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Western Canon and Missing Women: Locating the Interventions of Susan M. Okin to Contemporary Liberalism

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The Western philosophical tradition has generally ignored women and the so-called Canon does not include the works of classical thinkers like J.S. Mill on women into its fold. The rare exceptions of the tradition have not influenced the foundational assumptions of even liberal theories of social justice. Liberalism suffers an infirm assumption that women possess a natural inclination to make up a family. There is a natural sympathy at work at the level of family, and, hence, the mutual claims neither compete nor conflict. The individual-centric social justice mainly conceptualised by and for men would trickle down to their families and benefit women and children invisibly. The works in contemporary political philosophy uphold this canonical assumption. Taking this diagnosis along, the paper underlines the fact of missing women in the Western Canon and highlights the deep contradictions in it. This article attempts to situate Susan Moller Okin's "Justice, Gender, and the Family" as an 'exception' in contemporary liberalism. Her novel critique of John Rawls' "A Theory of Justice" is attentive to 'family' as a unit of justice and is the bedrock of her idea of 'humanist justice'. This paper is also an attempt to illustrate that the individual, if situated in/ along the family, does not retain the isolated characteristics and liberal-individualist justice, thus, does not attain the same attraction, if extended to family.

Key Words: Canon, Woman, Family, Mill, Humanist Liberalism, Non-sexist Justice

Undisputedly, world is far from being just. Injustice is not a perception rather a brute reality of the world. The philosophers have had serious thought about the conception of justice and we are witness to great traditions of thought and remarkable philosophical expositions. We live in a 'better' world, but not in a 'just' world. The grammar of injustice is so vast that an overwhelmingly capacious theory or approach is yet to emerge that could be characterised as an adequately *humanist* theory of justice. Gender justice holds a primary, not exclusive, significance in theorisation of justice. The contemporary mainstream theories of justice fail to engage with pervasive injustice which is the by-product of division of labour founded on gender and has tremendous impact virtually on 'all women'. Gender is the nuclei of the structural organisation of a family, and major theories of justice do not conceptualise justice featured by the power structure of the family. The abstracted and generalised 'individual' is situated in an unequal power equation within the family. The political and legal framework of rights faces issues that emanate from the social organisation

of power woven around gender. Understandably, the weaknesses of these institutions have become evident underlining the inadequacy of 'recognition of the difference' by mainstream liberal theories of justice. The issues like sex discrimination, sexual harassment, abortion, pregnancy in the work place, parental leave, childcare, and surrogate mothering have all become major and well-publicised issues of public policy, engaging courts and legislatures. Issues of divorce and domestic violence have occupied public sphere substantially. Realisation of this clearly bears out 'justice crises' in contemporary society arising out of gender. But, the neglect of this crisis in mainstream theories of justice is simply 'shocking'. They have not taken the findings or arguments of feminists seriously. The notable works are John Rawls's *A Theory of Justice*, Ronald Dworkin's *Taking Rights Seriously*, Robert Nozick's *Anarchy, State and Utopia,* Alasdair MacIntyre's *After Virtue* and *Whose Justice? Whose Rationality?* and Bruce Ackerman's *Social Justice in a Liberal State*. However, Michael Walzer's *Spheres of Justice* and Philip Green's *Retrieving Democracy* stand out as exceptions.

Susan Moller Okin (1946-2004) was one of the greatest feminist thinkers of the 20th century and her works continue to conjure profound questions and issues in the liberal tradition. One of her finest and fascinating books has been *Justice, Gender and the Family* (1989). In her works including her first major book *Women in Western Political Thought* (1979), Okin critiqued the complacency of the western political philosophers to the questions of 'gender and family'. She argued that the political philosophers have generally failed in 'considering' women as 'free and equal' human beings and contemporary liberalists particularly ignore the real bastion of inequality –family. Such a challenge is not new in the feminist literature. But, Okin's major contribution lies in underlining the 'fact of missing' of women and family in liberalism on the one hand, and her insistence that 'liberalism, properly understood as theory opposed to social hierarchies and supportive of individual freedom and equality, provided the tools for criticising the substantial inequalities between men and women' (Debra & Reich, 2009, pp.9). She critiqued liberals––past and present––but believed that a most appropriate approximation of gender justice is possible within liberalism itself. Liberals did not bring the 'family' within the theoretical analysis and theorisation of justice. In her estimation it seems a likely conclusion that the 'condensed' abstraction of individual/citizen undermined the scope of liberalism to pursue humanist justice addressing injustice found in 'the linchpin of gender', that is, family. Her tools of criticism come from liberalism, and she, unlike most of the feminists, explores the solutions in liberalism itself.

This paper falls generally in 'critical' liberal theory[1] and is built on the theoretical and critical arguments of the theorists and philosophers. It uses the texts and reads the texts in light of the traditions and against one another. It is, therefore, drawn

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[1] Liberal theory is generally critical of the pervasive oppressions and radical inequalities. By expression 'critical' liberal theory, it is meant that Okin is committed to liberal tradition, but uses basic premises of liberalism, for example, individual liberty, unhindered access to justice, dignity and rights against the political philosophers including liberal-individualists to critically evaluate their theories from the point of gender and family. She foregrounds her arguments in liberalism, albeit critically evaluates the entire tradition. Nancy Rosenblum, in context of Okin, has used 'critical' in terms of the 'perennial' 'potential of liberal ideas' recognised by Okin herself. See, Rosenblum 2009, p. 15.

