental role that is relevant, and some of those who dislike her book are worried precisely by this uncertainty. Some find it retrograde to hail as a special sort of moral wisdom an outlook that may be the product of the socially enforced restriction of women to domestic roles (and the reservation of such roles for them alone). For that might seem to play into the hands of those who still favor such restriction. (Marxists, presumably, will not find it so surprising that moral truths might depend for their initial clear voicing on the social oppression, and memory of it, of those who voice the truths.) Gilligan did in the first chapter of *D. V.* cite the theory of Nancy Chodorow (as presented in *The Reproduction of Mothering* [Berkeley 1978]) which traces what appears as gender differences in personality to early social development, in particular to the effects of the child's primary caretaker being or not being of the same gender as the child. Later, both in "The Conquistador and the Dark Continent: Reflections on the Nature of Love" (*Daedalus* [Summer 1984]), and "The Origins of Morality in Early Childhood" [in J. Kagan and S. Lamb, eds., *The Emergence of Morality in Early Childhood*, (Chicago: University of Chicago Press, 1987)], she develops this explanation. She postulates two evils that any infant may become aware of, the evil of detachment or isolation from others whose love one needs, and the evil of relative powerlessness and weakness. Two dimensions of moral development are thereby set—one aimed at achieving satisfying community with others, the other aimed at autonomy or equality of power. The relative predominance of one over the other development will depend both upon the relative salience of the two evils in early childhood, and on early and later reinforcement or discouragement in attempts made to guard against these two evils. This provides the germs of a theory about *why*, given current customs of childrearing, it should be mainly women who are not content with only the moral outlook that she calls the justice perspective, necessary though that was and is seen by them to have been to their hard won liberation from sexist oppression. They, like the blacks, used the language of rights and justice to change their own social position, but nevertheless see limitations in that language, according to Gilligan's findings as a moral psychologist. She reports their discontent with the individualist more or less Kantian moral framework that dominates Western moral theory and which influenced moral psychologists such as Lawrence Kohlberg,¹¹ to whose conception of moral maturity she seeks an alternative. Since the target of Gilligan's criticism is the dominant Kantian tradition, and since that has been the target also of moral philosophers as diverse in their own views as Bernard Williams,¹² Alasdair MacIntyre, Philippa Foot,¹³ Susan Wolf, [and] Claudia Card, her book is of interest as much for its attempt to articulate an alternative to the Kantian justice perspective as for its implicit raising of the question of male bias in Western moral theory, especially liberal-democratic theory. For whether the supposed blind spots of that outlook are due to male bias, or to non-parental bias, or to early traumas of powerlessness or to early resignation to "detachment" from others, we need first

¹¹Lawrence Kohlberg, *Essays in Moral Development*, vols. I & II (New York: Harper and Row 1981, 1984).

¹²Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge: Cambridge University Press 1985).

¹³Philippa Foot, *Virtues and Vices* (Berkeley: University of California Press 1978).

to be persuaded that they *are* blind spots before we will have any interest in their cause and cure. Is justice blind to important social values, or at least only one-eyed? What is it that comes into view from the "care perspective" that is not seen from the "justice perspective"?

Gilligan's position here is most easily described by contrasting it with that of Kohlberg, against which she developed it. Kohlberg, influenced by Piaget and the Kantian philosophical tradition as developed by John Rawls, developed a theory about typical moral development which saw it to progress from a pre-conventional level, where what is seen to matter is pleasing or not offending parental authority-figures, through a conventional level in which the child tries to fit in with a group, such as a school community, and conform to its standards and rules, to a post-conventional critical level, in which such conventional rules are subjected to tests, and where those tests are of a Utilitarian, or, eventually, a Kantian sort—namely ones that require respect for each person's individual rational will, or autonomy, and conformity to any implicit social contract such wills are deemed to have made, or to any hypothetical ones they would make if thinking clearly. What was found when Kohlberg's questionnaires (mostly by verbal response to verbally sketched moral dilemmas) were applied to female as well as male subjects, Gilligan reports, is that the girls and women not only scored generally lower than the boys and men, but tended to *revert* to the lower stage of the conventional level even after briefly (usually in adolescence) attaining the post-conventional level. Piaget's finding that girls were deficient in "the legal sense" was confirmed.

