THE CONTEMPORARY AMERICAN PHILOSOPHER James Sterba examines the nature and meaning of a gender-free society, and how an adequate understanding of such a society can illuminate an adequate conception of justice. Sterba examines the feminist view of justice, which says that in order to have justice in society and end male domination of women, there must be a gender-free or androgynous society. Such a society will provide a fair foundation for a just and equal assignment of rights and duties. One of the issues regarding justice and gender involves trying to understand what is meant by a gender-free society. According to Sterba, this means a society where duties and rights are not assigned on the basis of one’s biological sex. In other words, we should not use the descriptive biological facts of being a male or a female as a basis for determining who gets what in society. To use this is to discriminate on the basis of sex. The basic idea here is that sex is not an acceptable qualitative basis for discrimination and assignment of rights and duties. This is the idea which motivates the feminist ideal of androgyny and a gender-free society, which may be understood in two different ways.

The first way of understanding androgyny involves seeing the ideal person as one who incorporates together many of the characteristics attributed to both men and women, such as nurturing, mastery, openness, objectivity, compassion, and competitiveness. The second view of androgyny specifies that all opportunities and characteristics be equally available to all people irrespective of biological sex. In other words, we should not exclude anyone from achieving any goal or acquiring any ability simply because certain goals and abilities are stereotyped to be for either men or women. Sterba rejects the sharp distinction between these two views of androgyny. He argues that these views are two different ways of seeing the same ideal. He formulates a hybrid view of androgyny to involve the idea that both men and women are considered as capable of acquiring all truly desirable—masculine and feminine—traits and virtues in society. However, the problem is that of determining which traits are to be considered desirable virtues and which are to be considered matters of personal preferences and style, without relying
on sexual stereotypes, which ideal androgyny tries to eliminate. This problem may be confronted by considering virtuous traits to be those which are considered inherently desirable. And we can understand the achievement of such an ideal in terms of achieving a proper balance between desirable masculine and feminine traits.

The idea here is that in order to build a better society, we must rely on the facts we now know that are described in terms of feminine and masculine character traits. The idea of ideal androgyny allows us to go from these facts to creating a situation where we do not denigrate feminine traits and do not exalt masculine traits. Rather, it seeks to broaden the set of virtues to include a combination of both feminine and masculine desirable traits. This will allow people to be socialized so that they can achieve that they have a natural ability for, what they choose, and what is rationally expected, as opposed to being excluded from achieving certain goals or traits simply because they are designated as masculine or feminine. Some argue that natural abilities are conceived in terms of sexual differences and that these will affect what are considered to be desirable traits. In which case, the idea of a gender-free society will vary with societies and depends on the traits that are considered desirable in a particular society. Sterba argues that we can defend an ideally androgynous society by drawing on a democratic liberal view of justice. This view focuses on the right to equal opportunity, which specifies that people who are qualified should have equal opportunity and legal rights of access to any position in society. He suggests that one’s ability to have equal opportunity is enhanced if a society achieves the goal of ideal androgyny both in the public realm (employment) and private realm (family). If such an ideal does not exist, then women are likely to be discriminated against in education, employment, and personal relations.

Sterba argues that the socialist conception of justice may also provide a basis for supporting ideal androgyny. This socialist view requires equal rights of self-development. This ideal can be achieved in current capitalist society, according to this view, if the means of production are socialized to avoid capitalist exploitation such that people’s basic and nonbasic needs are satisfied. However, the ideal of androgyny seems to transcend these views in requiring that virtues be reasonably expected of both sexes and all desirable traits be equally available to all sexes. It would support welfare rights; such rights are needed to meet people’s basic needs. But it is also sometimes necessary for society to satisfy more than one’s basic needs. So, ideal androgyny also requires virtues beyond what is needed to sustain rights to equal oppor-
tunity and self-development—although equality in this regard may be considered the basis for fairly ascribing rights. Some radical feminists suggest more radical ways of bringing about equality and ideal androgyny. They require radical technological transformations of human biology so that men can perform women’s biological functions. These transformations may be costly because they have to be made equally available to all. Sterba does not object to such transformations if they are cost efficient. He also suggests that ideal androgyny, which may be seen in a substantive way in terms of equal opportunity, must be reflected in the family structure. This will give equal opportunities for children to be raised in a just family structure, to enable them to have equal opportunity to acquire the virtues associated with ideal androgyny, and to develop an adequate sense of justice.