over a limited subject. Fundamentally, it attempts to locate the interventions of Susan Moller Okin, more particularly, her notion of humanist justice. Such a location is undertaken in its immediate intellectual context of her critique of liberalism and with her concept of 'humanist liberalism'. For a broader intellectual mapping, the paper investigates the Western Classical Tradition on the question of family justice. Okin uses basic premises of liberalism against political philosophy more specifically contemporary liberalism. She is a committed liberal feminist who holds that the unambiguous promotion of individual preferences and autonomy by liberals has significantly facilitated the growth of feminist literature, and the latter supplements the concerns of the former for the realisation of self-esteem. Okin is generally being described as a 'liberal feminist': 'most steadfast liberal feminist' (Tronto, 2016), 'unambiguous liberal feminist' (Ackerly, 2004), and 'liberal feminist' (Satz & Reich, 2009). For her strong commitment to autonomy and her relentless critique of women subordination, feminists like Michaele Ferguson called her once 'liberal and radical'. Okin's commitment to the cause of transforming the lives of women who are victims of cultural-religious subordination has led some theorists to designate her as 'democratic feminist' (Taylor, 2019). Martha Nussbaum locates Okin broadly in comprehensive liberalism rather than political liberalism. Comprehensive liberals emphatically seek fostering 'personal autonomy' as an overriding political value 'in all the areas of life an appropriate goal of the state' (Nussbaum, 1999, pp.108). On the contrary, political liberals attend to the 'fact of reasonable pluralism' and attempt to develop a political consensus among the existing comprehensive doctrines through the exercise of 'public reason' (Rawls, 2005). Such a theorist is able to 'accommodate' the non-autonomous private judgements, what Rawls calls 'considered judgements', as the comprehensive value which can neither be tested nor ridiculed by a 'freestanding' notion of constitutional order (Rawls, 2005). To Nussbaum, Okin's view 'resembles' comprehensive liberals like JS Mill and Roseph Raz, and she places herself in Political liberalism along with John Rawls and Amartya Sen (Nussbaum, 1999). In reply to her, Okin sees her work not belonging strictly to either of the two, but 'in between' (Okin, 1999, pp. 129). This paper locates her as a 'committed liberal feminist' who is a critic of liberalism, transforming it to 'humanistic liberalism' (discussed below). Being focused on her critical interventions, the paper does not expand its arguments, or reach, to other currents of feminism like radical, socialist or postmodern.

Since the 1970s, the feminist literature had seen a massive expansion as the peculiar experiences of women of the Global South have found their way to the world academia (Amos & Parmar, 1984; Mohanty 1988, 2003; Crenshaw, 1991; Suleri, 1992; Mirza, 1997; Narayan & Harding, 2000; Lewis & Mills, 2003; Chaudhuri, 2004; Mirza & Joseph, 2010; for an overview see, Bashir, 2020). Postcolonial feminism attempted to 'decentre' the theoretical formulations of Western Feminism by bringing forth the need to move beyond the singularity of gendered experiences of 'White' feminists (Narayan & Harding, 2000). Such a push to shift the 'centre' of feminist theory has changed the ways of understanding the world of women (Narayan & Harding, 2000). It questioned the claims of overarching reach of western feminism by underscoring the 'epistemic violence' (Spivak, 1988) for the experiences of the women of the colonial powers are radically different. The challenges to Euro-centric 'global sisterhood' by the postcolonial feminists have underlined the 'difference' of women of the former colonies for the reasons that the issues of women of the Third

World intersect with complex social structures. Critiquing the unified analytic framework, intersectionality examines the interplay of multi-layered identities and assesses the oppression/ opportunities as the outcome or convergence of interaction of gender 'with other identities' resulting in 'unique experiences' of women (Symington, 2004, p. 2). It, thus, explores the 'ways through which converging identities (such as race/ ethnicity and social class) affect the opportunities and structure the relative position of 'women' and reveals the (profound) 'influences' of 'social identities' on the 'beliefs about and experiences' of gender and violence (Zainab & Dar, 2021, pp. 188). These critical formulations are immensely important. The paper does not attempt any conversation between Okin's theory and Third World feminist discourses. This could be an important subject, but does not fall within the scope of this paper. It also does not make any comparative assessment on the life conditions of women living in the developed, developing and underdeveloped world. Such a data-centric analysis is well beyond the scope and methodological framework of this paper.

The Western Canon: A call to "woo-Men" (-not women)

The Western philosophical tradition has generally ignored women; of course, with very rare exceptions including profound ones like Mill's Subjection of Women (discussed below). Beginning with the latter, Plato's *The Republic,* among the early works, which stands out for its propagation of 'philosopher queens', is uniquely grounded in the abolition of private property and family. With the abolition of private property, the abolition of family happens on its own for the latter is a subset of the former. The abolition of property and family is, in fact, the abolition of 'private interests ... to the greatest possible extent' (Okin, 1977, pp. 347). Plato's radical idea of offering similar education and training of girls and boys and allowing women to be in guardian class is premised on his diagnosis that women are conventionally part of 'private interests' of men. The removal of the private family of the guardian class would make the liberation of women from being wives to queens possible. To Okin, no other work of a classical political philosopher is 'more revolutionary' than *the Republic, '*not excluding John Stuart Mill' (Okin, 1977, pp. 345). There is, however, an inconsistency in *the Republic* to *the Laws* for the reason that it is 'the absence or presence of the private family [that] determines whether Plato advocates putting into practice his increasingly radical beliefs about potential of women' (Okin, 1977, pp. 346). On the whole, the great Canon did very little to question the universal exclusion of women, and the great expositions of liberty, equality and political justice did not include women as equal agents of exercising, enjoying and having these ideals as rightful claims. It began with the 'birth' of political philosophy in Ancient Greece when Aristotle termed 'polis' as the sovereign association which chiefly determined the 'virtuous life', and excluded the 'household' from the domain of 'virtuous-political'. Unlike Plato, Aristotle was a conventionalist, at least in this sense. Slave-men and all-women who happened to be the major component of the household relegated to the "other" could not for qualify citizenship for their 'natural inferiority' to citizen-men. In a way, Aristotle attempted to establish that the participants of "household justice" (slaves and women) are 'not fundamentally equal to the free men who participate in political justice, but inferiors whose natural function is to serve those who are more fully human' (Okin, 1987, pp. 43). Aristotle found critics who championed freedom, democracy and human equality, but his assumption on excluding woman from

political justice continued throughout the history of the Western Intellectual Tradition. Though the 'Unit of Political Analysis', argued J. H. Stiehm, 'the Aristotelian Hangover' is implicitly working over the philosophical formulations of the 'liberal tradition' (Stiehm, 1983, pp.31). In fact, the Aristotelian thesis (of women exclusion) is generally an agreed-upon political principle in the Canon, according to feminists like Stiehm. As an illustration, we present a case point that befits this argument.