These results led Gilligan to wonder if there might not be a quite different pattern of development to be discerned, at least in female subjects. She therefore conducted interviews designed to elicit not just how far advanced the subjects were towards an appreciation of the nature and importance of Kantian autonomy, but also to find out what the subjects themselves saw as progress or lack of it, what conceptions of moral maturity they came to possess by the time they were adults. She found that although the Kohlberg version of moral maturity as respect for fellow persons, and for their rights as equals (rights including that of free association), did seem shared by many young men, the women tended to speak in a different voice about morality itself and about moral maturity. To quote Gilligan, "Since the reality of interconnection is experienced by women as given rather than freely contracted, they arrive at an understanding of life that reflects the limits of autonomy and control. As a result, women's development delineates the path not only to a less violent life but also to a maturity realized by interdependence and taking care" (D. V., 172). She writes that there is evidence that "women perceive and construe social reality differently from men, and that these differences center around experiences of attachment and separation . . . because women's sense of integrity appears to be intertwined with an ethics of care, so that to see themselves as women is to see themselves in a relationship of connection, the major changes in women's lives would seem to involve changes in the understanding and activities of care" (D. V., 171). She contrasts this progressive understanding of care, from merely pleasing others to helping and nurturing, with the sort of progression that is involved in Kohlberg's stages, a progression in the understanding, not of mutual care, but of mutual *respect*, where this has its Kantian overtones of distance, even of

some fear for the respected, and where personal autonomy and *independence*, rather than more satisfactory interdependence, are the paramount values.

This contrast, one cannot but feel, is one which Gilligan might have used the Marxist language of alienation to make. For the main complaint about the Kantian version of a society with its first virtue justice, construed as respect for equal rights to formal goods such as having contracts kept, due process, equal opportunity including opportunity to participate in political activities leading to policy and law-making, to basic liberties of speech, free association and assembly, religious worship, is that none of these goods do much to ensure that the people who have and mutually respect such rights will have any other relationships to one another than the minimal relationship needed to keep such a "civil society" going. They may well be lonely, driven to suicide, apathetic about their work and about participation in political processes, find their lives meaningless and have no wish to leave offspring to face the same meaningless existence. Their rights, and respect for rights, are quite compatible with very great misery, and misery whose causes are not just individual misfortunes and psychic sickness, but social and moral impoverishment.

What Gilligan's older male subjects complain of is precisely this sort of alienation from some dimly glimpsed better possibility for human beings, some richer sort of network of relationships. As one of Gilligan's male subjects put it, "People have real emotional needs to be attached to something, and equality does not give you attachment. Equality fractures society and places on every person the burden of standing on his own two feet" (D. V., 167). It is not just the difficulty of self-reliance which is complained of, but its socially "fracturing" effect. Whereas the younger men, in their college years, had seen morality as a matter of reciprocal non-interference, this older man begins to see it as reciprocal attachment. "Morality is . . . essential . . . for creating the kind of environment, interaction between people, that is a prerequisite to the fulfillment of individual goals. If you want other people not to interfere with your pursuit of whatever you are into, you have to play the game," says the spokesman for traditional liberalism (D. V., 98). But if what one is "into" is interconnection, interdependence rather than an individual autonomy that may involve "detachment," such a version of morality will come to seem inadequate. And Gilligan stresses that the interconnection that her mature women subjects, and some men, wanted to sustain was not merely freely chosen interconnection, nor interconnection between equals, but also the sort of interconnection that can obtain between a child and her unchosen mother and father, or between a child and her unchosen older and younger siblings, or indeed between most workers and their unchosen fellow workers, or most citizens and their unchosen fellow citizens.

A model of a decent community different from the liberal one is involved in the version of moral maturity that Gilligan voices. It has in many ways more in common with the older religion-linked versions of morality and a good society than with the modern Western liberal ideal. That perhaps is why some find it so dangerous and retrograde. Yet it seems clear that it also has much in common with what we call Hegelian versions of moral maturity and of social health and malaise, both with Marxist versions and with so-called right-Hegelian views.

