

The Family: Beyond Justice?

The substantial inequalities that continue to exist between the sexes in our society have serious effects on the lives of almost all women and an increasingly large number of children. Underlying all these inequalities is the unequal distribution of the unpaid labor of the family. Feminists who speak out against the traditional, gender-structured family are often unfairly attacked for being “anti-family.” Some who have been so attacked have seemingly capitulated to these accusations and reverted to an unreflective defense of the family.¹ Others have responded more positively, stressing the ongoing need for feminists to “rethink the family”² and arguing that the family needs to be just. Moreover, these goals are necessary not only for the sake of women—though the injustice done to them is cause enough for challenging the gender-structured family—but for the sake of social justice as a whole.

In this chapter, I shall take up two different kinds of argument, both leading to the conclusion that to insist that families be internally just is misguided. These arguments have recently been made in widely read and much-praised books: Michael Sandel’s *Liberalism and the Limits of Justice* and Allan

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Bloom's *The Closing of the American Mind*.³ In the first type of argument, it is claimed that the family is "beyond" justice in the sense of being too elevated for it. In Sandel's view, the family is not characterized by the circumstances of justice, which operate only when interests differ and goods being distributed are scarce. An intimate group, held together by love and identity of interests, the family is characterized by nobler virtues. In the second type of argument, the family is held to be "beyond" justice in the sense that "nature" dictates its hierarchical structure. Bloom acknowledges frankly that the division of labor found within the gender-structured family is unjust, at least by prevailing standards of justice, but holds it to be both grounded in nature and necessary. A great deal of attention has been paid to Sandel's and Bloom's books; both are cherished by antiliberals. The former has flourished within academic circles and the latter, a popular best-seller, largely outside of them. However, it is testimony to the antifeminist climate of the 1980s that, with one notable exception, their claims about justice and the family have been virtually ignored.⁴

Justice and the Idealized Family

The notion that justice is not an appropriate virtue for families was most clearly expressed in the past by Rousseau and Hume. It is currently important because, as we have seen, it seems to be implicit, from their sheer disregard for family life and most aspects of gender, in the work of most contemporary theories of justice. It is rarely argued explicitly these days, but such a case is presented by Michael Sandel in his critique of John Rawls's liberal theory of justice, and I shall focus on this argument here. But first, let us take a brief look at the positions of Rousseau and Hume. On this, as on some other complex issues, Rousseau argues more than one side of the issue. Some of the time, he justifies his conclusion that the governance of the family, unlike that of political society, need not be accountable to its members or regulated by principles of justice by appealing to the notion that the family, unlike the wider society, is founded upon love. Thus unlike a government, he says, the father of a family, "in order to act right, . . . has only to consult his heart."⁵ Rousseau concludes that women can, without prejudice to their well-being, be both ruled within the family and denied the right to participate in the

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realm of politics, where their husbands will represent the interests of the family unit.

Hume argues similarly that the circumstances of family life are such that justice is not an appropriate standard to apply to them. He begins his discussion of justice by pointing out that in situations of “enlarged affections,” in which every man “feels no more concern for his own interest than for that of his fellows,” justice is useless, because unnecessary. He regards the family as one of the clearest instances of such enlarged affections, in which justice is inappropriate because “all distinction of property be, in a great measure, lost and confounded. . . . Between married persons, the cement of friendship is by the laws supposed so strong as to abolish all division of possessions; and has often, in reality, the force ascribed to it.”⁶ The message is similar to Rousseau’s: the affection and unity of interests that prevail within families make standards of justice irrelevant to them.

In his critique of Rawls, Sandel explicitly takes up and builds on Hume’s vision of family life, in order to make the case that there are important social spheres in which justice is an inappropriate virtue. A central piece of his argument against Rawls, which he presents as a case against liberal accounts of justice in general, is based on a denial of Rawls’s claim that justice is the primary moral virtue.⁷ This claim depends on the assumption that human society is characterized by certain “circumstances of justice.” These include, first, the condition of moderate scarcity of resources, and second, the fact that, while persons have some similar or complementary needs and interests, they also have “different ends and purposes, and . . . make conflicting claims on the natural and social resources available.”⁸ Does Rawls think the circumstances of justice apply *within* families? It seems—although he has not held consistently to this position—that he is one of the few theorists of justice who do. As I shall show in chapter 5, he goes on to *assume*, rather than to *argue*, that the family “in some form” is just. But it is clear from both his statement of this assumption and his initial inclusion of the family as part of the “basic structure of society” that (in *A Theory of Justice*, at least) he does not consider the family to be outside the circumstances of justice.