Jean Jacques Rousseau is the most recognised philosopher who wrote extensively against conservatism, inequality and subjugation. Known for his romanticism, Rousseau ardently loved 'nature', 'equality' and 'freedom'. Slavery of humans in any form was bad, and overthrowing of 'chains' was a dream. His magnum opus, *The Social Contract,* begins with a fundamental assertion and belief of his philosophy: 'Man is born free'. In 'Letter to Malesherbes,' 26th January 1762, he wrote a usual radical note:

> I cannot dissimulate from you, sir, that I have a violent aversion to the social classes that dominate others...I hate the great, I hate their position, their harshness, their prejudices, their pettiness, and all their vices, and I would hate them much more if I despised them less. (Rousseau, 1937, pp. v).

Paradoxically, it is to his contribution that he wrote a vilifying treatise on education, *Émile, or on Education* (1762), which is not only inconsistent with his philosophy, but a peculiar nadir of liberal tradition also. Ironically, 'the violent aversion' against domination that he eloquently expressed in 'Letter to Malesherbes' did not find its application in *Émile* published only four months later (1762). Rousseau here represents the view of the conservative political theorists. He failed to 'apply' his arguments in the 'case of women' that 'he used to define the natural man' (Okin, 1979, pp.139). Instead, he, like any conservative of his age, pushed the woman to subordinate role as if her subordination was, using Aristotle's expression, 'naturally ordained'.

Émile is a boy who is under tutelage of Jean-Jacques. He is brought up in an open and liberal educational environment against all the established social conventions. He is trained to negate social conditioning so as to live a life of freedom. From infancy to adulthood, it is a narrative account of Émile's discovering nature, seeking moral development, and nurturing relations with his fellow-beings. It is an imaginative journey to 'complete the man'. In the first four books which narrate 'age of nature', 'age of reason', and 'age of force' do not speak of a girl character in the scheme of (male) education. It is only in Book V when Émile enters the 'age of wisdom' (20-25 years), his girl companion Sophie finds a place in Émile for him falls in love with her, and desires to settle in a family with her. Thus, begins a description of woman, and her relation with man.

Rousseau introduces men and women as equal in the most domains who share a vast commonality. They differ, however, in 'sexual natures': 'in what they have in common, they are equal, where they differ; they are not comparable' (Rousseau, 1979, pp. 358). The difference between the two becomes all-overwhelming to the extent that men are featured as 'active and strong' and women as 'passive and weak'. Jacques tutors Émile further that a 'woman is made specially to please man ... (nature wants her) to be subjugated'. The 'difference' in sexual natures implicates the 'worth' of women as 'beneath' men in all cases. The natural empire, as Rousseau writes,

suggests: 'woman is worth more as woman and less as man. Whatever she makes use of her rights, she has all the advantage. Wherever she wants to usurp ours, she remains beneath us' (Rousseau, 1979, pp. 364). Comparing the 'unfaithfulness' of men and women, he opines that unfaithful man is 'unjust and barbarous', but:

> [T]he 'unfaithful woman' does more; she dissolves the family and breaks all the bonds of nature. In giving the man children which are not his, she betrays both. She joins perfidy to infidelity. I have difficulty seeing what disorders and what crimes do not flow from this one (Rousseau, 1979, pp. 361).

What are the 'things' to be learnt (as a man)? Or, skills acquired (as a woman)? Émile would learn about 'things' (philosophical), while as Sophie has to train herself in understanding people and their opinions (subordinate stuff). Émile will not accept religion unless he reflects on it and reaches to a conclusion, but Sophie follows, first her mother's and then her husband's religion unquestionably. The male ought to study abstract philosophies and religion while as a woman she should abstain from doing so for her natural incapability to engage in abstract questions. Women's pursuit of higher knowledge slips into fanaticism. Woman, according to him, lacks 'reason': 'Woman has more wit (*esprit*), man more genius (*genie*); woman observes, and man reasons' (Rousseau, 1979, pp. 387). While Émile breaks social conventions in order to be with 'nature', Sophie is asked to uphold the social convention. The social conventions she ought to preserve and maintain are grounded in patriarchy and subordination of women. The most astonishing is the 'skill' Sophie has to acquire to qualify for her 'feminine nature'. She has to train herself in the skill of deception, sexual teasing and emotional blackmail. Jean-Jacques suggests her to be "coquetry" –obnoxious! And this 'sorry tale' reaches its lowest ebb by advising Sophie to 'endure' injustice of her husband:

> Woman is made to yield to man and to endure even his injustice. You will never reduce young boys to the same point. The inner sentiment in them rises and revolts against injustice (Rousseau, 1979, pp. 364).

There could be a lame justification that Rousseau was the product of his age, and could not take a break from the male-conservatism of his days. This defence, even to the admirers of Rousseau, 'is not very powerful' for 'his arguments are weak' (Dent, 2005, pp. 117). There is a huge gap between his treatises on equality, democracy and freedom and their application to the rights of women.

Similarly, Rousseau's notion of justice being an irrelevant 'virtue for families' is contrary to his political treatise that weaves freedom and equality: social contract. Rousseau justified and pleaded for the subordination of women in family and held that 'women ... can be ruled both within the family and denied the right to participate in the realm of politics' for their interests can be represented by family heads: the males (Okin, 1989, pp. 26-27). Rousseau did not recognise the particular vulnerabilities, or interests, of women. Instead, he held that the 'affection and unity of interests' of the families make claims of justice 'irrelevant' (Okin, 1989, pp. 27). Rousseau's position attests the broader infirmity of liberalism that the benefits obtained by the male-heads of the family would trickle down to the women more or less like an 'invisible hand' thesis (discussed below). To Okin, Rousseau idealised the family with dependence and subordination of women within the families and consequently women get secluded from the realms of knowledge, philosophy, and

politics (Okin, 1989, pp. 33).