Let me try to summarize the main differences, as I see them, between on the one hand Gilligan's version of moral maturity and the sort of social structures that would encourage, express and protect it, and on the other the orthodoxy she sees herself to be challenging. I shall from now on be giving my own interpretation of the significance of her challenges, not merely reporting them.¹⁴ The most obvious point is the challenge to the individualism of the Western tradition, to the fairly entrenched belief in the possibility and desirability of each person pursuing his own good in his own way, constrained only by a minimal formal common good namely a working legal apparatus that enforces contracts and protects individuals from undue interference by others. Gilligan reminds us that noninterference can, especially for the relatively powerless, such as the very young, amount to neglect, and even between equals can be isolating and alienating. On her less individualist version of individuality, it becomes defined by responses to dependency and to patterns of interconnection, both chosen and unchosen. It is not something a person *has*, and which she then chooses relationships to suit, but something that develops out of a series of dependencies and interdependencies, and responses to them. This conception of individuality is not flatly at odds with, say, Rawls's Kantian one, but there is at least a difference of tone of voice between speaking as Rawls does of each of us having our own rational life plan, which a just society's moral traffic rules will allow us to follow, and which may or may not include close association with other persons, and speaking as Gilligan does of a satisfactory life as involving "progress of affiliative relationship" (D. V., 170) where "the concept of identity expands to include the experience of interconnection" (D. V., 173). Rawls can allow that progress to Gilligan-style moral maturity may be *a* rational life plan, but not a moral constraint on every life-pattern. The trouble is that it will not do just to say "let this version of morality be an optional extra. Let us agree on the essential minimum, that is on justice and rights, and let whoever wants to go further and cultivate this more demanding ideal of responsibility and care." For, first, it cannot be satisfactorily cultivated without closer cooperation from others than respect for rights and justice will ensure, and, second, the encouragement of some to cultivate it while others do not could easily lead to exploitation of those who do. It obviously *has* suited some in most societies well enough that others take on the responsibilities of care (for the sick, the helpless, the young) leaving them free to pursue their own less altruistic goods. Volunteer forces of those who accept an ethic of care, operating within a society where the power is exercised and the institutions designed, re-designed, or maintained by those who accept a less communal ethic of minimally constrained self-advancement, will not be the solution. The liberal individualists may be able to "tolerate" the more communally minded, if they keep the liberals' rules, but it is not so clear that the more communally minded can be content with just those rules, nor be content to be tolerated and possibly exploited.

For the moral tradition which developed the concept of rights, autonomy and justice is the same tradition that provided "justifications" of the oppression of

¹⁴I have previously written about the significance of her findings for moral philosophy in "What Do Women Want in a Moral Theory?" *Nous* 19 (March 1985), "Trust and Antitrust," *Ethics* 96 (1986), and in "Hume the Women's Moral Theorist?" in *Women and Moral Theory*, E. Kittay and D. Meyers, ed. [Totowa, NJ: Rowman and Littlefield 1987].

those whom the primary right-holders depended on to do the sort of work they themselves preferred not to do. The domestic work was left to women and slaves, and the liberal morality for right-holders was surreptitiously supplemented by a different set of demands made on domestic workers. As long as women could be got to assume responsibility for the care of home and children, and to train their children to continue the sexist system, the liberal morality could continue to be the official morality, by turning its eyes away from the contribution made by those it excluded. The long-unnoticed moral proletariat were the domestic workers, mostly female. Rights have usually been for the privileged. Talking about laws, and the rights those laws recognize and protect, does not in itself ensure that the group of legislators and rights-holders will not be restricted to some elite. Bills of rights have usually been proclamations of the rights of some in-group, barons, land-owners, males, whites, non-foreigners. The "justice perspective," and the legal sense that goes with it, are shadowed by their patriarchal past. What did Kant, the great prophet of autonomy, say in his moral theory about women? He said they were incapable of legislation, not fit to vote, that they needed the guidance of more "rational" males.¹⁵ Autonomy was not for them, only for first-class, really rational persons. It is ironic that Gilligan's original findings in a way confirm Kant's views—it seems that autonomy really may not be for women. Many of them reject that ideal (D. V., 48), and have been found not as good at making rules as are men. But where Kant concludes—"so much the worse for women," we can conclude—"so much the worse for the male fixation on the special skill of drafting legislation, for the bureaucratic mentality of rule worship, and for the male exaggeration of the importance of independence over mutual interdependence."