Sandel, however, argues that Rawls’s claim for the primacy of justice is undermined by the existence of numerous social groupings in which the circumstances of justice do *not* predominate. Among such groupings, characterized by their “more or less clearly-defined common identities and shared purposes,” the family “may represent an extreme case.”⁹ He argues that the existence of such associations refutes in two respects Rawls’s claim that justice

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is the first or primary virtue of social institutions. First, he agrees with Hume that in such "intimate or solidaristic associations . . . the values and aims of the participants coincide closely enough that the circumstances of justice prevail to a relatively small degree." In "a more or less ideal family situation," spontaneous affection and generosity will prevail.¹⁰ Second, not only will justice not be the prevailing virtue in such associations, but if they were to begin to operate in accordance with principles of justice, an overall moral improvement would by no means necessarily result. Instead, the loss of certain "nobler virtues, and more favourable blessings" could mean that "in some cases, justice is not a virtue but a vice."¹¹ Given such a possibility, the moral primacy of justice is demonstrated to be unfounded. Instead of being the primary virtue, as Rawls claims, in some situations justice is "a remedial virtue," called upon to repair fallen conditions.¹²

In both its eighteenth- and its twentieth-century manifestations, the argument that human associations exemplified by the family challenge the primacy of justice rests, in two respects, on faulty foundations. It misapprehends what is meant by the claim that justice is the first or primary virtue of social institutions; and it idealizes the family. When Rawls claims the primacy of justice, he does not mean that it is the highest or noblest of virtues. Rather, he means that it is the most fundamental or essential. This is implied by the simile he employs on the opening page of *A Theory of Justice*:

Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant or economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust.¹³

In the same way that theories can have qualities other than truth, some of which—brilliance or social utility, for example—might be more elevated than mere truth, so can social institutions have other moral qualities, some of which might be more elevated than mere justice. The point is that justice takes primacy because it is the most *essential*, not because it is the *highest*, of virtues. In fact, Rawls states explicitly his belief that there are moral principles and sentiments that are higher and nobler than justice. He refers to "supererogatory actions," such as "acts of benevolence and mercy, of heroism and self-sacrifice," as stemming from "higher-order moral sentiments that serve to bind a community of persons together."¹⁴ He also indicates on several occasions that the members of families do commonly exhibit such higher moral virtues in relation to one another. But he considers that only

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saints and heroes, not ordinary persons, can *consistently* adhere to such standards of morality, which can require considerable sacrifice of self-interest, narrowly construed.¹⁵ Furthermore, it is clear that, in Rawls's view, such moralities of supererogation, while they require *more* than the norms of right and justice, do not in any way contradict them. This is so both because their aims are continuous with these principles but extend beyond what they require and because such moralities need to rely upon the principles of justice when the claims of the goods they seek conflict.¹⁶ Thus justice is first or primary among virtues in that such admittedly higher forms of morality depend upon it, both conceptually and in practice, in ways that it does not depend upon them.

When these points are taken into consideration, we can see that both the argument against the moral primacy of justice and that against justice as a central virtue for the family lose their force. The morality that often prevails in communities or associations that are governed in large part by affection, generosity, or other virtues morally superior to justice is a form of supererogation; individuals' narrowly construed interests give way to their concern for common ends or the ends of others they care about a great deal. Nevertheless, it is essential that such higher moral sentiments and actions, within the family as well as in society at large, be underwritten by a foundation of justice. Justice is needed as the primary, meaning most fundamental, moral virtue *even* in social groupings in which aims are largely common and affection frequently prevails.

We can learn more about why justice is a necessary virtue for families by examining the second flaw in Sandel's argument, which is that it relies upon an idealized, even mythical, account of the family. The picture drawn is, in fact, very close to Rawls's example of a circumstance in which he too agrees that justice is superfluous: "an association of saints agreeing on a common ideal."¹⁷ But viewed realistically, human associations, including the family, do not operate so felicitously. And a theory of justice must concern itself not with abstractions or ideals of institutions but with their realities. If we were to concern ourselves only with ideals, we might well conclude that wider human societies, as well as families, could do without justice. The ideal society would presumably need no system of criminal justice or taxation, but that does not tell us much about what we need in the world we live in.