Nevertheless, such an unusual position of great champion of equality is usual in the Western Canon. This intellectual tradition that spans over two millennia has certain incredible exception. The English Philosopher John Stuart Mill is an example. Quite interestingly, Mill's essay *The Subjection of Women* (1869) does not find a place in the list of Western *Classics* even in the standard textbooks of political philosophy such as George H. Sabine's *A History of Political Theory* (1937). The voluminous book covering almost 950 pages, neither mentions women nor discusses women's position, and also overlooks even Mill's penetrative essay, observes a feminist Drude Dahlerup in her recent work *Has Democracy Failed Women?* (2018)

Exception to the Tradition: Mill's *The Subjection of Women*

'The principle which regulates the existing social relations between the two sexes is wrong in itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other' (Mill 1869/1991, p. 471), wrote John Stuart Mill in a path-breaking essay *The Subjection of Women* in 1869. The essay established very fairly that women should be treated as 'free and equal beings' who ought to be taken as autonomous citizens capable of exercising liberties that are available to men. Like men, women are to have access to education and well-being and can enter domains of economy and public offices, that is, government. Mill persuasively argued that there is no such a thing called 'woman nature' rather is an artificial construction. In today's feminist theories, it echoes in the accounts of 'gender'. Refuting feminine nature, Mill wrote:

> What is now called the nature of women is an artificial thing –the result of a forced repression in some directions, unnatural stimulation in others. It may be asserted without scruple, that no other class of dependents have had their character so entirely distorted from its natural proportions by their relation with their masters ... (as) in the case of women, a hothouse and stove cultivation has always been carried on of some capabilities of their nature, for the benefit and pleasure of their masters (Mill, 1869/1991, pp. 493).

The case was not easy as Mill also knew that difficulty does not lie in the arguments being far from reason, but 'there is a mass of feeling to be contended against' (Mill, 1869/1991, pp. 471). It was not to remain unchanged as Mill believed. Over the centuries, liberal democracies have evolved as 'non-discriminatory' political systems that adopt antidiscrimination laws and institutions providing women 'equal' access to jobs and hold public offices. Admittedly, the liberal democracies have unfailingly built institutions which treat people alike and, thus, do not discriminate against or suppress women. John Stuart Mill eloquently raised a fundamental principle for liberal democracies: 'the *à priori* presumption is in favour of freedom and impartiality' (Mill, 1869/1991, pp. 471).

Okin is intellectually indebted to Mill for the latter's *Subjection of Women* is a 'touchstone for her work' (Rosenblum, 2009, pp. 22). Mill was a 'liberal feminist' whose 'feminism was not certainly a sideline' (Okin, 1979, pp. 202). The strong conviction of Mill that the 'greatest possible moral and intellectual advancement of the human race' may not be achieved without developing the potential of women 'to

the highest possible stage' (Okin, 1979, pp. 202) offers an opportunity to evaluate the scope of exercising political values like liberty, equality, individuality, justice, and democracy. The affinity of Okin for Mill is founded on the latter's ideas that the 'emancipation of women to a level of equality with men' is not aimed only at overall happiness achievement, but is a 'very important prerequisite for the improvement of mankind' (Okin, 1979, pp. 203). Mill 'provides', thus, a 'baseline for bringing out the radicalism of Okin's liberal feminism' (Rosenblum, 2009, pp. 17). Rosenblum argues that Mill's radical expressions that women are the victims of the 'vilest malefactor', 'absolute monsters', and the subjection of women being 'one monstrous contradiction' became foundational affinity, a touchstone, for Okin (Rosenblum, 2009).

Mill, however, does not sustain such commitment over the questions of family and women. He does not attend to the structural inequalities within the families, and also vulnerabilities of 'married women'. Though he advocated the just constitution of the family to make it a 'school of virtues of freedom', Mill failed to question the very making of, and chronic structural vulnerabilities within, the family. While critiquing Mill's position, Okin argues that his 'feminist writings are, implicitly, concerned only with middle- and upper-class women, and it is the bourgeois family that is his model' (Okin, 1979, pp. 226). Mill's conviction of family as 'essential for humanity' plagues his feminism to the extent that it 'falls short' of championing the liberty and the equality of 'married women' (Okin, 1979, pp. 226). For Okin, one of the serious lapses of Mill's feminism is that he favoured the gender-bound 'division of labour' and assumed (most of the) women would preferably 'choose' marriage (along with gendered division of labour) as almost career-choice. Okin brings forth Mill's statement:

> Like a man when he chooses a profession, so, when a woman marries, it may in general be understood that she makes choice of the management of a household, and the bringing up of a family, as the first call upon her exertions, during as many years of her life as may be required for the purpose; and that she renounces, not all other objects and occupations, but all which are not consistent with the requirements of this. (Mill, 1869/ 1991, pp. 523; quoted by Okin, 1979, pp. 227).

Mill admits that the outdoor activities of the married women would be 'interdicted' by the family occupations, and believes that the 'individual suitabilities', if adapted rightly within the families, can capacitate women in 'the full performance of the ordinary functions of mistress of family' (Mill,1869/ 1991, pp. 523). His failure, according to Okin, lies in his affirmation that the gendered division of labour within the family is grounded in the choice of women upheld by the customs, and 'he defends it as the most suitable division of labour' between the men and women in the family (Okin, 1979, pp. 227).

