

# Susan Okin's *Justice, Gender, and the Family*: Twenty-Five Years Later

RUTH ABBEY

## CLUSTER INTRODUCTION

Published a decade after Susan Okin's first book, *Women in Western Political Thought*, her *Justice, Gender, and the Family* reprised many of that first book's themes but explored them in the context of contemporary political theory. In place of canonical political theorists such as Plato, Aristotle, Rousseau, and John Stuart Mill, *Justice, Gender, and the Family* scrutinizes leading twentieth-century theorists of justice such as John Rawls, Robert Nozick, Alasdair MacIntyre, Michael Sandel, and Michael Walzer. Its bleak conclusion is that these "major contemporary theorists of justice are not doing much better at confronting the issues of justice and gender than did the theorists of the past" (Okin 1989, vii; compare 14, 134). Indeed, compared to John Stuart Mill, several of the twentieth-century theorists fare worse when it comes to even attending to gender issues and justice. Questions of gender and of justice within the family and their implications for other areas of life remain mostly ignored by these more recent thinkers. In response to this wall of silence from mainstream theorists, *Justice, Gender, and the Family* continues to insist that the family is a flashpoint for questions of justice and sets out to explain why.

The year 2014 marked twenty-five years since *Justice, Gender, and the Family*'s publication, and this anniversary offered the perfect occasion to review the book's achievements, identify any shortcomings or lacunae, and reflect on its enduring relevance in light of these. On August 28, 2014, I convened a panel at the American Political Science Association meeting in Washington, D.C., comprised of feminist political theorists who were invited to conduct such a review. This symposium features their responses to Okin's work, all of which are simultaneously admiring and critical in highly productive and suggestive ways.

Thus *although* Brooke Ackerly calls *Justice, Gender, and the Family* "a timeless touchstone text for feminist theory" (xx), she also expresses reservations about Okin's linchpin metaphor, according to which it is the family that reproduces gender dynamics and injustices from one generation to the next (Okin 1989, 6, 14, 170). Ackerly also points to some of the limitations of Okin's approach, which, in Ackerly's judgment, are created by Okin's adherence to Rawlsian solutions to injustice. Nancy Hirschmann treats Okin's proposal for a split salary between any household's paid worker and unpaid care worker as microcosmic of her larger feminist position. Her findings resonate with Ackerly's: Hirschmann praises Okin's seminal contribution while also underlining the blinkers imposed by her commitment to liberal solutions, or at least those broadly compatible with liberalism, to gender injustices.

Elizabeth Beaumont looks at many of the themes of Okin's book through the lens of the law, and insists in particular that Okin's exposure of false gender neutrality in much contemporary theory and legal discourse is as pertinent as it ever was. Beaumont finds that two and a half decades later, most of the problems Okin associates with the gendered cycle of injustice and inequality persist, lending her account of injustice enduring relevance. But Beaumont agrees with

# Susan Moller Okin Justice Gender And The Family Summary

**Donald A. Miller**



## **Susan Moller Okin Justice Gender And The Family Summary:**

*Feminism Confronts Homo Economicus* Martha Fineman, Terence Dougherty, 2018-08-06 The essays in this volume confront the inroads that economics has made into the legal academy Law and Economics uses principles of neoclassical economics to develop laws and social policies that maintain if not bolster current allocations of power from the Introduction The Law and Economics school has had a significant impact on the legal and governmental landscape in the United States It posits a perfectly rational economic man homo economicus who is unconstrained by familial and communal ties and who can and should make decisions solely in light of considerations of economic value *Feminism Confronts Homo Economicus* offers a major intervention in debates about how law has come under the influence of economic principles Drawing on the latest thinking in the fields of feminist legal theory critical legal studies and feminist economics the essays critique the notion that legal and policy decisions should be made solely through the lens of economics While the contributors question the wholesale incorporation of the neoclassical economic model into legal analysis they do not all discard economic analysis and theory Situated at the intersection of feminism law and economics *Feminism Confronts Homo Economicus* will appeal to scholars and students of these disciplines as well as policy analysts and social theorists interested in family education labor and welfare

The Place of Families Linda C. McClain, 2006-01-03 Arguing that family life helps create the virtues and character required for citizenship McClain shows that the connection between family self government and democratic self government does not require the deep laid gender inequality that has historically accompanied it