The vision of the family as an institution far above justice pays too little attention to what happens within such groupings when, as is surely common, they fail to meet this saintly ideal. Even a brief glance at the example that

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Hume regards as the paradigm setting for the exercise of moral virtues nobler than justice should serve to make us less than comfortable with his and Sandel's dismissal of the need for justice in such settings. The unity of the eighteenth-century family—enshrined in the ideology of the time and revived in the 1970s by family historians¹⁸—was based on the legal fiction of "coverture." The *reason* that, as Hume puts it, "the laws supposed . . . the cement of friendship [between married persons] so strong as to abolish all division of possessions," was that upon marrying, women became legal nonpersons. Contrary to what Hume's words suggest, the common law did not institute the shared or common ownership of the property of spouses. Rather, it automatically transferred all of a wife's personal property—as well as control over, and the income from, her real property—into the hands of her husband. As John Stuart Mill was later to put it: "the two are called 'one person in law,' for the purpose of inferring that whatever is hers is his, but the parallel inference is never drawn that whatever is his is hers."¹⁹ Hume and others justified coverture by reference to the "enlarged affections" and unity of the family. This same idealized vision of the family as "the place of Peace; the shelter, not only from all injury, but from all terror, doubt, and division," as John Ruskin depicted it, was central to the arguments made by the opponents of married women's rights in the nineteenth century.²⁰ But we must realize that questions of distributive justice were not considered important in the context of this type of family because not only the wife's property but her body, her children, and her legal rights belonged to her husband. To revert in the late twentieth century to this account of family life in order to argue that the circumstances of justice are not so socially pervasive as liberals like Rawls think they are is not only grossly ahistorical. It does not allow for the fact that the account was a myth, and a far from harmless one. It served as the ideology that veiled the injustice called coverture.

What this example can teach us about justice and the family is that while it is quite possible for associations to appear to operate according to virtues nobler than justice, and thus to be morally preferable to those that are *just* just, we need to scrutinize them closely before we can conclude that this is really the case. In particular, we need to ask whether their members are entitled to their fair shares of whatever benefits and burdens are at issue when and insofar as the circumstances of justice arise—when interests or ends conflict and some resources are scarce (as tends to happen at least some of the time, except in communities of saints with common ends). Thus even if wives never had occasion to ask for their just share of the family property, due to the gen-

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erosity and spontaneous affection of their husbands, we would be unable to assess the families in which they lived from a moral point of view unless we knew whether, if they did ask for it, they would be considered entitled to it. It is not difficult to imagine the kind of response that would have been received by most eighteenth-century wives if they had asked for their just shares of the family property! This should make us highly skeptical of reliance on the supposedly higher virtues embodied by such institutions.

It is clear from the facts that I pointed to in chapter 1, and shall later give a more thorough account of, that Sandel's argument against the primacy of justice also depends on a highly idealized view of the *contemporary* family. "Enlarged affections" are by no means the only feelings that occur, and are acted upon, in families. Since the 1970s, it has been "discovered" that a great deal of violence—much of it serious, some of it fatal—occurs within families. Our courts and police are increasingly preoccupied with family assault and with the sexual abuse of weaker family members by more powerful ones. The family is also an important sphere of distribution. In the "more or less ideal family situation," Sandel says, the appeal to fairness is "preempted by a spirit of generosity in which I am rarely inclined to claim my fair share," and "the questions of what I get and what I am due do not loom large in the overall context of this way of life."²¹ The implication seems to be that there are not likely to be *systematic* injustices. No account is taken of the fact that the socialization and role expectations of women mean that they are generally more inclined than men not to claim their fair share, and more inclined to order their priorities in accordance with the needs of their families. The supererogation that is expected in families often occurs at women's expense, as earlier ideologists of the family were well aware; Ruskin continues his vision by exhorting women to be "enduringly incorruptibly good; instinctively infallibly wise . . . , not for self-development but for self-renunciation."²²

In fact, many social "goods," such as time for paid work or for leisure, physical security, and access to financial resources, typically are unevenly distributed within families. Though many may be "better than just," at least most of the time, contemporary gender-structured families are *not* just. But they *need* to be just. They cannot rely upon the spirit of generosity—though they can still aspire to it—because the life chances of millions of women and children are at stake. They need to be just, too, if they are to be the first schools of moral development, the places where we first learn to develop a sense of justice. And they need to be just if we are even to *begin* to approach the equality of opportunity that our country claims as one of its basic ideals.