All in all, J. S. Mill, the British Socrates, set a current in motion that received a perennial attention and philosophical impetus of the philosophers throughout the past century. Liberal constitutionalism neither contradicted nor failed this political value. The consequent Institutional Impartiality is a remarkable achievement, indeed. Two simple questions, which do not need Mill's penetrating mind, that can be raised are: Did anything change? And is all well with women now? It is not difficult to propose the answers. Catherine MacKinnon in her work *Feminism Unmodified* (1987) that

analyses the 'effect' of 'equal rights' legislations on lives of women concluded that 'sex equality law has been utterly ineffective in getting women…a chance at productive lives of reasonable physical security, self-expression, individuation, and minimal respect and dignity' (MacKinnon, 1987, pp.3; Kymlicka, 1991, pp.77**)**. In the backdrop of the reports of United Nations Human Development which assesses world countries on Gender Equality Indices and other data available on Economist Intelligence Unit Democratic Index, it is argued that though the representative democracies support women equality, the chronic inequality is too wide and deep. Joni Lovenduski (2019) is pessimistic about the delivery of equality of women even in representative democracies for the reasons that the 'establishment of representative democratic political institutions pre-dated women's political mobilisation' (Lovenduski, 2019, pp. 18). The feminist movement has not the desired success because the operating institutional design of representative democracies is 'inappropriate to accommodate ascribed and real differences between women and men' (Lovenduski, 2019, pp. 18).

Infirm Assumptions of Liberalism: Okin's Corrective Definition

Liberalism has assumed existence of natural sympathy that made them 'inattentive' to certain issues of social justice. A close examination of the entire tradition reveals that the classical liberals took 'family' as a neutral unit that arranges its internal roles on natural affiliation. It assumed that women desire to bear children, and once they 'become' mothers, they lovingly raise children. This happens naturally, and they do so willingly. Husbands care for 'wives', and fathers ensure well-being of daughters. A natural sympathy is at work at the level of family, and, hence, the mutual claims neither compete nor conflict. One can sense that liberal tradition right from John Locke to present assumed that some sort of a 'mutual disinterest' drives family that automatically settles the individual claims and positions for the pervasive 'sympathy' in relations. Like Smithian Invisible Hand, it is a mechanism that 'takes care' of interests of women, and men adequately represent the interests/freedoms of a male-headed family. It led to a consequence: 'the fundamental basis of women's subordination is thereby removed from the agenda of justice'(Kymlicka, 1991, pp. 79). It led to the 'disappearance' of women from the subject-matter of political justice. The family, a basic unit of power-relations that pushes women into subordination, could never raise a concern to liberal theories of justice. Susan Okin in her first major work *Women in Western Thought* (1979) observes:

> Whereas the liberal tradition appears to be talking about individuals, as components of political systems, it is, in fact, talking about male-headed families. Whereas the interests of male actors in the political realm are perceived as discrete, and often conflicting, the interests of the members of the family of each patriarch are perceived as entirely convergent with its own, and consequently women disappear from the subject of politics (Okin, 1979, pp. 202).

Liberalism suffers a general lack. It oversimplified the fact of enormous gender inequality. The abstraction of men and women into 'individuals with equal power position' is inconsiderate to the structural chronic subordination of women in their household world. To Okin, there is 'nothing more complicated than the moral and political equality of men and women' (Satz & Reich, 2009, pp. 3). As she worked in (and believed in) liberal accommodative framework, she sought to remedy the liberal-

egalitarian tradition by offering correctives to the concerns and methods of political theory. The concerns of feminists ought to receive more theoretical attention and liberalism cannot afford to ignore the women, family and, thus, humanist justice.

Okin is optimistic of the quality life of women and children by bringing the questions of 'family' into the theoretical fold of liberalism. A parallel between Rousseau and Mill is illuminating for contemporary liberalism, that is, 'family' is an institution of moral development of human beings. The private and public domains share a link with an implication on the citizenry life of women and men. J. S. Mill's this assertion could be an important premise for contemporary philosophical inquiry: 'The family, *justly constituted*, would be *the real school of the virtues of freedom*' (emphasis added) (Mill, 1869/1991, pp. 518).

From Patriarchal to Humanist Liberalism: Basic Premises and Departures

Liberalism grew along making the distinction between the private and the public realms of individual life and for most part, abstained from theorising on the private life of individuals. It has not engaged with the 'link' between public and private domains of women's lives: how 'personal' affects the political, at least in case of women. Such a general neglect is a perennial feature of liberalism. The contemporary liberalism, according to Okin, has failed to take up 'the challenge of converting a theory that was built on both the separation of public from private and the confinement of women to family life into a theory that can be about all of us as participants in public as well as private life', and also 'liberalism's past is deeply and, for the most part unambiguously, patriarchal' (Okin, 1998, pp. 40).

What is the value of liberalism to her? And what sensibilities does she bring to liberalism? Unlike some feminists (Eisenstein, 1980; Jaggar, 1983), Okin recognises 'reconciliation of liberalism with feminism for she endorses that the core values of feminism are fairly compatible with the basic principles of liberalism (Okin 1989, pp. 61, & Okin, 1998, pp. 40). There is no uncritical endorsement of liberalism in her theory. In fact, there is a need to 'replace' patriarchal liberalism with 'humanist liberalism'. She sums up the value of liberalism, thus:

> It values the individuality that is promoted and preserved by the respect for personal preferences and for the need for privacy; it promotes the opportunity of persons to live their own lives and to seek out their own conceptions of the good; and it is well aware of the dangers that can result from the imposition of supposed "community values". (Okin, 1998, pp. 40).

The basic doctrines of liberalism have significantly contributed in establishing feminist discourse. Okin reckons that feminism would have faced 'more difficult time' in emerging without liberalism. Recalling the foundational affinity between the basic 'tenets' of liberalism and feminism, she states:

> As many feminist theorists recognise, a number of the basic tenets of liberalism –including the replacement of belief in the natural hierarchy by a belief in the fundamental equality of human beings, and the placing of individual freedoms before any unified construction of "the good" – have been basic tenets in the development of feminism, too. Though by no means all contemporary feminists are liberals, virtually all

> acknowledge the vast debts of feminism to liberalism. They know that without the liberal tradition, feminism would have had a much more difficult time emerging (Okin, 1989, pp. 61).