It is however also true that the moral theories that made the concept of a person's right central were not just the instruments for excluding some persons, but also the instruments used by those who demanded that more and more persons be included in the favored group. Abolitionists, reformers, women, used the language of rights to assert their claims to inclusion in the group of full members of a community. The tradition of liberal moral theory has in fact developed so as to include the women it had so long excluded, to include the poor as well as rich, blacks and whites, and so on. Women like Mary Wollstonecraft used the male moral theories to good purpose. So we should not be wholly ungrateful for those male moral theories, for all their objectionable earlier content. They were undoubtedly patriarchal, but they also contained the seeds of the challenge, or antidote, to this patriarchal poison.

But when we transcend the values of the Kantians, we should not forget the facts of history—that those values were the values of the oppressors of women. The Christian church, whose version of the moral law Aquinas codified, in his very legalistic moral theory, still insists on the maleness of the God it worships, and jealously reserves for males all the most powerful positions in its hierarchy. Its patriarchal prejudice is open and avowed. In the secular moral theories of men, the sexist patriarchal prejudice is today often less open, not as blatant as it is in Aquinas, in the later natural law tradition, and in Kant and Hegel, but is often still there. No moral theorist today would say that women are unfit to vote, to make laws, or to rule a nation without powerful male advisors (as most queens had), but the old doctrines

¹⁵Immanuel Kant, *Metaphysics of Morals*, sec. 46.

die hard. In one of the best male theories we have, John Rawls's theory, a key role is played by the idea of the "head of a household." It is heads of households who are to deliberate behind a "veil of ignorance" of historical details, and of details of their own special situation, to arrive at the "just" constitution for a society. Now of course Rawls does not think or say that these "heads" are fathers rather than mothers. But if we have really given up the age-old myth of women needing, as Grotius put it, to be under the "eye" of a more "rational" male protector and master, then how do families come to have any one "head," except by the death or desertion of one parent? They will either be two-headed, or headless. Traces of the old patriarchal poison still remain in even the best contemporary moral theorizing. Few may actually say that women's place is in the home, but there is much muttering, when unemployment figures rise, about how the relatively recent flood of women into the work force complicates the problem, as if it would be a good thing if women just went back home whenever unemployment rises, to leave the available jobs for the men. We still do not really have a wide acceptance of the equal rights of women to employment outside the home. Nor do we have wide acceptance of the equal duty of men to perform those domestic tasks which in no way depend on special female anatomy, namely cooking, cleaning, and the care of weaned children. All sorts of stories (maybe true stories), about children's need for one "primary" parent, who must be the mother if the mother breast feeds the child, shore up the unequal division of domestic responsibility between mothers and fathers, wives and husbands. If we are really to transvalue the values of our patriarchal past, we need to rethink all of those assumptions, really test those psychological theories. And how will men ever develop an understanding of the "ethics of care" if they continue to be shielded or kept from that experience of caring for a dependent child, which complements the experience we all have had of being cared for as dependent children? These experiences form the natural background for the development of moral maturity as Gilligan's women saw it.

Exploitation aside, why would women, once liberated, not be content to have their version of morality merely tolerated? Why should they not see themselves as voluntarily, for their own reasons, taking on *more* than the liberal rules demand, while having no quarrel with the content of those rules themselves, nor with their remaining the only ones that are expected to be generally obeyed? To see why, we need to move on to three more differences between the Kantian liberals (usually contractarians) and their critics. These concern the relative weight put on relationships between equals, and the relative weight put on freedom of choice, and on the authority of intellect over emotions. It is a typical feature of the dominant moral theories and traditions, since Kant, or perhaps since Hobbes, that relationships between equals, or those who are deemed equal in some important sense, have been the relations that morality is concerned primarily to regulate. Relationships between those who are clearly unequal in power, such as parents and children, earlier and later generations in relation to one another, states and citizens, doctors and patients, the well and the ill, large states and small states, have had to be shunted to the bottom of the agenda, and then dealt with by some sort of "promotion" of the weaker so that an appearance of virtual equality is achieved. Citizens collectively become equal to states, children are treated as adults-to-be, the ill and dying are treated as continuers of their earlier more potent selves, so that their "rights" could