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It seems to be assumed by those who have held the position I have been criticizing that justice somehow takes away from intimacy, harmony, and love. But why should we suppose that harmonious affection, indeed deep and long-lasting love, cannot co-exist with ongoing standards of justice? Why should we be forced to choose and thereby to deprecate the basic and essential virtue, justice, by playing it off against what are claimed to be higher virtues? We are surely not faced with such a choice if, viewing human groupings like the family realistically, we insist that they be constructed upon a basis of justice. For this need not mean that we cannot also hope and expect more of them. We need to recognize that associations in which we *hope* that the best of human motivations and the noblest of virtues will prevail are, in fact, morally superior to those that are *just* just only if they are firmly built on a foundation of justice, however rarely it may be invoked. Since this is so, the existence of associations like families poses no problem for the moral primacy of justice. If they normally operate in accordance with spontaneous feelings of love and generosity, but provide justice to their members when, as circumstances of justice arise, it is needed, then they are just and better than just. But if they do not provide justice when their members have reason to ask it of them, then despite their generosity and affection, they are worse.

Thus, it is only when the family is idealized and sentimentalized that it can be perceived as an institution that undermines the primacy of justice. When we recognize, as we must, that however much the members of families care about one another and share common ends, they are still discrete persons with their own particular aims and hopes, which may sometimes conflict, we must see the family as an institution to which justice is a crucial virtue. When we recognize, as we surely must, that many of the resources that are enjoyed within the sphere of family life—leisure, nurturance, money, time, and attention, to mention only a few—are by no means always abundant, we see that justice has a highly significant role to play. When we realize that women, especially, are likely to change the whole course of their lives because of their family commitments, it becomes clear that we cannot regard families as analogous to other intimate relations like friendship, however strong the affective bonding of the latter may be. And now that it cannot be assumed, as it was earlier, that marriage is for life, we must take account of the fact that the decreasing permanence of families renders issues of justice within them more critical than ever. To substitute self-sacrifice and altruism for justice in the context of a unity that may dissolve before one's very eyes, without one's con-

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sent and to the great detriment of those one cares most about, would perhaps be better labeled lack of foresight than nobility.

The Unjust Family as Natural and Socially Necessary

While in Rousseau's *idealized* vision of family life, dependent, secluded, and subordinated wives could rely on their husbands' loving care and protection, he at times recognized the folly of trusting this account of family life. In his own fictional depictions, husbands and fathers fall far short of this ideal; they frequently neglect, abuse, and abandon those they are supposed to take care of.²³ Rousseau himself sent all his children off to foundling homes, against his wife's will. However, in spite of his own recognition of the fragility of the myth on which it was based, he could see no alternative to the dependent position of women that he regarded as imposed by nature. The "very law of nature," in Rousseau's view, leaving men uncertain of the paternity of the children they are expected to maintain, dictates that women are "at the mercy of men's judgments."²⁴ In Book 5 of *Emile*, having described in detail Sophie's careful preparation for a life of coquettish subordination to the multiple needs and whims of her husband, Rousseau frankly admits the injustice of it all:

As she is made to obey a being who is so imperfect, often so full of vices, and always so full of defects as man, she ought to learn early to endure even injustice and to bear a husband's wrongs without complaining. It is not for his sake, it is for her own, that she ought to be gentle. The bitterness and the stubbornness of women never do anything but increase their ills and the bad behavior of their husbands.²⁵

Thus, nature necessitates women's subjection to men, and the imperfections of men's nature necessitate the reinforcement of women's natural propensity for enduring injustice. The good of society and the continuation of the species make inevitable the rigid division of labor between the sexes and the subordination of women. Rather than delving further into Rousseau's reasons for believing this to be the case, let us now turn to the same argument as it appears in Allan Bloom's 1987 version. For two main reasons, it is important to pay attention to Bloom's variety of antifeminism: it is a strongly articulated, though somewhat extreme, version of notions that have considerable currency in powerful circles these days; and Bloom, because of his own political

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agenda, admits freely that the maintenance of sex roles in the family is inconsistent with liberal-democratic standards of justice.