Okin also realised the importance of the 'pluralist' turn in liberal theory and held that the 'redistribution of wealth' is required for maximising the individual opportunities to 'live a good life'. The chief merit of the contemporary liberalism particularly of John Rawls is to locate a 'consensus' between the (plural) visions of life (fact of pluralism) and the political conception of justice (Rawls, 2005; Rawls, 1997). Any liberal theory that is sensitive to the pervasive 'plurality of beliefs' and 'aims to maximise ... [the] opportunities to live a good life as they wish is not only *compatible* with a significant degree of socialisation of the means of production and redistribution of wealth –indeed it requires it (Okin, 1998, pp. 40-41, emphasis original). At the same time, she argues that if liberalism is to include women, the feminists' categorical conclusion that the "personal is political" is deeply relevant for it.

The liberal state, in its commitment for individual freedoms, intervenes in the personal realms by regulating crucial family issues like marriage, divorce and child custody but has refrained from interrogating questions of structural subordination/ subjection of women under the garb of false 'gender neutrality' in a dichotomous distinction of public-private spheres. With a notable exception of Mill's *The Subjection of Women,* the liberal theorists have generally failed to consider:

- The structural inequality of sexes as a chronic problem;
- The side effects of gendered structure of family over women in *public* realm;
- Public life of women is far less distinct from private life;
- Institutions such as legislature, judiciary, workplaces and schools are built on the assumption that 'women' are at home to take care of sick, old, and children;
- Liberal individual is a 'specific' individual (male, and male-head);
- Gendered division of labour is a device of oppression. (Okin, 1998, pp. 41-45)

Liberalism, in sum, wrongly assumes that the family, which is structured by gender, is in 'some form', and, thus, fails to see the family as a political institution. John Rawls has included 'family' as an institution to which the basic principles of justice would apply for the reasons that it is an institution of 'moral development' (Rawls, 1971; Rawls, 2005). Despite delineating such an indispensable scope of his theory, he side-lined gendered division of labour and unequal distribution of power *within* family (Okin, 1998, pp. 47). Liberalism is to theorise on *justice within family*, and is to *accept* family as a political institution of *primary* importance. Such a departure is necessary for liberalism to which Okin gives a name "humanist liberalism". Her *Gender, Justice, and the Family* is a serious attempt in this direction.

The Family as a Unit in *Justice, Gender, and the Family:* For and Against Rawls

The interests and choices of individual members of family are not convergent to the interests of other members of it. The family, as a social unit, is hugely complex set of human relations that does have a bearing on the life outside it –the idea of political

life that principally focuses on exchanging the benefits of social cooperation. The family cannot be a 'unit' congruent to an 'individual'. It is extremely complicated web of unequal roles that make a 'family'; apart from a lazy resolution that is founded merely on 'affection'. The 'family' is a by-product of unequal power relations, and, in turn, reproduces not only bodies but similarly rigid structures of inequality. It is a psychological question at one level, but it does have normative dimensions as well. It is the latter which connects it with the questions of justice in political philosophy.

The arguments of Okin are chiefly influenced by her sensibilities that were 'unable to endure injustice' and it was 'this roiling injustice' suffered by women on various fronts that became the 'motivation' for her work (Rosenblum, 2009, p. 15). Her attention to and theorisation of the vulnerabilities of women stemming from the gendered structure of the families was a 'personal moral imperative', despite her 'position of privilege' (Rosenblum, 2009, pp. 15).

Justice, Gender, and the Family (1989) is an excellent work that argues that the dominant conception of sexual equality fails to confront the real bastion of sexual inequality-the family. She argues that the family is an important locus for the distribution of goods; that this distribution raises urgent questions of justice, since it affects the welfare, opportunities, and basic security of women and children; that the way contemporary theorists of justice ignore or deny this fact is implausible and ultimately incoherent; and that the failure to consider these questions has disastrous consequences for women and increasing numbers of children.

She shows how communitarians, libertarians, and liberal egalitarians all assume the existence of the "gendered family," yet treat it as outside the scope of justice. In each case, theorists:

> Take mature, independent human beings as the subjects of their theories without any mention of how they got to be that way. We know, of course, that human beings develop and mature only as a result of a great deal of attention and hard work, by far the greater part of it done by women. But when theorists of justice talk about "work" they mean paid work performed in the marketplace. They must be assuming that women, in the gender-structured family, continue to do their unpaid work of nurturing and socialising the young and providing a haven of intimate relations-otherwise there would be no moral subjects for them to theorise about. But these activities apparently take place out- side the scope of their theories. Typically, the family itself is not examined in the light of whatever standard of justice the theorist arrives at (Okin, 1989, pp. 9-10).

While Okin underlines this issue generally across ideological spectrum, she is more focussed on the great academic leader of contemporary political theory –John Rawls. She acknowledges her debt to Rawls and generously admits his influence. They share huge agreements in understanding of political justice, constitutional liberal democracy and moral constructivism (this is not the subject matter here). She critiques Rawls over certain presumptions which have implications on the larger concern of his own philosophy. John Rawls throughout his *A Theory of Justice* uses generic male terms of reference. Men, Mankind, he, his, 'fathers', 'sons' 'fraternity' find conventional use in the text. These are significant references for the fact that John Rawls belongs to a long tradition of liberalist philosophy that has Locke, Kant,

and Rousseau as towering figures.

Against Rawls's Device of Impartiality –the Original Position

Rawls is correct in emphasising on the Impartiality of notions of justice; but there are huge problems with his device of Impartiality called the Original Position. I have discussed them elsewhere (Dar, 2017). Here I join Susan Moller Okin in underlining the problems from the perspective of gender, and family. In an imaginative situation, Rawls tries to keep the 'reasonable persons' *particularly ignorant* of social and natural contingencies. He says:

> It is assumed, then, that the parties do not know certain kinds of particular facts [including] ...his place in society, his class position or social status; ...his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like...his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology ...the particular circumstances of their own society. That is, they do not know its economic or political situation, or the level of civilisation and culture it has been able to achieve. The persons in the original position have no information as to which generation they belong (Rawls, 1971, pp. 137).