As you read Sterba, consider and reflect on the following questions: What does Sterba mean by ideal androgyny? What can a society do to achieve ideal androgyny in the private and public realms? In what way does ideal androgyny reflect the ideal of justice, fairness, and equality? In what way do socialist and liberal views of justice support ideal androgyny? How do the requirements of ideal androgyny support welfare rights?

Contemporary feminists almost by definition seek to put an end to male domination and to secure women’s liberation. To achieve these goals, many feminists support the political ideal of a gender-free or androgynous society. According to these feminists, all assignments of rights and duties are ultimately to accord with the ideal of a gender-free or androgynous society. Since a conception of justice is usually thought to provide the ultimate grounds for the assignment of rights and duties, I refer to this ideal of a gender-free or androgynous society as “feminist justice.”

The Ideal of a Gender-Free or Androgynous Society

But how is this ideal of a gender-free or androgynous society to be interpreted? It is a society where basic rights and duties are not assigned on the basis of a person’s biological sex. Being male or female is not the grounds for determining what basic rights and duties a person has in a gender-free society. But this is to characterize the feminist ideal only negatively. It tells

us what we need to get rid of, not what we need to put in its place. A more positive characterization is provided by the ideal of androgyny. Putting the ideal of feminist justice more positively in terms of the ideal of androgyny also helps to bring out why men should be attracted to feminist justice.

In a well-known article, Joyce Trebilcot distinguishes two forms of androgyny. The first postulates the same ideal for everyone. According to this form of androgyny, the ideal person “combines characteristics usually attributed to men with characteristics usually attributed to women.” Thus, we should expect both nurturance and mastery, openness and objectivity, compassion and competitiveness from each and every person who has the capacities for these traits.

By contrast, the second form of androgyny does not advocate the same ideal for everyone but rather a variety of options from “pure” femininity to “pure” masculinity. As Trebilcot points out, this form of androgyny shares with the first the view that biological sex should not be the basis for determining the appropriateness of gender characterization. It differs in that it holds that “all alternatives with respect to gender should be equally available to and equally approved for everyone, regardless of sex.”

It would be a mistake, however, to distinguish sharply between these two forms of androgyny. Properly understood, they are simply two different facets of a single ideal. For, as Mary Ann Warren has argued, the second form of androgyny is appropriate only “with respect to feminine and masculine traits which are largely matters of personal style and preference and which have little direct moral significance.” However, when we consider so-called feminine and masculine virtues, it is the first form of androgyny that is required, because then, other things being equal, the same virtues are appropriate for everyone.

We can even formulate the ideal of androgyny more abstractly so that it is no longer specified in terms of so-called feminine and masculine traits. We can specify the ideal as requiring no more than that the traits that are truly desirable in society be equally open to both women and men or, in the case of virtues, equally expected of both women and men, other things being equal.

There is a problem, of course, in determining which traits of character are virtues and which are largely matters of personal style and preference. To make this determination, Trebilcot has suggested that we seek to bring about the second form of androgyny, where people have the option of acquiring the full range of so-called feminine and masculine traits. But surely when we
already have good grounds for thinking that such traits as courage and compassion, fairness and openness are virtues, there is no reason to adopt a laissez-faire approach to moral education.

So understood, the class of virtues will turn out to be those desirable traits which can be reasonably expected of both women and men. Admittedly, this is a restrictive use of the term “virtue.” In normal usage, “virtue” is almost synonymous with “desirable trait.” But there is good reason to focus on those desirable traits that can be reasonably expected of both women and men, and for present purposes I will refer to this class of desirable traits as virtues.

Unfortunately, many of the challenges to the ideal of androgyny fail to appreciate how the ideal can be interpreted to combine a required set of virtues with equal choice from among other desirable traits. For example, some challenges interpret the ideal as attempting to achieve “a proper balance of moderation” among opposing feminine and masculine traits and then question whether traits such as feminine gullibility or masculine brutality could ever be combined with opposing gender traits to achieve such a balance. Other challenges interpret the ideal as permitting unrestricted choice of personal traits and then regard the possibility of Total Women and Hells Angels androgynes as a reductio ad absurdum of the idea. But once it is recognized that the ideal of androgyny cannot only be interpreted to require of everyone a set of virtues (which need not be a mean between opposing extreme traits) but can also be interpreted to limit everyone’s choice to desirable traits, then such challenges to the ideal clearly lose their force because they only work against objectionable interpretations of androgyny.