The ostensible theme of Bloom's *The Closing of the American Mind* is that American liberal democracy is disintegrating because its universities are failing to educate the young elite. Without the education in rational thinking that can be provided only by serious study of the great books of Western philosophy and literature, young people are aimlessly wandering in the chaos of relativism—tolerance gone wild—that plagues our society. A major enemy, in Bloom's account of what has gone wrong since the early 1960s (when he thinks things were still basically on track), is feminism. For, while "nature should be the standard by which we judge our . . . lives," feminism is "not founded on nature," defying as it does women's natural biological destiny.²⁶ Feminism is much to blame both for undermining the prestige of the great books and for hastening the decline of the already beleaguered family.

Bloom's arguments on both issues depend on completely unsubstantiated statements of alleged "fact." We are told, for example, that even in "relatively happy" homes, "the dreariness of the family's spiritual landscape passes belief," that "central to the feminist project is the suppression of modesty," that "there are two equal careers in almost every household composed of educated persons under thirty-five," and that, due to feminist activism, "offensive authors" are being expunged from college courses or included only to demonstrate the great books' distorting prejudices about women.²⁷ No evidence is cited for these or other such general allegations, which many of us who live in families, are active in the feminist movement, struggle to maintain our careers in the context of unequal family demands, or teach the great books know to be preposterous. The fact that Bloom's book, with its multiple inaccuracies and its disdain for evidence, topped the *New York Times*' nonfiction best-seller list throughout the summer of 1987 is, to my way of thinking, the clearest sign yet that there is indeed *something* wrong with American higher education.

At times, in Bloom's lament about the decline of the family, there appear hints of the idealized, better-than-just version of it. He writes of the family as "the intermediary . . . that gave men and women unqualified concern for at least some others," thereby tempering individualism. But most of his argument runs counter to this notion. He assumes that men are by nature selfish creatures, who could not even be imagined as having "unqualified concern" for anyone but themselves. The problem, as Bloom sees it, is that "women are

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no longer willing to make unconditional and perpetual commitments on unequal terms.” Arguing that feminism has eroded the family by its resistance to traditional sex roles, he says that it “ends, as do many modern movements that seek abstract justice, in forgetting nature and using force to refashion human beings to secure that justice.”^{28*}

Closely following Rousseau throughout his argument, he claims that if women refuse to be full-time mothers, men will refuse to be fathers at all, because they will no longer be gaining enough of what they expect from family life to have any commitment to it. Nature, according to Bloom, makes motherhood entirely different from fatherhood. Men have no natural desire or need for children. But women naturally want children, and therefore must take care of them. In order to get their children’s fathers to support them while they do this, women must charm men into marriage (largely by withholding sex), and then must cater to their needs and take care of them. Recognizing the natural basis of their dependence, women should not develop careers, for this causes struggle and threatens family unity. They must accept the fact that “nothing can effectively make most men share equally the responsibilities of childbearing and child-rearing.” Bloom acknowledges that, by the egalitarian standards of modernity, this inequality of women is unjust.²⁹ But the writers of the great books all knew it to be natural and therefore necessary, which is why, by Bloom’s own admission, they are all sexist. The only ones who do not *seem* to agree with Bloom about the proper role of women are either not great (Mill) or did not mean what they said (Plato).

As Bloom says, feminist scholars during the last fifteen years or so have challenged many of the works that make up the tradition of what one has wittily called “malestream thought.”³⁰ But the sexism of the great books has not been wantonly, angrily, and arbitrarily assaulted, as Bloom would like his readers to think. It has been carefully argued about. Feminists have brought the test of rational thought to what the great books have said about women and the family, and in many cases shown their assumptions to be unfounded and their arguments irrational. We have not, as Bloom alleges, gone on to conclude that these authors are worthless thinkers, to be relegated to the intellectual junkheap. We have, however, insisted that it would be wrong (not least because it is intellectually dishonest) to continue to teach their works as though they did not believe such things, or as though their statements about women were aberrations that can be conveniently forgotten because they

*He does not explain how feminists have used force in pursuit of their aims. By chaining themselves to railings, or by learning self-defense, perhaps?

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have no effect on the “important” things the philosophers had to say. We have faced up to the challenge of learning what we can from great minds of the past and teaching it to our students, when most people in our society are no longer prepared to think about women in the ways they did.

