

# LIMITED RELEVANCE. WHAT FEMINISTS CAN LEARN FROM THE EASTERN EXPERIENCE

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## Abstract

The ethics of care, and especially the way in which it relates to theories of justice, has been one of the major streams in feminist ethics and political theory over the last decades. While the initial focus was on the conflicts between care and justice, recent theories argue in favor of understanding justice and care as complementary, and not opposing values.

The present paper reconstructs the reasoning behind (Western) feminist arguments that present justice and care as harmonious values. While I believe this reasoning is valid, and indeed very relevant for the 'Western' – political realities, I also explore the question why its conclusions can not be easily embraced by 'us' in the 'East'. I argue that, due to the frail and ever-changing nature of Romania's public institutions, people often find themselves in situations that force them to choose between reasons of care and reasons of justice.

## Introduction

This paper looks at the question of how political theory recently produced by Western feminists<sup>1</sup> is relevant for an Eastern European society like the Romanian one. More specifically, I shall focus on the issue of care and its relationship with justice, an issue which has been at the core of much ethical and political debate for a long time.

In the past years several feminist authors have brought persuasive arguments in favor of an understanding of justice that includes care as one of the primary goods that any community has the duty to distribute fairly among its members. Our institutions – the argument goes – should be shaped so that the burden of care-taking is not left exclusively on the shoulders of women, as it traditionally was, either as unpaid domestic work or as low-paid work on the market.

Some of the institutions advocated by Western feminists – such as day-care for children, free public education and state-organized and subsidized health services - did exist in communist Romania and some of them survived the changes of the past fifteen years. At a first glance, it would seem that we are in a better position to harmonize justice and care at the institutional level. However, I shall argue that, due to the institutional failure and the pervasiveness of informal unjust practices, people in contemporary Romania often face genuine dilemmas between care and justice. The case study I propose as an example of such a conflict is the practice of private tuition (in Romanian: 'meditatii') which runs parallel to the official educational process.

## Integrating care and justice: 'Western' theory

When the ethics of care started to take shape a few decades ago, care was generally seen as a value – or a set of values - opposed to justice. Care, presented by some as a feminist value and by others as a merely feminine one, is associated with compassion, emotional involvement, interest in one's particular circumstances and responsiveness

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<sup>1</sup> I am thinking mainly of feminists from Great Britain and the United States.

to concrete needs. The values traditionally associated with justice - like impartiality, equality of resources and opportunity, fairness and focus on institutional structure - seemed to contradict the partiality of care and its emphasis on private relationships. Justice requires us to treat everybody according to the same standards, to treat friends in the same way as strangers, while an ethics of care praises mostly those acts done out of love and commitment for those who are near and dear. The main danger associated with care was the exclusion of those who do not belong to the circle of one's close family or friends, and so entailing parochialism and corruption – both being deeply unjust practices. How could the two values be reconciled, then? At best, the ethics of care was seen by mainstream political philosophers as fit for the realm of the private sphere while justice was supposed to shape the public domain of institutional and political life<sup>2</sup>.

One of the important achievements of the long-lasting debate around the relationship between care and justice was the emerging agreement that both values are important in the public as well as in the private sphere, and that what we may want is a theory capable of integrating them, by placing the emphasis on the way in which they complement each other rather than on the sources of their conflict. Firstly, care need not be seen as opposing justice, because one of the requirements of an ethics of care properly understood is care for strangers<sup>3</sup>. This type of care can supply the same goods that an ethics of justice does: the recognition of the strangers' needs and interests and, consequently, moral and political commitment to their welfare.

Secondly, and maybe more important, feminists started to pay close attention to care as a necessary condition for a just society. They argued that one cannot hope to have the good-enough citizens needed to support a just society unless such citizens have first been nurtured – which is raised, educated and socialized – in caring families<sup>4</sup>. Moreover, since all of us go, at times, through periods of partial or total dependency (during illness, pregnancy, frail old age) and some lead their entire lives as dependents (like people with severe disabilities) the care of some individuals is needed in order to support any social structure<sup>5</sup>. The more attention is paid to care as a precondition for social life, the more it becomes obvious that care is a primary social good, whose distribution is a matter of justice.

In the remaining of the present section I shall present the argument – in a nutshell – made by two feminist philosophers concerning the need to include care among the things we have to distribute justly. Both philosophers come from the 'West' and their writings reflect the political experience of their respective countries: one of them, Diemut Bubeck, is of German origins (but has spent a considerable amount of time in England) while the second, Eva Feder Kittay, is a US citizen.

The structure of the argument, which is common to Bubeck and Kittay, is the following:

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<sup>2</sup> Brian Barry, *Justice as Impartiality* (Oxford: Clarendon Press, 1995).

