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Boekbespreking van: Sex and Social Justice

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less restrictive aggregation rule, e.g., majority voting, or accepting abstinence as a sign of collegial non-interference. These are presented in terms of a three-stage process tree with hypothetical probabilities per branch, branching out from immediate initial unanimity, via lack of consensus to secondary unanimity, and eventually to majority decision or postponement. Also in this context, the impact of three types of participants is analysed (key ministers, ministers and experts), confirming the expected prominent role of key ministers in generating options, considering consequences and managing disagreement. In the case of disagreement, the mode of decision-making changed, as would be expected from the case studies, from analytic to cybernetic. The summary at the end raises questions of comparability with other countries, referring to norms in the United Kingdom, France, Germany and Belgium.

Together these two books give an excellent survey of an innovative approach to text analysis of documentary data on government decision-making. Their competent methodology involves a creative adaptation of state-of-the-art methods of text and content analysis in political communications research. Their concepts and techniques enable the combination of qualitative case studies with quantitative analysis, and the study of the lines of individual argumentation as well as those of the collective discourse. Both lines can be followed in the form of rigorously, yet flexibly patterned narratives about participation in and development of historical decision processes. For these reasons, it is regrettable that the stories were not brought to life by using the names of the various historical dramatis personae involved. The reader therefore has to substitute the names from his own memory, as was done occasionally above. The chapters on the Cuban missile crisis, where the names are given, are therefore the most fascinating ones in the two books.

Robert J. Mokken

Martha C. Nussbaum, *Sex & Social Justice*. Oxford University Press, New York 1999, ISBN 0195110323, £ 25.00

At first sight, *Sex & Social Justice* looks more like a collection of papers covering a wide range of topics than a book addressing a specific theme. This probably arises from the fact that formally this publication is mainly a collection of earlier published articles, though all of them have been rewritten for it. There are chapters on such diverse issues as women and the capability approach, American feminism, religion and women's human rights, the writings of Andrea Dworkin and Virginia Woolf, the discrimination of lesbians and gays in the USA, female genital mutilation, prostitution, sexual objectification, the social construction of emotions and sexual desires, the feminist critique of liberalism, ancient Greeks and homosexuality, and reviews of books by Kenneth Dover and Richard Posner. Some chapters appear to be written for feminists, others

for scholars in ancient philosophy, still others for legal theorists or scholars in English literature. Fortunately, this apparent heterogeneity is structured by the two parts of the book, 'Justice' and 'Sex'. Furthermore, the introduction explains the common themes in the fifteen chapters: feminism and gender justice, justice for lesbians and gays, and moral issues connected to the sexual domain of life. The introduction also makes clear how these three themes are interrelated. Moreover, it is argued that political philosophy focussing on these themes can gain from two methodological features used throughout the book. First, much of the analysis is influenced by writings of Aristotle, the Stoics, Kant and Mill. Second, Nussbaum has used empirical research of the social sciences as well as examples and insights taken from literature "for an understanding of phenomena deeper than that offered by the philosophers" (p. 25).

The seven chapters in *Justice* defend a liberal and humanist concept of justice, where respect for the dignity of every human being should be the central focus. For Nussbaum, this concept of justice corresponds with her own conception of feminism. This feminism has five salient features: it is internationalist, humanist, liberal, concerned with the social shaping of preferences and desire, and with sympathetic understanding (p. 6). The topics covered in the first seven chapters provide ample opportunity for Nussbaum to defend this kind of feminism.

I found three chapters of this first part particularly interesting. In the chapter 'The Feminist Critique of Liberalism', Nussbaum analyses the arguments of feminists who claim that liberalism is totally inadequate to reach gender equality. She shows that these critiques usually narrow down liberalism, but that liberalism of a specific kind is fully compatible with feminist concerns. However, Nussbaum also argues that "the feminist critique proves important in choosing among these [different kinds of liberalism] because feminism shows defects in some forms of liberalism that continue to be influential" (p. 57).

In the chapter 'Judging Other Cultures: The Case of Genital Mutilation', Nussbaum analyses the typical objections to the feminist denunciations of female genital mutilation. As in other chapters of this book, she stresses the need to recognize the internal plurality and diversity of cultures. She argues strongly against cultural relativism, but advocates a universalist account of justice. At the same time, she stresses that this qualified universalism does not have to be 'Western' or insensitive to context.

The chapter 'A Defense of Lesbian and Gay Rights' gives an overview of the discrimination of lesbian and gays in the USA. According to Nussbaum, only rational arguments can help to resolve the controversy around equality for gays and lesbians. She discusses the legal situation and political practice, and illustrates with several cases the irrationality and inconsistency of American laws and politics regarding gays and lesbians.

The second part of the book, called 'Sex', focuses on issues about sexuality. These chapters are in general more descriptive and have less of a normative character compared with the first part of the book. Nussbaum looks at several concepts in detail, and uses this analysis to question or judge common societal beliefs and practices.