Freedom and Equality Clare Chambers, 2024 *Freedom and Equality* explores foundational concepts for liberalism and feminism Clare Chambers argues that the doctrines are compatible but feminism is necessary because liberalism has been incapable of securing gender equality and women s liberation alone

*Varieties of Feminist Liberalism* Amy R. Baehr, 2004-04-05 Over the past thirty years western political philosophy has been enriched by a renewed interest in liberalism and by the development of feminism Although liberalism is one of the important historical roots of feminism many contemporary feminist political philosophers reject liberal political theory Indeed that liberalism and feminism are incompatible has been the dominant view among feminist scholars over the past 30 years *Varieties of Feminist Liberalism* is a groundbreaking collection that examines the relationship between these two rich normative traditions The essays in this volume present versions of feminism that are explicitly liberal or versions of liberalism that are explicitly feminist By bringing together some of the most respected and well known scholars in mainstream political philosophy today Amy R Baehr challenges the reader to reconsider the dominant view that liberalism and feminism are incompatible This long overdue volume is the first to bring together papers by feminist liberals and to aim explicitly at reconciling feminism and liberalism

Justice and Gender Deborah L. RHODE, Deborah L Rhode, 2009-06-30 This is the first book to provide a comprehensive investigation of gender and the law in the United States Deborah Rhode describes legal developments over the last two centuries against a background of historical and sociological

changes in women's activities and attitudes toward these new developments. She shows the way cultural perceptions of gender influence and in turn are influenced by legal constructions and what this complicated interaction implies about the possibility or impossibility of using law as a tool of social change.

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Reviews of this book

Rhode's work is impressive in its scholarship and its range: a compelling account.

Josephine Shaw International and Comparative Law Quarterly

Reviews of this book

The definitive treatment of the American legal system's struggle to deal with issues pertaining to gender.

The strength of Rhode's analysis, however, is not its historical aspect but its probing view of modern gender issues.

The focus is always on the deeper forces that have led to gender disadvantage.

There is much to be learned from reading this volume.

Victoria J. Dodd

Bimonthly Review of Law Books

Reviews of this book

A comprehensive journey through the history of law and gender.

The book is important in a number of ways.

It paints in stark, irrefutable colors the irrational prejudices that have served to justify legal determinations limiting equality.

It has the audacity to ask the law to turn on itself and work more justly.

Sheila James Kuehl

California Lawyer

Reviews of this book

Encyclopedic

Thorough

Carefully nuanced

Rhode gives all sides their fair due on every issue she takes up.

A valuable resource for many years to come.

Susan Okin

Law and Social Inquiry

Justice and Gender breaks the impasse created by legal and theoretical debates over sameness and difference.

Deborah Rhode's brilliant analysis of gender and the law in the United States from the nineteenth century to the present argues persuasively for theories rooted

in careful contextual analysis and for a legal emphasis on gender disadvantage rather than gender difference This book offers a new vantage point from which to think about the role of law in building a just society Sarah M Evans University of Minnesota

**The Children's Table** Anna Mae Duane, 2013-06-01 Like the occupants of the children's table at a family dinner scholars working in childhood studies can seem sidelined from the adult labor of humanities scholarship The Children's Table brings together scholars from architecture philosophy law and literary and cultural criticism to provide an overview of the innovative work being done in childhood studies a transcript of what is being said at the children's table Together these scholars argue for rethinking the academic seating arrangement in a way that acknowledges the centrality of childhood to the work of the humanities The figure we now recognize as a child was created in tandem with forms of modernity that the Enlightenment generated and that the humanities are now working to rethink Thus the growth of childhood studies allows for new approaches to some of the most important and provocative issues in humanities scholarship the viability of the social contract the definition of agency the performance of identity and the construction of gender sexuality and race Because defining childhood is a means of defining and distributing power and obligation studying childhood requires a radically altered approach to what constitutes knowledge about the human subject The diverse essays in The Children's Table share a unifying premise to include the child in any field of study realigns the shape of that field changing the terms of inquiry and forcing a different set of questions Taken as a whole the essays argue that at this key moment in the state of the humanities rethinking the child is both necessary and revolutionary Contributors Annette Ruth Appell Sophie Bell Robin Bernstein Sarah Chinn Lesley Ginsberg Lucia Hodgson Susan Honeyman Roy Kozlovsky James Marten Karen Sanchez-Eppler Carol Singley Lynne Vallone John Wall