<sup>3</sup> See Michael Slote, "Caring in the Balance," in J. Haber and M. Halfon, eds., *Norms and Values* (Lanham, Boulder etc.: Rowman and Littlefield Publishers, Inc., 1998), 27-35, and Michael Slote, *Morals from Motives* (Oxford: Oxford University Press, 2001). Slote argues that the ethics of care commands a balanced way of caring for the near and dear, for strangers as well as for oneself.

<sup>4</sup> See Susan Moller Okin, "Reason and Feeling in Thinking about Justice," *Ethics* 99 (No. 2/ 1989): 229-49 and Annette C. Baier, *Moral Prejudices: Essays on Ethics* (Harvard: Harvard University Press, 1994).

<sup>5</sup> See Martha Nussbaum, *Beyond the Social Contract: Toward Global Justice. Tanner Lectures in Human Values* (Harvard University Press, 2004).

1. Justice requires a fair distribution of the burdens and benefits of social life<sup>6</sup>.
  2. Care is a necessary ingredient for the survival of any political community – we cannot do without it (i.e. someone has to do it)<sup>7</sup>.
  3. Care is, to some extent, a burden – i.e. it represents one of the costs of social life.
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4. Therefore we need to achieve a just distribution of care-giving in society.
  5. Care has traditionally been the responsibility of women - both in the household and on the market (the caring occupations are feminized).
  6. As both Bubeck and Joan Tronto convincingly argued, care work has traditionally been given very little social recognition. As a form of domestic work it is unpaid and looked down on as not ‘proper work’. As a form of work on the market, care is under-paid<sup>8</sup>.
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7. Therefore, the present structures of care-giving are over-burdening women, who receive neither economic recognition, nor social respect for their care.
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8. Therefore, we have to change the present structures of care-giving to make sure everyone is doing her/his fair share of caring.

The common conclusion reached independently by Bubeck and Kittay leads them to suggest ways of redistributing care in a just way. Here the two depart; Bubeck presents care as a citizen’s duty and her proposal is to create a state-run civil service of care-giving, which would be similar to, or even replace, the military service. This would mean that each citizen of a given community works for a couple of years – typically in one’s youth – as a care-taker in one of the institutions which provide care (hospitals, day-care centers, homes for the elderly and so on).

In turn, Kittay proposes to include care on the list of Rawlsian primary goods, which would provide a solid justificatory basis for a state-run welfare system. By supporting individual care-takers, paid or unpaid, through economic incentives, a political community would give due recognition both to care and to those people who most often provide it.

In Bubeck’s, as well as in Kittay’s theory care is a matter of justice and therefore its management is a question of public interest. Far from being at odds, the values of justice and care need each other and therefore the ethics of care and the ethics of justice are construed as complementary.

### The conflict between care and justice: ‘Eastern’ experience

With this theoretical framework in mind, let us now briefly consider the situation in Romania. At a first glance, there are at least two reasons to think that justice and care have a chance to work successfully together in Romania.

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<sup>6</sup> John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).

<sup>7</sup> As argued by works as diverse as Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988), Okin, “Reason and Feeling” and Baier, *Moral Prejudices*.

<sup>8</sup> See Diemut Bubeck, *Care, Gender, and Justice* (Oxford: Clarendon Press, 1995) and Joan Tronto, *Moral Boundaries: A Political Argument for an Ethic of Care* (New York: Routledge, 1993).

Firstly, we inherited from the communist regime a massive welfare state whose institutions were supposed to do the job of redistributing care in society, providing free education, health services, support for the elderly and for parents of small children on a large scale.

Secondly, in a society whose political order has undergone deep transformations and whose institutions are re-shaped and re-defined, ideally there should be ample opportunity for advocating an understanding of justice compatible with care. If care and justice are indeed politically complementary values, this may be the moment for us – feminists in the East - to make a public statement about the need they have for each other.

Unlike the United States, for example, we did not inherit a libertarian public understanding of justice that reserves a minimal role for the state. And, unlike most countries in Western Europe, we - in the East - do not have to build from scratch the infrastructure needed to support a welfare system. Or so it seems.

All this would probably be good news for Romanian feminists, who may think they do not need to fight the same battles as their colleagues in the West in order to dislocate a market-oriented, feminist-unfriendly understanding of justice. However, the situation is not as simple as it may look at the above-mentioned first glance and it is far more sobering. In nowadays Romania, both feminists and non-feminists have good reasons to mistrust the state and its institutions. I shall not discuss here why the welfare state, as we inherited it from the communist regime, is rather contrary to the interests of most women. This is a big and complex subject that has started to receive due attention in scholarly literature.<sup>9</sup>

The point I want to make is a much more modest one – namely that in Romania the malfunctioning of inherited institutions, paired with our justifiably low trust in them, gives rise, in the very process of establishing just institutions, to many dilemmas between care and justice.