Actually, the main challenge raised by feminists to the ideal of androgyny is that the ideal is self-defeating in that it seeks to eliminate sexual stereotyping of human beings at the same time that it is formulated in terms of the very same stereotypical concepts it seeks to eliminate. Or, as Warren puts it, “Is it not at least mildly paradoxical to urge people to cultivate both ‘feminine’ and ‘masculine’ virtues, while at the same time holding that virtues ought not to be sexually stereotyped?”

One response to this challenge contends that to build a better society we must begin where we are now, and where we are now people still speak of feminine and masculine character traits. Consequently, if we want to refer easily to such traits and to formulate an ideal with respect to how these traits should be distributed in society, it is plausible to refer to them in the way that people presently refer to them, that is, as feminine or masculine traits.
Another response, which attempts to avoid misunderstanding altogether, is to formulate the ideal in the more abstract way I suggested earlier, so that it no longer specifically refers to so-called feminine or masculine traits. So formulated, the ideal requires that the traits that are truly desirable in society be equally open to both women and men or, in the case of virtues, be equally expected of both women and men. So characterized, the ideal of androgyny represents neither a revolt against so-called feminine virtues and traits nor their exaltation over so-called masculine virtues and traits. Accordingly, the ideal of androgyny does not view women’s liberation as simply the freeing of women from the confines of traditional roles, which makes it possible for them to develop in ways heretofore reserved for men. Nor does the ideal view women’s liberation as simply the reevaluation and glorification of so-called feminine activities such as housekeeping or mothering or so-called feminine modes of thinking as reflected in an ethic of caring. The first perspective ignores or devalues genuine virtues and desirable traits traditionally associated with women while the second ignores or devalues genuine virtues and desirable traits traditionally associated with men. In contrast, the ideal of androgyny seeks a broader-based ideal for both women and men that combines virtues and desirable traits traditionally associated with women with virtues and desirable traits traditionally associated with men. Nevertheless, the ideal of androgyny will clearly reject any so-called virtues or desirable traits traditionally associated with women or men that have been supportive of discrimination or oppression against women or men. In general, the ideal of androgyny substitutes a socialization based on natural ability, reasonable expectation, and choice for socialization based on sexual difference.

It also seems that those who claim that we cannot escape a gendered society are simply confused about what a gender-free society would be like; for they seem to agree with those who favor a gender-free or androgynous society that the assignments of roles in society should be based on (natural) ability, rational expectation, and choice. But what they also maintain is that some of these assignments will be based on sex as well, because some of the natural abilities that people possess will be determined by their sex. But even assuming this is the case, it wouldn’t show that society was gendered in the sense that its roles in society are based on sex rather than on (natural) ability, rational expectation, and choice. And this is the only sense of gendered society to which defenders of feminist justice would be objecting. So once the notion of a gender-free society is clarified, there should be widespread agreement that the assignments of roles in society should be
based on (natural) ability, rational expectation, and choice. The ideal of androgyny simply specifies this notion of a gender-free society a bit further by requiring that the traits that are truly desirable in society be equally open to (equally qualified) women and men or, in the case of virtues, equally expected of (equally capable) women and men.

Of course, insofar as natural abilities are a function of sexual difference, there will be differences in the desirable traits and virtues that women and men acquire, even in a gender-free or androgynous society. And some contend that these differences will be substantial. But given that we have been slow to implement the degree of equal opportunity required by the ideal of a gender-free or androgynous society, it is difficult to know what differences in desirable traits and virtues, if any, will emerge that are both sex-based and natural-ability-based. What we can be sure of is that given the variety and types of discrimination employed against women in existing societies, a gender-free or androgynous society will look quite different from the societies that we know.

DEFENSES OF ANDROGYNY

Now there are various contemporary defenses of the ideal of androgyny. Some feminists have attempted to derive the ideal from a Liberal Democratic Conception of Justice. Others have attempted to derive the ideal from a Socialist Conception of Justice. Let us briefly consider each of these defenses in turn.