be seen as the rights of equals. This pretence of an equality that is in fact absent may often lead to desirable protection of the weaker, or more dependent. But it somewhat masks the question of what our moral relationships *are* to those who are our superiors or our inferiors in power. A more realistic acceptance of the fact that we begin as helpless children, that at almost every point of our lives we deal with both the more and the less helpless, that equality of power and interdependency, between two persons or groups, is rare and hard to recognize when it does occur, might lead us to a more direct approach to questions concerning the design of institutions structuring these relationships between unequals (families, schools, hospitals, armies) and of the morality of our dealings with the more and the less powerful. One reason why those who agree with the Gilligan version of what morality is about will not want to agree that the liberals' rules are a good minimal set, the only ones we need pressure *everyone* to obey, is that these rules do little to protect the young or the dying or the starving or any of the relatively powerless against neglect, or to ensure an education that will form persons to be *capable* of conforming to an ethics of care and responsibility. Put badly, and in a way Gilligan certainly has not put it, the liberal morality, if unsupplemented, may *unfit* people to be anything other than what its justifying theories suppose them to be, ones who have no interest in each others' interests. Yet some must take an interest in the next generation's interests. Women's traditional work, of caring for the less powerful, especially for the young, is obviously socially vital. One cannot regard any version of morality that does not ensure that it gets well done as an adequate "minimal morality," any more than we could so regard one that left any concern for more distant future generations an optional extra. A moral theory, it can plausibly be claimed, cannot regard concern for new and future persons as an optional charity left for those with a taste for it. If the morality the theory endorses is to sustain itself, it must provide for its own continuers, not just take out a loan on a carefully encouraged maternal instinct or on the enthusiasm of a self-selected group of environmentalists, who make it their business or hobby to be concerned with what we are doing to mother earth.

The recognition of the importance of all parties of relations between those who are and cannot but be unequal, both of these relations in themselves and for their effect on personality formation and so on other relationships, goes along with a recognition of the plain fact that not all morally important relationships can or should be freely chosen. So far I have discussed three reasons women have not to be content to pursue their own values within the framework of the liberal morality. The first was its dubious record. The second was its inattention to relations of inequality or its pretence of equality. The third reason is its exaggeration of the scope of choice, or its inattention to unchosen relations. Showing up the partial myth of equality among actual members of a community, and of the undesirability of trying to pretend that we are treating all of them as equals, tends to go along with an exposure of the companion myth that moral obligations arise from freely *chosen* associations between such equals. Vulnerable future generations do not choose its place in a family or nation, nor is it treated as free to do as it likes until some association is freely entered into. Nor do its parents always choose their parental role, or freely assume their parental responsibilities any more than we choose our power to affect the conditions in which later generations will live. Gilligan's attention to the version of morality and moral maturity found in women, many of whom had

faced choice of whether or not to have an abortion, and who had at some point become mothers, is attention to the perceived inadequacy of the language of rights to help in such choices or to guide them in their parental role. It would not be much of an exaggeration to call the Gilligan "different voice" the voice of the potential parents. The emphasis on care goes with a recognition of the often unchosen nature of the responsibilities of those who give care, both of children who care for their aged or infirm parents, and of parents who care for the children they in fact have. Contract soon ceases to seem the paradigm source of moral obligation once we attend to parental responsibility, and justice as a virtue of social institutions will come to seem at best only first equal with the virtue, whatever its name, that ensures that each new generation is made appropriately welcome and prepared for their adult lives.