What might happen if Bloom’s complaint that feminism has undermined the teaching of the great books were transformed into policy? Would existing feminist criticisms, however rational, be banned? If so, would women (who would soon begin again to raise similar questions and to make similar objections) have to be forbidden from both teaching and studying in institutions of higher education? Who knows to what lengths we might have to go in order to protect the sexism of Aristotle, Rousseau, and Nietzsche from rational scrutiny. The world of Margaret Atwood’s *The Handmaid’s Tale*, in which women, as reproductive vessels, are no longer taught to read or write, might well be the logical conclusion of Bloom’s train of thought.³¹ From his point of view, there would appear to be nothing wrong with women’s being uneducated, as long as they were dependent upon men and relatively powerless within the family, as he recommends.

Like many other antifeminists, Bloom relies heavily on “nature” and especially on reproductive biology to argue for the rationality and necessity of traditional sex roles. As we have seen, he uses the old trick of making child rearing by males look absurd by fusing it with male childbearing. He says that nature dictates, via female lactation, that women must stay home with children. Stooping to puerile humor, he remarks that paternity leave is “contrived and somewhat ridiculous,” since the law cannot make male nipples give milk.³² He does not seem to realize that the great majority of infants in the United States are at least partly bottle-fed, that nursing an infant is only a tiny part of raising a child, that flexibility of working and child-care conditions can allow wage-earning mothers both to breast-feed their infants and to share the care of them equally with fathers.

Bloom does not want to realize any of these things, of course. His fundamental case against feminist attempts to share more fairly the unpaid responsibilities of the family is that it undermines masculinity. “Here,” he says, “is where the whole business turns nasty.” (He means, of course, that the implications of feminism turn nasty; to my way of thinking it is his argument that gets rather nasty at this point.) He continues:

The souls of men—their ambitious, warlike, protective, possessive character—must be dismantled in order to liberate women from their domination.

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Machismo—the polemical description of maleness or spiritedness, which was the central *natural* passion in men’s souls in the psychology of the ancients, the passion of attachment and loyalty—was the villain, the source of the difference between the sexes. . . . With machismo discredited, the positive task is to make men caring, sensitive, even nurturing, to fit the restructured family. . . . And it is indeed possible to soften men. But to make them “care” is another thing, and the project must inevitably fail.³³

The reason it must fail, he alleges, is that men cannot be forced to give up their natural selfishness, especially at a time when women are being more selfish. I need not go into just how wrong Bloom is about the ancients’ view of male spiritedness; Martha Nussbaum has shown far better than I could how many of them, including those Bloom judges to be the best, believed that the needs of society required that such passions be modified.³⁴ But it is important to discuss his reliance upon what is natural.

“Nature,” Bloom states, “should be the standard by which we judge our own lives and the lives of peoples. That is why philosophy . . . is the most important human science.”³⁵ But what on earth, we must ask, is “nature”? And how is philosophy to help us discover it? It is unfortunate that Bloom is so contemptuous of Mill, who made arguments well worthy of his consideration about the political uses and abuses of *nature* and *the natural*.³⁶ One of the major sources of irrationality, Mill says, is that these words are sometimes used to mean the way things would be without human intervention and sometimes to mean the way things ought to be, as though the two are somehow synonymous. These words, Mill argues, have been used with such confusion and such proliferation of meanings that they have become “one of the most copious sources of false taste, false philosophy, false morality, and even bad law.”³⁷ As we have seen, much of past and present feminism has dealt extensively with the subject of how “nature,” and biological determinism in particular, has been used to oppress women.

Bloom, despite his reverence for philosophy, seems to feel no need to make arguments about what nature is or why it is good. He uses the words *nature* and *natural*—words crucial to his book’s potential coherence, in a multitude of different ways, without ever defining them.* Unlike some scholars, such as Ruth Bleier and Anne Fausto-Sterling, who have given much thought to the

*One of the first uses in the book gives us an immediate clue to its author’s misogyny: in the preface we learn that “nature, not the midwife” is the cause of the delivery of babies (p. 20). Where, we might ask, is the mother? One of the oddest uses comes on p. 105, where Bloom blames the sexual revolution and feminism for producing “an odd tension in which all the moral restraints governing nature disappeared, but so did nature.” It is difficult to see why any tension should result from the lack of restraints on something that has disappeared.