**Becoming Free** Emily R. Gill, 2001 As ethnic racial religious and gender based groups demand rights to pursue radically diverse lifestyles or maintain their cultural traditions conflict seems inevitable even in a free society Government may offer remedies to social dilemmas such as affirmative action curbs on immigration or protection of gay rights but these may only fan the flames of resentment Yet any society that tolerates and protects diversity is more likely to preserve the freedom to live one's life without interference Emily Gill reexamines the liberal tradition to reconcile its core commitments to autonomy and diversity values that in theory are complementary but in practice are often at odds and to show that the interaction of these values determines how we as individuals become free In *Becoming Free* she argues that true freedom is enhanced through the promotion of diversity and the encouragement of rational reflection on the options it allows and that limited choice or ignorance diminishes such freedom Yet an incomplete freedom is what many individuals groups and states advocate when they commit to particular cultural traditions or religious beliefs despite the autonomy they themselves enjoy Gill traces the implications of these conflicting views by drawing on recent scholarship and legal decisions in six areas national citizenship cultural membership ethnicity and gender religious belief sexuality and civic education By exploring the tensions between autonomy and diversity in such instances as Boy Scouts membership restrictions gay rights

legislation and education among the Amish she not only offers an insightful commentary on current issues but also explores the moral foundations of liberal thought Unlike those who criticize liberalism for its shallow philosophical grounding Gill shows it to have a substantive moral content grounded in the individual's capacity to make rational decisions based on critical reflection In her tightly woven arguments she explores real world problems in a meaningful way for students and for anyone concerned with the future of liberalism showing that becoming free is an ongoing process of human and social development

**Radical Critiques of the Law** Stephen M. Griffin, Robert C. L. Moffat, 1997 The past two decades have seen an outpouring of work in legal theory that is self consciously critical of aspects of American law and the institutions of the liberal state In this lively volume eminent scholars in philosophy law and political science respond to this recent scholarship by exploring what constitutes a radical critique of the law examining such theories as critical legal studies feminist theory and theories of difference and critical race theory The authors consider whether the critiques advanced in recent legal theory can truly be called radical and what form a radical critique of American law should take Writing at the cutting edge of the critique of critical legal theory they offer insights first on critical legal scholarship then on feminist political and legal theory A third group of contributions questions the radicalness of these approaches in light of their failure to challenge fundamental aspects of liberalism while a final section focuses on current issues of legal reform through critical views on criminal punishment including observations on rape and hate speech Each major essay describes the underlying principles in the development of a radical legal theory and addresses unresolved questions relating to it while accompanying commentaries present conflicting views The resulting dialogue explores wide ranging issues like equity value relativism adversarial and empathic legal advocacy communitarianism and the social contract impartiality and contingency natural law and corrective justice A common thread for many of the articles is a focus on the social dimension of society and law which finds the individualism of prevailing liberal theories too limiting *Radical Critiques of the Law* is particularly unique in presenting critical and feminist approaches in one volume along with skeptical commentary about just how radical some critiques really are Proposing alternative critiques that embody considerably greater promise of being truly radical it offers provocative reading for both philosophers and legal scholars by showing that many claims to radicalism are highly problematic at best

Constitutional Interpretation Keith E. Whittington, 1999 With its detailed and wide ranging explorations in history philosophy and law this book is essential reading for anyone interested in how the Constitution ought to be interpreted and what it means to live under a constitutional government **BOOK JACKET** *The Ethics of Citizenship* J. Caleb Clanton, 2009 Offering the most significant contributions on the topic from leading contemporary scholars J Caleb Stanton's carefully edited and organized *The Ethics of Citizenship* seeks to answer one of the most salient and hotly debated questions of the day What role if any should religion play in U S politics While there is a considerable body of writing in response to this question until now there has not been a one volume collection of relevant answers Here at last a variety of

distinguished political theorists from John Rawls to Richard Rorty and from Nicholas Wolterstorff to Cornel West weigh in on this important topic and together provide a balanced and engaging overview of the debate that continues to grip the nation

**Concepts of Family Life in Modern Catholic Theology** Donald A. Miller, 1996-11 Professor Donald A Miller's innovative study is a psychological theological and ethical discussion of family via Church doctrine tradition and law Miller seeks definitions to model various forms of familial situations in the U S and abroad This study will furnish a new understanding of family and the problems that exist in the modern family and the modern Church Concepts of Family Life in Modern Catholic Theology will be useful not only to theological studies but to those concerned with the role of the family in the Church A clear fair assessment of Church doctrine and conceptual evolution Professor Andrew Woznicki S T D