In attempting to derive the ideal of androgyny from a Democratic Liberal Conception of Justice, feminists have tended to focus on the right to equal opportunity which is a central requirement of a Liberal Democratic Conception of Justice. Of course, equal opportunity could be interpreted minimally as providing people only with the same legal rights of access to all advantaged positions in society for which they are qualified. But this is not the interpretation given the right by liberal democrats. In a Liberal Democratic Conception of Justice, equal opportunity is interpreted to require in addition the same prospects for success for all those who are relevantly similar, where the relevant similarity involves more than simply present qualifications. For example, Rawls claims that persons in his original position would favor a right to “fair equality of opportunity,” which means that persons who have the same natural assets and the same willingness to use them would have the necessary resources to achieve similar life prospects. The point feminists have been making is simply that failure to achieve the
ideal of androgyny translates into a failure to guarantee equal opportunity to both women and men. The present evidence for this failure to provide equal opportunity is the discrimination that exists against women in education, employment and personal relations. . . .

Now the support for the ideal of androgyny provided by a Socialist Conception of Justice appears to be much more direct than that provided by a Liberal Democratic Conception of Justice. This is because the Socialist Conception of Justice and the ideal of androgyny can be interpreted as requiring the very same equal right of self-development. What a Socialist Conception of Justice purports to add to this interpretation of the ideal of androgyny is an understanding of how the ideal is best to be realized in contemporary capitalist societies. For according to advocates of this defense of androgyny, the ideal is best achieved by socializing the means of production and satisfying people’s nonbasic as well as their needs. Thus, the general idea behind this approach to realizing the ideal of androgyny is that a cure for capitalist exploitation will also be a cure for women’s oppression.

Yet despite attempts to identify the feminist ideal of androgyny with a right to equal opportunity endorsed by a Liberal Democratic Conception of Justice or an equal right of self-development endorsed by a Socialist Conception of Justice, the ideal still transcends both of these rights by requiring not only that desirable traits be equally available to both women and men but also that the same virtues be reasonably expected of both women and men. Of course, part of the rationale for reasonably expecting the same virtues in both women and men is to support such rights. And if support for such rights is to be fairly allocated, the virtues needed to support such rights must be reasonably expected of both women and men. Nevertheless, to hold that the virtues required to support a right to equal opportunity or an equal right to self-development must be reasonably expected of both women and men is different from claiming, as the ideal of androgyny does, that human virtues, sans phrase, should be reasonably expected of both women and men. Thus, the ideal of androgyny clearly requires an inculcation of virtues beyond what is necessary to support a right to equal opportunity or an equal right to self-development. What additional virtues are required by the ideal obviously depends upon what other rights should be recognized. In this regard, the ideal of androgyny is somewhat open-ended. Feminists who endorse the ideal would simply have to go along with the best arguments for additional rights and corresponding virtues. In particular, I would claim that they would have to support a right to welfare that is necessary for meeting the basic needs of
all legitimate claimants given the strong case that can be made for such a right from liberal democrat, socialist, and even libertarian perspectives.\(^{17}\)

Now, in order to provide all legitimate claimants with the resources necessary for meeting their basic needs, there obviously has to be a limit on the resources that will be available for each individual’s self-development, and this limit will definitely have an effect upon the implementation of the ideal of androgyny. Of course, some feminists would want to pursue various possible technological transformations of human biology in order to implement their ideal. For example, they would like to make it possible for women to inseminate other women and for men to lactate and even to bring fertilized ova to term. But bringing about such possibilities would be very costly indeed.\(^{18}\) Consequently, since the means selected for meeting basic needs must be provided to all legitimate claimants including distant peoples and future generations, it is unlikely that such costly means could ever be morally justified. Rather it seems preferable radically to equalize the opportunities that are conventionally provided to women and men and wait for such changes to ultimately have their effect on human biology as well. Of course, if any “technological fixes” for achieving androgyny should prove to be cost efficient as a means for meeting people’s basic needs, then obviously there would be every reason to utilize them.