Okin is right in reminding us that the contracting party, or representative, is gendered 'he' and his 'sex' is not included in the list of things unknown to the discussant parties. Behind the 'veil of ignorance' where the representatives *do not* know social and historical contingencies, they are aware of their 'sex'. Such knowledge cannot be *ignorant* of the chronic women injustice. But, what troubles me is the schema of general knowledge the persons have in this 'initial status quo' that is said to be 'fair' - after all, the thesis in known as justice as fairness. Surprisingly, this known-truth does not alter the scheme of *Two Principles* of justice in any way. It has Implications. Rawlsian impartiality device is deeply problematic for any feministic interpretation. He does not consider the historical disadvantages including injustices faced by women and others. The issue is simple: When Rawls considers the 'free and equal moral persons' in absence of social and natural contingencies, does he correct on the historical injustices –institutional, structural and behavioural. Sadly, he does not. Do women, and others, appear as 'reasonable persons' who offer fair terms of cooperation for a political communion as disadvantaged in the contractarian stage of establishing principles of justice? The assumptions are neither gender sensitive nor are drawn from the fact of 'gendered' locations of the families.

For Rawls' the Original Position: Tool of Constructive Feminist Critique

Okin does not dismiss Rawls' Theory all together. Rather she argues that 'Rawls's theory of justice had very great potential to address' the issues gender, family and justice (Okin, 1994, pp. 23). While Rawls fails to address the 'gender system' by ignoring the fact structured 'sex roles of the family', his 'central' 'brilliant idea' –the original position- can be used as a tool of 'feminist criticism'. The principal merit of the Original Position is that it 'avoids the problem of domination' and 'forces one to question and consider traditions, customs, and institutions from all points of view' (Okin, 1989, pp. 101). One of the ways in which Rawls' Theory can be redeemed for gender justice

is to constructively use his impartiality device for 'securing of self-respect or self-esteem' for the parties to the contract, in Original Position, would categorically 'wish' to establish self-respect 'at almost any cost' (Rawls, 1971, pp. 440). Rawls regards 'self-respect' as a 'most important' primary good that is central to the life of citizen living in a liberal democracy committed to treat the individual as an inviolable agent in its basic structure. Taking it along, Okin argues that the parties in the revised Original Position where they 'did not know whether they are to be men or women' would seriously consider 'establish[ing] a thoroughgoing social and economic equality between the sexes...' (Okin, 1989, pp. 104). Subsequently, it would be emphasised to bring up the boys and girls with 'an equal sense of respect for themselves' with no differentiation/ discrimination in 'self-definition and development' (Okin, 1989, pp. 105). In sum, the representatives of justice-as-fairness, in this revised veil of ignorance, are surely to act against the 'basic social institutions that asymmetrically either forced or gave strong incentives to members of one sex' to the disadvantage or suppression of another sex (Okin, 1989, pp. 105). To Okin, Rawls' Original Position has a 'feminist potential' in thinking about the '*complete* development of a non-sexist, fully human theory of justice' (Okin, 1989, pp. 108, 105, emphasis original).

It may be noted that Rawlsian primary goods approach concentrates too much 'on the *means* to freedom rather than on the extent of freedom' (Sen, 1995, p. 81; Sen, 1980/1987, pp. 166-158) that it possesses elements of '*fetishism*'. Rawls would have been far right in judging well-being though primary goods, had human beings been perfectly identical in their capacities and needs. Human beings are diverse in their capacities and 'have very different needs varying with health, longevity, climatic conditions, location, work conditions, temperament, and even body size' that assuming well-being by purely providing bundle of primary goods 'leads to a partially blind morality' (Sen, 1995, pp. 81). The pervasive diversity is not only innately personal (as shown by remarkable philosophical work by Karl Marx), it is also *intra*-community (Bernard Williams and Issiah Berlin) and Intercommunity (Michael Sandel, Charles Taylor and in particular Michael Walzer). It can vary culturally. The central issue here is: If we remain committed to freedom-as-an-end not merely as a means, not only Rawlsian but Susan's own account faces trouble.

Vision of Susan Moller Okin: *The Humanist Justice*

As discussed above, Okin questioned liberals –past and present, with an intention to place 'family' as one of the background factors against which justice ought to be theorised. As she believed that the most appropriate approximation of gender justice is possible within liberalism itself, she laid the ground for the 'centrality' of issues of women 'to questions of social justice' (Satz & Reich, 2009, pp. 4). Borrowing her tools of criticism from liberalism, she concluded that liberalism 'isolated' the fact of gender discrimination with abstracted-Individual. By engaging with the 'linchpin of gender' –the family, she rolled out the *Contours of Humanist Justice*. The humanist justice is not about women per se rather it addresses the vulnerability of women and children who are victims of injustice at all levels: more so, the children who face displacement due to the broken marriage of their parents. There are significant reasons, as Okin argues, for reconstitution of family outside the gendered structure and for revision of public policy including representation of women in legislatures, judiciary and executive. The fundamental cause of the vulnerability of women is the social construction of 'expectation' of women to be 'primary parents' with

responsibility of 'child rearing and other family responsibilities' and of taking over 'the responsibility for children without adequate support from their ex-husbands (Okin, 1989, pp. 170-171). Referring to the USA, Okin informs that 'about half of our children are likely to experience dislocation' due to broken marriages. Gendered family 'fails' to recognise this vulnerability of women and children, and so does contemporary notion of justice. It is a very important reason to suggest that 'the family *needs* to be a just institution (Okin, 1989, pp. 170-171). The commitment of democratic ideals of equality between men and women necessitates 'moving away from gender' (Okin, 1989, pp. 172). It requires a lot of changes including institutional and social. The latter are more challenging for it is currently the gendered practices that influence the notions and practice of freedom.

What is the schema of 'humanist justice'? Okin sketches an outline:

> Any just and fair solution to the urgent problem of women's and children's vulnerability must encourage and facilitate the equal sharing by men and women of the paid and unpaid work, of productive and reproductive labour...A just future would be one without gender...No assumptions would be made about "male" and "female" roles; childbearing would be conceptually separated from child rearing and other family responsibilities that it would be a cause for a surprise...if men and women were not equally responsible for domestic life or if children were to spend much more time with one parent than the other. It would be a future in which men and women participated in more or less equal numbers in every sphere of life, from infant care to different kinds of paid work to high level politics. (Okin, 1989, pp. 172).