This all constitutes a belated reminder to Western moral theorists of a fact they have always known, that as Adam Ferguson, and David Hume before him emphasized, we are born into families, and the first society we belong to, one that fits or misfits us for later ones, is the small society of parents (or some sort of child-attendants) and children, exhibiting as it may both relationships of near equality and of inequality in power. This simple reminder, with the fairly considerable implications it can have for the plausibility of contractarian moral theory, is at the same time a reminder of the role of human emotions as much as human reason and will in moral development as it actually comes about. The fourth feature of the Gilligan challenge to liberal orthodoxy is a challenge to its typical *rationalism*, or intellectualism, to its assumption that we need not worry what passions persons have, as long as their rational wills can control them. This Kantian picture of a controlling reason dictating to possibly unruly passions also tends to seem less useful when we are led to consider what sort of person we need to fill the role of parent, or indeed want in any close relationship. It might be important for father figures to have rational control over their violent urges to beat to death the children whose screams enrage them, but more than control of such nasty passions seems needed in the mother or primary parent, or parent-substitute, by most psychological theories. They need to love their children, not just to control their irritation. So the emphasis in Kantian theories on rational control of emotions, rather than on cultivating desirable forms of emotion, is challenged by Gilligan, along with the challenge to the assumption of the centrality of autonomy, or relations between equals, and of freely chosen relations.

The same set of challenges to "orthodox" liberal moral theory has come not just from Gilligan and other women, who are reminding other moral theorists of the role of the family as a social institution and as an influence on the other relationships people want to or are capable of sustaining, but also, as I noted at the start, from an otherwise fairly diverse group of men, ranging from those influenced by both Hegelian and Christian traditions (MacIntyre) to all varieties of other backgrounds. From this group I want to draw attention to the work of one philosopher in particular, namely Laurence Thomas, the author of a fairly remarkable article¹⁶ in

¹⁶Laurence Thomas, "Sexism and Racism: Some Conceptual Differences," *Ethics* 90 (1980), 239-50; republished in *Philosophy, Sex and Language*, Vetterling-Braggin, ed. (Totowa, NJ: Littlefield Adams 1980).

which he finds sexism to be a more intractable social evil than racism. In a series of articles and a book,¹⁷ Thomas makes a strong case for the importance of supplementing a concern for justice and respect for rights with an emphasis on equally needed virtues, and on virtues seen as appropriate *emotional* as well as rational capacities. Like Gilligan (and unlike MacIntyre) Thomas gives a lot of attention to the childhood beginnings of moral and social capacities, to the role of parental love in making that possible, and to the emotional as well as the cognitive development we have reason to think both possible and desirable in human persons.

It is clear, I think that the best moral theory has to be a cooperative product of women and men, has to harmonize justice and care. The morality it theorizes about is after all for all persons, for men and for women, and will need their combined insights. As Gilligan said (D. V., 174), what we need now is a "marriage" of the old male and the newly articulated female insights. If she is right about the special moral aptitudes of women, it will most likely be the women who propose the marriage, since they are the ones with more natural empathy, with the better diplomatic skills, the ones more likely to shoulder responsibility and take moral initiative, and the ones who find it easiest to empathize and care about how the other party feels. Then, once there is this union of male and female moral wisdom, we maybe can teach each other the moral skills each gender currently lacks, so that the gender difference in moral outlook that Gilligan found will slowly become less marked.

Study Questions

1. Baier discusses Carol Gilligan's work suggesting the existence of two different perspectives on moral thought, the "justice perspective" and the "care perspective," which lead to different models of moral maturity and moral community. What are the main differences between these two perspectives or models of moral maturity?
2. In your experience, do men and women display different approaches to moral thinking? If so, how would you characterize these differences? What do you think explains these differences (if they exist)?
3. Baier makes it clear that justice is important, but she also suggests that liberal conceptions of justice are not adequate even as a minimal social morality. What are the main shortcomings that she finds in liberal moralities that focus on justice and rights? Do you agree or disagree with her claims?
4. In your view which is most important to the moral point of view, reason or emotion? Why?

Selected Bibliography

Baier, Annette, "Hume, the Women's Moral Theorist?" in E. F. Kittay and D. T. Meyers, eds. *Women and Moral Theory* (Totowa, NJ: Rowman and Littlefield, 1987).

¹⁷See articles listed in note 6, above. [Laurence Thomas, *Living Morally: A Psychology of Moral Character* (Philadelphia: Temple University Press 1989).]