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matter,³⁸ he seems quite confident that he knows where the "natural" (which in this context seems to mean "biological") differences between the sexes begin and end. Yet he persists in the belief that child rearing as a whole is "naturally" women's responsibility. "Biology forces women to take maternity leaves," he pronounces. And he greets with sarcasm and deprecation women's claim that we ourselves should have a major say in what constitutes "the feminine nature."³⁹ Frequently falling into the fallacious way of thinking that Mill warns against, Bloom never confronts all the things that contemporary people, or even the Greeks, would have had to give up to return to nature, in the sense of letting biology take its course. He ridicules liberals whose concern for the natural environment leads them to protest the extinction of the snail darter, but who also defend the right to abortion. However, he has nothing to say about the fact that modern medicine and innumerable other life-preserving and life-enhancing aspects of modern life are manifest departures from the notion that biology is destiny. Most of the time, it is difficult to discern any consistent meaning in Bloom's references to "the natural," except that it is whatever preserves the dominance of the white male elite and enables its members, by philosophizing, to come to terms with their own mortality.

Ultimately, the only comprehensible way to read Bloom's book is the same way he wants us to read the *Republic*. According to Bloom, who ignores all reasoning to the contrary, Plato made the ridiculous proposal that the elite women should be treated equally with the men only in order to demonstrate the impossibility of his entire project. Bloom's own book about education purports, on one level at least, to be about the preservation of liberal democracy. But he is really, of course, a vehement defender of aristocracy. Among the reasons for his contempt for today's students is his (unfounded) belief that their instincts are wholly egalitarian: "Whenever they meet anyone," he alleges, "considerations of sex, color, religion, family, money, nationality, play no role in their reactions."⁴⁰ (Doubtless, both most of the students and the administrators of the colleges and universities now fraught with racist and sexist conflict might like to be reassured by Bloom's words, but the evidence before their eyes belies them.) His own belief in an aristocracy based on race, sex, and other natural indicators of "excellence" is evident over and over again in the book, such as

³⁸ He says of the "recent feminist discussion" of the differences between men and women that "the feminine nature is a mystery to be worked out on its own, which can now be done because the male claim to it has been overcome."

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when he remarks—seemingly with deliberate intent to insult—that the black students in the major universities “have, by and large, proved indigestible,” or when he explains that white males still predominate in the natural sciences because it is only there that standards of excellence have not been eroded by affirmative action policies.⁴¹

As we should expect, *The Closing of the American Mind* can be read coherently only as a Straussian text, its superficial meaning veiling a deeper message.* It has obvious parallels in subject matter, and even in its ordering, with Plato’s *Republic*. Here, as with Plato, the treatment of sexual relations and the family is of critical importance in unlocking the author’s real meaning. Bloom does not take the risk, as he thinks Plato does, of “joking” about how women can be equal. Perhaps he fears that—as he thinks Plato was until the Straussian interpretation, and still is by most of us—he will be misread as meaning what he says. Instead, Bloom thinks he has shown that the equality of women would be impossible, ridiculous, unnatural, and socially devastating. By liberal democratic standards, then, a fundamental injustice must remain at the very foundation of the society. But this, more clearly than anything else, must show that all the other pretensions to human equality are equally doomed, the whole egalitarian enterprise of modernity misguided, and aristocracy vindicated.

For those of us who *are* still attached to democracy, to an egalitarian liberalism, and to feminism, Bloom’s conclusions need hold no fearful portents. For the egalitarian family is not an absurd impossibility, but rather a necessary component of the society that we want to build. The things that make traditional families unjust are not matters of natural necessity, as reactionaries like Bloom would like to have us believe. There is surely nothing in our natures that requires men not to be equal participants in the rearing of their children. Bloom says they won’t do it because they are naturally selfish. Even if he were right, which I very strongly doubt, since when did we shape public policy around people’s faults? Our laws do not allow kleptomaniacs to shoplift, or those with a predilection for rape to rape. Why, then, should we allow fathers who refuse to share in the care of their children to abdicate their responsibilities? Why should we allow the

*This method of political philosophizing originated with the work of Leo Strauss, who taught at the University of Chicago in the post-World War II years. The method depends heavily on the belief that all the great books of Western philosophy are written with two levels of meaning, one of which is easily accessible, the other—almost always containing a highly inegalitarian message—accessible only to the learned few, the “men of excellence.” Not surprisingly, there are few female or black Straussians.

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continuance of the peculiar contract that marriage has become, in which legal equality is assumed but actual inequality persists because women, whether or not they work for wages, are considerably hampered in developing skills or economic security, being caught up in doing the great bulk of the family's unpaid work? Why should we allow an injustice that is clearly harming large numbers of children, as well as women, to persist at the foundation of our political order?