The 'humanist justice' addresses the vulnerabilities of women that mainly emanate from gendered structure of the family and marriage. 'Family', to Okin, is not an isolated island rather integrated with 'society, economy, and politics' and similarly individual's choices are not 'separable from their larger structural context' (Ferguson, 2016, pp. 689). One of the most important elements of the humanist justice is to address the deep and wide vulnerabilities of women. Okin theorised 'about injustice without reconciling competing accounts of how it came about' (Ackerly, 2016, pp. 647). Her understanding of vulnerability is no less radical, and her vision is a force to 'confront injustice, not because we caused it, but because that injustice caused vulnerability (Ackerly, 2016, pp. 648). Her vision of the humanist justice is to be read along with her understanding of gender as a 'cycle' of vulnerabilities. In *Justice, Gender, and the Family,* she comes up with the argument that ultimately has been recognised as one of the most indispensable passages of 20th century feminism:

> ... the inequalities between the sexes in the workplace and at home reinforce and exacerbate each other. It is not necessary to choose between two alternative, competing explanations of the inequalities between men and women in the workplace —the "human capital" approach, which argues that, because of expectations about their family lives, women choose to enter lower-paid and more dead-end occupations and specific jobs, and the workplace discrimination explanation, which blames factors largely outside the control of female employees. When the pivotal importance of gendered-structured marriage and the expectations of it are acknowledged, these explanations can be seen, rather, as complementary reasons for women's inequality. *A cycle of*

> *power relations and decisions pervades both family and workplace, and the inequalities of reinforce those that already exist in the other.* (Okin, 1989, pp. 146–47; emphasis in original)

Justice for all requires that women are treated as *fully* human beings with *full* human rights. It cannot be possible without *justice-within-the-family:* 'Until there is a justice within the family, women will not be able to gain equality in politics, at work, or in any other sphere' (Okin, 1989, pp. 4).

Conclusion

This paper surveys the Western Canon, dating back to Plato and Aristotle, to underline the fact of ignoring women and family by using the liberal-humanist framework of Susan Moller Okin. While locating the interventions of Okin, it makes an attempt to illustrate a general failure of the western political philosophy to address the question of gender. It also critically examines the notable exceptional works like those of Plato and JS Mill. In the case of the former, it examines the conventional Aristotelian anti-women 'hangover' in liberals and uses Rousseau's *The Emile* as an illustration of deep contradictions between his liberal vision of freedom in *The Social Contract* and tradition-bound conservative in *The Emile*. As an illustration of the exception, the paper argues how Western Canon unjustly flushes out the philosophic works of classical thinkers that engage with the question of equality and women. In contradiction to convention, Mill's *Subjection of Women* takes a progressive turn and pleads for the equal status of women. Despite marking a decisive shift in the literature on gender, and producing one of the earliest and influential texts on the condition of women, his work is excluded from "classical works". It is shown here that Mill's serious commitment to equality of men and women influences Okin to the level of it becoming a 'touchstone' for her works, but Mill's assumption of family as necessary institution is a serious handicap to his vision of gender equality.

The second part of this exercise explores contemporary liberalism and reads Okin's views against Rawlsian notion of justice arguing that the fundamental character of justice –impartiality- is questionable for the representative rational persons who know their 'sex' even behind the 'veil of ignorance'. The reason exercising agent devising the schema of justice (as fairness) is 'he'. Despite recognising 'family' as a part of social structure, Rawls' principles of justice do not address the sexual division of labour and differential set of choices between men and women emanating from gendered and patriarchal families. This paper also underlines Okin's constructive engagement with Rawls' Original Position and brings forth the potential of such forceful idea for similar expectations of boys and girls in 'self-definition'. While the paper examines the infirmities of liberalism as such, it spells out the elements of Okin's humanist justice by critical analysis of family as a 'linchpin of gender'. More importantly, her critique engages with the family as a patriarchal structure which denies justice to women.

The gist of this exercise alludes to a glaring gap in contemporary works on liberalism vis; the examination of family as a factor in the dispensation of justice. The argument built through the course of this paper is that most of the discrimination and injustice faced by women throughout the world is due to the familial structure which renders individuals invisible, particularly women. Hence, the liberal conception of justice which takes individuals or even minority groups, as the basic

units of justice, equality, and rights is incapacitated to address fully the question of gendered injustice. Family, therefore, appears to be one of the key structures that must figure in the context and target of any theory of justice. The aim of any theory of justice shall also primarily be influenced by: how the rights of women are subsumed within the family?

It is beyond the scope of doubt that the men-women differences are universally pervasive and deeply rooted in the cultural and social atmosphere of the world communities. The discourses and practices of freedom are largely influenced by the gendered socialisation of the people. It is for this reason the 'enlightened' philosophers like Rousseau ended up in justifying oppression against the 'vulnerable' social class. However, as this paper shows, in the past century, some significant achievements were made including universal suffrage, formal equal wages and 'visibility' of women in public sphere largely due to the space lent by liberal constitutional democracies to feminist movements.

The extraordinary growth of critical literature under the influence of critical theorists, and of late postmodernists, resulted in a shift towards understanding the gender in more nuanced ways. The concern in world academia to extend human rights fully to women as they are 'full human beings' is largely due to contributions of philosopher-feminists like Susan Okin and, of course, John Stuart Mill. Okin's work forcefully reminds us that the gendered family 'is a flashpoint for the questions of justice' (Abbey, 2016, pp. 636).

The 'timelessness' of the arguments of Okin is established by the fact that the 'material concerns of justice' that she raised in her works particularly in *Justice, Gender, and the Family* 'persist' even today (Ackerly, 2016, pp. 640). Her intervention is a guide and a resource for confronting the pervasive injustices in spaces which are excluded from the liberal theorist's gaze. The recent works, with some of whom this paper is against, clearly suggest that the contours of debate are taking a shape and 'such changes', as Okin cautions, 'will not happen overnight' (Okin, 1989, pp. 172). The need, however, is to take rights seriously.

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