Unfortunately, the commitment of a Feminist Conception of Justice to a right of equal opportunity raises still another problem for the view. For some philosophers have contended that equal opportunity is ultimately an incoherent goal. As Lloyd Thomas has put the charge, “We have a problem for those who advocate competitive equality of opportunity: the prizes won in the competitions of the first generation will tend to defeat the requirements of equality of opportunity for the next.”\(^{19}\) The only way to avoid this result, Thomas claims, “is by not permitting persons to be dependent for their self-development on others at all,” which obviously is a completely unacceptable solution.

But this is a problem, as Thomas points out, that exists for competitive opportunities. They are opportunities for which, even when each person does her best, there are considerably more losers than winners. With respect to such opportunities, the winners may well be able to place themselves and their children in an advantageous position with respect to subsequent competitions. But under a Liberal Democratic Conception of Justice, and presumably a Feminist Conception of Justice as well, most of the opportunities people have are not competitive opportunities at all, but rather noncompetitive opportunities to acquire the resources necessary for meeting their basic
needs. These are opportunities with respect to which virtually everyone who does her best can be a winner. Of course, some people who do not do their best may fail to satisfy their basic needs, and this failure may have negative consequences for their children’s prospects. But under a Liberal Democratic Conception of Justice, and presumably a Feminist Conception of Justice as well, every effort is required to ensure that each generation has the same opportunities to meet their basic needs, and as long as most of the opportunities that are available are of the noncompetitive sort, this goal should not be that difficult to achieve.

Now it might be objected that if all that will be accomplished under the proposed system of equal opportunity is, for the most part, the satisfaction of people’s basic needs, then that would not bring about the revolutionary change in the relationship between women and men that feminists are demanding. For don’t most women in technologically advanced societies already have their basic needs satisfied, despite the fact that they are not yet fully liberated?

In response, it should be emphasized that the concern of defenders of the ideal of androgyny is not just with women in technologically advanced societies. The ideal of androgyny is also applicable to women in Third World and developing societies, and in such societies it is clear that the basic needs of many women are not being met. Furthermore, it is just not the case that all the basic needs of most women in technologically advanced societies are being met. Most obviously, their basic needs of self-development are still not being met. This is because they are being denied an equal right to education, training, jobs and a variety of social roles for which they have the native capabilities. In effect, women in technologically advanced societies are still being treated as second-class persons, no matter how well-fed, well-clothed, well-housed they happen to be. This is why there must be a radical restructuring of social institutions even in technologically advanced societies if women’s basic needs for self-development are to be met.

**Androgyny and the Family**

Now the primary locus for the radical restructuring required by the ideal of androgyny is the family. Here two fundamental changes are needed. First, all children irrespective of their sex must be given the same type of upbringing consistent with their native capabilities. Second, mothers and fathers must also have the same opportunities for education and employment consistent with their native capabilities.
Surprisingly, however, some liberal democrats have viewed the existence of the family as imposing an acceptable limit on the right to equal opportunity. Rawls, for example, claims the principle of fair opportunity can be only imperfectly carried out, at least as long as the institution of the family exists. The extent to which natural capacities develop and reach fruition is affected by all kinds of social conditions and class attitudes. Even the willingness to make an effort, to try, and so to be deserving in the ordinary sense is itself dependent upon happy family and social circumstances. It is impossible in practice to secure equal chances of achievement and culture for those similarly endowed, and therefore we may want to adopt a principle which recognizes this fact and also mitigates the arbitrary effects of the natural lottery itself.20

Thus, according to Rawls, since different families will provide different opportunities for their children, the only way to fully achieve “fair equality of opportunity” would require us to go too far and abolish or radically modify traditional family structures.

Yet others have argued that the full attainment of equal opportunity requires that we go even further and equalize people’s native as well as their social assets.21 For only when everyone’s natural and social assets have been equalized would everyone have exactly the same chance as everyone else to attain the desirable social positions in society. Of course, feminists have no difficulty recognizing that there are moral limits to the pursuit of equal opportunity. Accordingly, feminists could grant that other than the possibility of special cases, such as sharing a surplus organ like a second kidney, it would be too much to ask people to sacrifice their native assets to achieve equal opportunity.