For example, in 'Objectification', she argues that the claim of Andrea Dworkin and

Catharine MacKinnon that pornography is bad because it leads to an objectification of women, does not fully survive critical analysis. Nussbaum shows that the term 'objectification' involves seven different notions, and that some of them are morally more problematic than others. Similarly, in 'Whether from Reason or Prejudice: Taking Money for Bodily Services', a chapter on the stigmatization of prostitution, Nussbaum compares the characteristics of prostitution with those of other professions. She shows that the genuinely problematic elements of prostitution are common in several professions typically performed by poor working women. Her comparison and analysis support her claim that the stigma traditionally attached to prostitution is based on beliefs that are mostly indefensible rationally. She also analyses the common arguments made in favour of the criminalization of voluntary adult prostitution.

Other chapters in this part show how knowledge of the ancient Greek norms regarding sexuality can be highly relevant for current debates around sexual norms and morality. For example, the binary distinction between heterosexuality and homosexuality was absent in the ancient Greek society. Certain sexual practices that nowadays would be labelled 'homosexual sexual activities' were, generally speaking, a normal and uncontested experience for Greek male citizens. Throughout the chapters dealing with homosexuality and politics in the USA, Nussbaum stresses the ignorance of American judges: "Prejudice, a lack of curiosity, flawed logic: all these are depressingly common when judges confront the complexities of sex" (p. 343).

Sex & Social Justice is an important book for everyone interested in gender and feminism, sexuality or justice. Martha Nussbaum has an exceptional talent for carrying out a thorough and systematic analysis of societal beliefs, politics and judgements. She questions whether these beliefs and judgements are rational and consistent, and whether they are supported by empirical analysis. Nussbaum also uncovers the underlying moral norms of those beliefs. To do this, she uses a variety of techniques, often borrowing from the social sciences, making historical comparisons and taking examples from literature and the arts. In this way, she gives us some of the best of analytical philosophy, while at the same time showing how interdisciplinary thought and reflection can be done at a high quality level.

In this light my two remarks on this book are more questions than critiques. First, in the chapter 'Women and Cultural Universals' Nussbaum defends the capability approach as a concept of the good, used to make normative judgements on justice and equality questions. More and more philosophers and social scientists are convinced of the usefulness of the capability approach to conduct normative analysis regarding material inequalities. But in my opinion, too many scholars are praising the capability approach in an empirical and practical vacuum. I think the discussion around capabilities has come to a point where the way forward is gaining more insights through applications and case studies, as well as figuring out its possibilities and constraints for quantitative analysis. Nussbaum certainly makes an important contribution here, when she specifies her revised list of 'central human functional capabilities' (p. 41-42), which should be central to public policy. However, it might be

interesting to look through a capability lens at the topics discussed in some of the other chapters, especially in the second part of the book. Such an exercise would give more insights into how strong the capability approach is as a framework for normative analysis, not only for the lives of people in poor countries, but also for people in the Western countries who live, at least on average, in material affluence.

My second question concerns Nussbaum's attack on postmodernism. In all of her writings, Nussbaum is very firm regarding the things she believes in. For example, she convincingly argues against cultural relativism and defends a qualified kind of universalism. Similarly, she forcefully defends her liberal humanistic account of feminism. I consider this a strong position, and in several chapters she shows how her detailed arguments guide her to a rational and balanced ethical judgement. However, at the same time she dismisses postmodernism on the grounds that it would be 'irrational' (p. 7). Nussbaum's position seems to be that rational and well-reflected ethical judgements are necessary (with which I fully agree) and that postmodernism is not able to fulfil this task. This is a strong claim. I wonder whether at this point Nussbaum is not making the same mistake of which she accuses the anti-liberal feminists in her chapter 'The Feminist Critique on Liberalism'. Those anti-liberal feminists narrow down liberalism to one particular version, which is indeed difficult to defend from a feminist perspective. Nussbaum could be seen to be doing something similar with her attack on postmodernism: she narrows down postmodernism to one particular obscure version, incapable of guiding our ethical judgements. Furthermore, she seems to lump postmodern and poststructural theories together without acknowledging their differences. There is enough good work containing ethical judgements by feminists and other scholars who consider themselves postmodernists or poststructuralists to realize that this oversimplification is wrong. It would be interesting to see Nussbaum's strong analytical capacities applied to her claims on postmodernism. As she has done so skillfully for many topics in *Sex & Social Justice*, such an exercise would at least show to what extent her condemnation of postmodernism or poststructuralism is based on moral judgements, and to what extent it is rationally defensible.

On the whole, *Sex & Social Justice* is a very interesting and well-argued book. For readers interested in feminism, sexuality or justice, this book is good reading.

Ingrid Robeyns

Frederic C. Schaffer, *Democracy in Translation: Understanding Politics in an Unfamiliar Culture*, Wilder House Series in Politics, History and Culture, Cornell University Press, 1998, ISBN 0801433983, \$39.95.

A few years ago, I conducted field research in Senegal. When it was raining, it was impossible to visit the NGOs I was studying, as the roads became impassable due to mud. On such a rainy day, the only occupation was to drink tea in a small restaurant.