So why does the model advanced by Western feminists – of justice and care working in harmony - raise serious problems under the conditions of imperfect institutions? I shall argue by means of analyzing concrete situations, and I shall discuss only one example here, taken from the field of education: the private tuition system. By ‘the private tuition system’ I mean what in Romanian is called ‘*meditatii*’. It represents an informal practice, which took mass proportions from the eighties onwards, of sending one’s children to get extra educational training in addition to what they usually get at school. This training is offered by school teachers, and often by university professors, and it is mainly meant to help the pupil to pass the many exams one has to pass in the Romanian educational system in order to gain entry to high-school or to university.

There may, of course, be many justifications for the private tuition system: It offers access to some supplementary education, which nobody should, be in principle, prevented from getting. It provides an extra source of income to teachers who, under the current economic conditions, face serious economic hardship. It may even provide an opportunity to teachers to train their pedagogical skills, because it puts them in one-to-one teaching situations (or in small-groups arrangements) which are so different from – and pedagogically so much better than - the mass education one finds in most schools. However, the arguments against it seem to be even stronger: it perpetuates a vitiated system of evaluation in education (based on the candidate’s

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<sup>9</sup> See Vladimir Pasti, *Ultima inegalitate. Relatiile de gen în România* (Iasi: Polirom, 2003) and Mihaela Miroiu, *Drumul catre autonomie* (Iasi: Polirom, 2004).

ability to memorize unnecessary information), it distorts the relationship between the pupil and the private teacher, it decreases the quality of teaching in schools, it introduces a generalized attitude of duplicity (both pupils and teachers know that the ‘real stuff’ is what goes on in the private tuition context, rather than in school)<sup>10</sup>. But, most important, it is deeply unjust, both procedurally (because it imposes a double standard of examination, where one has to know the subjects studied in school as well as what is provided in terms of ‘clues’ via the private tuition) and substantially (because those who do not have the means to pay for it are excluded). To draw the line, the main argument against this informal practice comes from justice: it represents a serious attack on the ideal of equal chances which officially informs the educational policies in Romania.

But what should a parent whose child is about to face important exams do? No matter how evil the system is judged to be, one can argue that there is always a reason of care – maybe even a duty of care – which justifies any given parent, who has the means, to provide his or her child with the extra-training. On the other hand, by sending one’s children through the private tuition system one encourages, and to some extent legitimizes it, thus contributing to the exclusion of those who cannot or do not want to be part of it.

How would a person whose ethics is informed by care deal with this situation? She would probably be strongly inclined to put up with the constraints of the given system and send her child to private tuition. How would someone respond who has at heart both the value of care and the value of distributive justice (as Bubeck and Kittay are)? To start with, such a person may be in a better position to recognize the situation as a genuine dilemma. Then, depending on whether the balance tips rather towards a commitment to justice or rather towards a caring commitment to the welfare of the child, she would either chose to boycott the system of private tuition or not. But, no matter what she chooses in the end, she would feel a deep uneasiness about her choice, to the extent to which she identifies each possible course of action as a violation of one of the two values.

This case of a moral dilemma we face between promoting justice or action on care is unfortunately not singular. There are many other situations, both public and private, and often on the borderline between the public and the private, when we have to decide whether we want to reinforce the vicious cycle of unjust practices. Each time we decide to bribe our way within the health system, for the sake of a friend’s life, or each time one accepts the unwritten and unjust rules of, say, an educational institution for the sake of one’s students – and the stream of examples may go on flowing – people have to decide between limiting the chances to bring about justice and compromising the needs of those they care for.

Life under the conditions of extremely frail institutions and/or pervasive unjust practices is more likely to prompt dilemmatic situations than life under the conditions of working institutions or under institutions which are highly responsive to the citizens’ political will and therefore open to criticism and change. Recent, as well as not so recent, literature on moral dilemmas sometimes advances the idea that one way to measure moral and political progress is by assessing how good institutions are at precluding the necessity of dramatic individual choices of this kind. Authors as

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<sup>10</sup> For the last three points, see Vlad Alexandrescu, Adrian-Paul Iliescu and Alexandra Niculescu, “Reforma ca ruptura radicala,” in *Educatia si Invatamântul – orizont 2015* (Bucuresti: Corint 2000), 22-49.

different from each other as Ruth Marcus<sup>11</sup> and Martha Nussbaum<sup>12</sup> argue, following Hegel, that, when faced with dilemmas, the rational response is to think how one can change the rules and institutions of one's society so that such dilemmas will be made impossible in the future.