Rawls, however, proposes to limit the pursuit of equal opportunity still further by accepting the inequalities generated by families in any given sector of society, provided that there is still equal opportunity between the sectors or that the existing inequality of opportunity can be justified in terms of its benefit to those in the least-advantaged position.22 Nevertheless, what Rawls is concerned with here is simply the inequality of opportunity that exists between individuals owing to the fact that they come from different families. He fails to consider the inequality of opportunity that exists in traditional family structures, especially between adult members, in virtue of the different roles expected of women and men. When viewed from the original position, it seems clear that this latter inequality of opportunity is sufficient to require a radical modification of traditional family structures, even if the
former inequality, for the reasons Rawls suggests, does not require any such modifications.

Yet at least in the United States this need radically to modify traditional family structures to guarantee equal opportunity confronts a serious problem. Given that a significant proportion of the available jobs are at least 9-to-5, families with pre-school children require day care facilities if their adult members are to pursue their careers. Unfortunately, for many families such facilities are simply unavailable.

Families might try to meet this equal opportunity requirement by having one parent give up pursuing a career for a certain period of time and the other give up pursuing a career for a subsequent (equal) period of time. But there are problems here too. Some careers are difficult to interrupt for any significant period of time, while others never adequately reward latecomers. In addition, given the high rate of divorce and the inadequacies of most legally mandated child support, those who first sacrifice their careers may find themselves later faced with the impossible task of beginning or reviving their careers while continuing to be the primary caretaker of their children. Furthermore, there is considerable evidence that children will benefit more from equal rearing from both parents. So the option of having just one parent doing the child-rearing for any length of time is, other things being equal, not optimal.

It would seem, therefore, that to truly share child-rearing within the family what is needed is flexible (typically part-time) work schedules that also allow both parents to be together with their children for a significant period every day. Now some flexible job schedules have already been tried by various corporations. But if equal opportunity is to be a reality in our society, the option of flexible job schedules must be guaranteed to all those with pre-school children. Of course, to require employers to guarantee flexible job schedules to all those with pre-school children would place a significant restriction upon the rights of employers, and it may appear to move the practical requirements of Feminist Justice closer to those of Socialist Justice. But if the case for flexible job schedules is grounded on a right to equal opportunity then at least defenders of Liberal Democratic Justice will have no reason to object. This is clearly one place where Feminist Justice with its focus on equal opportunity within the family tends to drive Liberal Democratic Justice and Socialist Justice closer together in their practical requirements.
Recently, however, Christina Hoff Sommers has criticized feminist philosophers for being “against the family.” 26 Sommer’s main objection is that feminist philosophers have criticized traditional family structures without adequately justifying what they would put in its place. In this paper, I have tried to avoid any criticism of this sort by first articulating a defensible version of the feminist ideal of androgyny which can draw upon support from both Liberal Democratic and Socialist Conceptions of Justice and then by showing what demands this ideal would impose upon family structures. Since Sommers and other critics of the feminist ideal of androgyny also support a strong requirement of equal opportunity, it is difficult to see how they can consistently do so while denying the radical implications of that requirement (and the ideal of androgyny that underlies it) for traditional family structures. 27

\textbf{Endnotes}


5 On this point, see Edmund Pincoffs, Quandaries and Virtues (Lawrence: University of Kansas, 1986), Chapter 5.

6 Of course, I cannot provide a full account of how these virtues are to be justifiably inculcated, although I will make some specific recommendations later in this chapter.


8 See, for example, Mary Daly, Gyn-Ecology: The Meta-Ethics of Radical Feminism, p. xi.


10 For a valuable discussion and critique of these two viewpoints, see Iris Young, “Humanism, Gynocentrism and Feminist Politics,” Women’s Studies International Forum (1985) Vol. 8, pp. 173–183.


12 Moreover, given that the basic rights that we have in society, such as a right to equal opportunity and a right to welfare, are equal for all citizens and are not based on our differing natural abilities, these rights are not even in this derivative sense based on one’s sex.


27 In “The Equal Obligation of Mothers and Fathers,” in *Having Children*, ed. Onora O’Neill and William Ruddick (New York: Oxford University Press, 1979), pp. 227–40, Virginia Held approaches the problem of what should be the relationship of parents to child-rearing by first assuming that both parents have an equal obligation to contribute to the rearing of their children and then seeking to determine what that equal obligation requires. She determines that parents have an obligation to exert an equal effort in contributing what their children need. As far as I can tell, Held’s results about what parents owe their children complement my results about what parents ought to have coming to them in rearing their children, namely, day care facilities and/or flexible job schedules sufficient to maintain equal opportunity.