**Butterfly, the Bride** Carol Weisbrod, 1999-04-23 DIVU Uses fiction to enrich our understanding of the law that deals with marriage and the family div Immovable Laws, Irresistible Rights Christine Pierce, 2000 Same sex partnerships Pregnancy through in vitro fertilization Ending one's own life in dignity All are deemed inherently wrong by the standards of natural law ethics but for many people they represent legitimate life choices that are morally right Now a leading feminist critic of the natural law tradition explores the ongoing confrontation between natural law and moral rights to argue that rights constitute a more solid grounding for ethics in human affairs and for feminist thought In this volume Christine Pierce's important essays including the celebrated Natural Law Language and Women expand reflect and refine this central controversy Reaching back to Aristotle and Aquinas and drawing on modern papal encyclicals and Supreme Court cases Pierce demonstrates that the natural law tradition with its doctrine of a supposed hierarchy of natural purpose has served to mystify women's nature and thereby justify restricting women to a predetermined social stratum Addressing issues that concern not only feminism but legal theory as well she defends her views on equality and universalization against a growing postmodern critique and presents rights theory as an alternative to an ethics of responsibility based on Aristotelian notions of friendship and trust Through tightly constructed arguments presented in engaging prose Pierce conveys her deep knowledge of legal philosophy and her passion for rights as she takes on such issues as AIDS gay marriage animal liberation and feminist separatism She combats the prevailing view of Plato as sexist and explores Sartre's views of holes and slime She also examines the work of contemporary authors in ecology biology sociobiology and religion to reveal their reliance on nature for ethical conclusions and she criticizes recent efforts to root a feminist natural law in Thomism With natural law concepts now in fashion with many conservatives and even some Supreme Court justices Pierce's essays offer a necessary perspective on where current legal and ethical thinking is headed Immovable Laws Irresistible Rights is invigorating reading for all scholars students and interested readers who seek a better understanding of these arguments and the issues affected by them Nomos, 1958

**Contemporary Moral Issues** Lawrence M. Hinman, 1996 An anthology which provides a selection of readings on 11 contemporary social issues Each set of readings is accompanied by an introduction a bibliographical essay and pre reading

and discussion questions      Justice and Injustice in Law and Legal Theory Austin Sarat, Thomas R. Kearns, 1996 Explores the relationship between law and justice      **Lives in the Law** Lawrence Douglas, Austin Sarat, Martha Merrill Umphrey, 2002-06-05 Examines how the lives of individuals social groups and nations are fashioned by their engagement with the law      **Double Jeopardy** Lorna A. Turnbull, 2001 Mothers come into contact with the law through pregnancy custody disputes divorce and support payments breast feeding regulations income tax filing and child tax benefits In double jeopardy the author shows how the law fails to take into consideration the many different circumstances under which women mother and the work they do She argues that law and social policy can serve mothers better by reflecting these realities and guaranteeing their right to social and economic security Cover      **Critical Review of Books in Religion** , 1995

**Reflections on Multiculturalism** Robert Eddy, 1996 This book convincingly shows that the United States should adopt multiculturalism so that it doesn't become monoculturally provincial in a global society and so that it can survive in the twentieth century as a democratizing force rather than a future Bosnia The book is divided into two sections 1 Theories and Issues in Multiculturalism and 2 Multicultural Dialogicalism Personal Examples Essays are as follows 1 Getting it Multiculturalism and the Politics of Understanding Dennis Fischman 2 Metaphor Language Games Cultures Eric Hyman 3 Shattered Images From Consensus to Contention in Classic American Film Sam B Girgus 4 Literacy Culture and the Colonial Legacy Victor Villanueva Jr 5 The Mulatto in American Literature W Maurice Shipley 6 Representing and Negotiating Differences in the Contact Zone Min Zhan Lu 7 The Accidental Culture Disability and the Enduring Need for Closure James A Helten 8 No Sentimental Education An Essay on Transatlantic Cultural Identity Thomas Austenfeld 9 Chinese in America or Chinese Americans Building Multicultural Landscapes and Literacies An Lan Jang and 10 The Other before Me A Bicultural Dialogue Solange de Azambuja Lira and Arnold Gordonstein BT

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