The present paper certainly does not want to discard this suggestion; on the contrary, I believe that a sustained attempt to reform the educational system – for the discussed example – is the only way of avoiding the dilemma sketched above. A society whose institutions do not allow for the appearance of informal and unjust practices will always function as a regulative ideal. However, I want to draw attention to the limits of this approach and to raise the subsequent issue of the implications for the justice versus care debate. As Seyla Benhabib<sup>13</sup> once noted, all ethical and political thinking is utopian – and this includes feminist thinking as well – because it aims to come up with ideal models of human interaction. This observation pertains to the political models proposed by Bubeck and Kittay in order to integrate care and justice politically. However, the further the reality is from the ideal model (and in many respects Eastern European societies are further from it than Western ones) the bigger the potential conflict between care and justice becomes.

What one decides to do in the end when facing a moral dilemma will, of course, also depend on reasons other than the moral ones and it may finally be the case that, faced with genuine dilemmas, the chosen course of action is a matter of personal decision, beyond the scope of moral criticism.

## Conclusions

The main conclusion is that, for us in Romania, the price individuals have to pay in order to follow the requirements of justice is sometimes too high. Moreover, when people living under the constraints of highly imperfect institutions have to choose between boycotting deeply unjust practices – like in the case of the private tuition – and promoting the wellbeing of those who depend on them - in this case, their own children, the ethics of care occasionally collides with the requirements of justice.

Therefore, the old issue of care versus justice re-emerges, in the current political context in the East, as an issue of conflict rather than harmony between the two values. As long as a society's institutions, although far from perfect, are nevertheless fairly reliable and responsive to people's perceived needs, care and justice may indeed work together well, because institutional failure will be relatively quickly penalized and corrected. By contrast, in a society which does not allow for relatively quick institutional change we may have to live much longer with the conflict between the two. Under these conditions, much of the relevance of the Western theories about how care and justice can work together as political values may be limited to the political context within which they have been designed. Before we in the East reach the stage where political mechanisms are efficient instruments for shaping institutions which deal directly with care - such as the education or health systems – we may have to live with painful conflicts between the two.

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<sup>11</sup> Ruth Baron Marcus, "More About Moral Dilemmas," in H.E. Mason, ed., *Moral Dilemmas* (Oxford University Press, Oxford, 1996), 23-35.

<sup>12</sup> Martha Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (Cambridge: Cambridge University Press, 2001).

<sup>13</sup> See Seyla Benhabib, *Critique, Norm, and Utopia: a Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986).

## REFERENCES

- Alexandrescu, Vlad, Adrian-Paul Iiescu and Alexandra Niculescu, “Reforma ca ruptura radicala,” in *Educatia si Invatamântul – orizont 2015* (Bucuresti: Corint 2000), 22-49.
- Baier, Annette C., *Moral Prejudices: Essays on Ethics* (Harvard: Harvard University Press, 1994).
- Barry, Brian, *Justice as Impartiality* (Oxford: Clarendon Press, 1995).
- Benhabib, Seyla, *Critique, Norm, and Utopia: a Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986).
- Bubeck, Diemut, “A Feminist Approach to Citizenship,” in O. Hufton and Y. Kravaritou, eds., *Gender and the Use of Time* (The Hague: Kluwer Academic Publishers, 1999), 401-428.
- Bubeck, Diemut, *Care, Gender, and Justice* (Oxford: Clarendon Press, 1995).
- Kittay, Eva Feder, *Love's Labor: Essays on Women, Equality, and Dependency* (New York: Routledge, 1999).
- Marcus, Ruth Baron, H. E. Mason, “More About Moral Dilemmas,” in Marcus, Ruth Baron, H. E. Mason, eds., *Moral Dilemmas* (Oxford University Press, Oxford, 1996), 23-35.
- Miroiu, Mihaela, *Drumul catre autonomie* (Iasi: Polirom, 2004).
- Nussbaum, Martha, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (Cambridge: Cambridge University Press, 2001).
- Nussbaum, Martha, *Beyond the Social Contract: Toward Global Justice. Tanner Lectures in Human Values*, (Harvard University Press, forthcoming in 2004).
- Okin, Susan Moller, “Reason and Feeling in Thinking about Justice,” in Cass R. Sunstein, ed., *Feminism and Political Theory* (Chicago: University of Chicago Press, 1990), *Ethics* 99 (2/ 1989): 229-49.
- Pasti, Vladimir, *Ultima inegalitate. Relatiile de gen în România* (Iasi: Polirom, 2003).
- Pateman, Carole, *The Sexual Contract* (Stanford: Standford University Press, 1988).
- Rawls, John, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).
- Slote, Michael, “Caring in the Balance,” in J. Haber and M. Halfon, eds., *Norms and Values* (Lanham, Boulder etc.: Rowman and Littlefield Publishers, Inc., 1998), 27-35.

Slote, Michael, *Morals from Motives* (Oxford: Oxford University Press, 2001).

Tronto, Joan, *Moral Boundaries: A Political Argument for an Ethic of Care* (New York: Routledge, 1993).