

Gender and Moral Agency¹

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ABSTRACT

Rather than accept that either a justice perspective or a care perspective can be taken to every moral problem, I attempt to show that there are two fundamentally different but equally significant moral situations with which both women and men must contend. One type of situation involves those instances in which conflict must be adjudicated fairly. The other situation involves those instances in which welfare of sentient beings is at stake and adjudication is not necessary. If there are two responses which might be made to every moral problem, these responses might be better understood as a dutiful response and a direct response.

RESUME

Plutôt que d'accepter l'idée qu'une perspective judiciaire ou une perspective de bienveillance puisse résoudre tous les problèmes de morale, j'essaie de démontrer qu'il existe deux situations morales bien différentes, quoiqu'aussi importantes l'une que l'autre, auxquelles les hommes et les femmes peuvent être confrontés: dans certains cas, les conflits doivent être jugés équitablement, alors que dans d'autres, le salut d'êtres pensants est en jeu et aucun jugement n'est alors nécessaire. Il existe deux solutions à chaque problème moral, une solution guidée par le devoir et une solution directe.

In recent work Carol Gilligan claims that either a justice perspective or a care perspective can be taken to every moral problem.² I attempt to show instead that justice and care, or what I will refer to as benevolence,³ are appropriate for two fundamentally different but equally significant moral situations each of which require quite distinct moral responses. As I will show, it is not possible to take a justice perspective to a situation requiring benevolence, and it is inappropriate to take a benevolence perspective to a situation requiring justice. Gendered differences in responses to these fundamentally different moral situations may indicate that women tend to respond more readily to situations requiring benevolence and that men may tend to respond more readily to situations requiring justice or, as I will outline, gendered differences in moral response may be an indication that women tend to respond directly to those in either type of moral situation while men tend to respond to duty.

Those moral situations for which benevolence is appropriate are, for example, those in which others are injured, starved, homeless, distraught, lost, confused, tormented, and the like, or in which there is no suffering but welfare to sentient beings may be improved if they are enabled to flourish. In this type of moral situation, welfare of sentient beings is at stake. When a moral agent is confronted with this type of situation, a desire for the welfare of those in the situation is a desire to help, or, if one is not in a position to help, it is a desire that someone else helps. This desire for the welfare of sentient beings is a benevolent desire and a moral response to this type of situation is a benevolent response.

The other type of moral situation is one in which there is a conflict between sentient beings or sentient beings and a standard,⁴ the resolution of which requires adjudication so that those in the conflict are treated fairly. When a moral agent is confronted with this type of situation, a desire that those in the conflict are treated fairly is a desire to be fair if one is an adjudicator, or a desire that others are fair when they adjudicate. A desire for fair treatment is a just desire and a moral response to the situation is a just response.

Adjudication of a conflict may result in enhancement of welfare. Often, however, adjudication will result in diminished welfare for one or more in a conflict even though fair treatment is achieved. If, for example, a student is denied her university degree because her grades are not accurately recorded by the registrar's office, fair adjudication of the problem would result in her obtaining credit for the courses and being awarded her degree. This would also enhance her welfare.⁵ On the other hand, when two people conflict over a parking spot, fair adjudication may result in one person losing any claim to the parking spot. Both are treated fairly even though one may be inconvenienced as a result of having to look for another parking spot.

Contrary to Gilligan, it is not possible to take a justice perspective to every moral problem, and it is inappropriate to take a benevolence perspective to every moral problem. It is inappropriate for a benevolent desire to override a desire to adjudicate fairly in situations requiring justice because, although welfare of some might be

improved, this may be achieved at the expense of fairness. It is nonsensical to have a just desire override a benevolent desire in a situation in which there is no adjudication necessary. Unless there is some reason to believe that a sick person is not receiving attention commensurate to her illness, for example, there is no need to desire her fair treatment. Instead, one desires that she becomes well.

The Relationship of Duty to Benevolence and Justice

From time to time, a moral agent will be confronted with moral situations in which she or he does not desire the welfare or fair treatment of particular beings in particular moral situations. This may be because they are too remote, because there is something abhorrent about them (for example, child molesters), or simply because, in the particular situation, one has another desire which overrides a desire to treat others well or fairly. In these situations, one could, for example, put thoughts of starving people out of one's mind, let the child molester be lynched, or try to beat the rush hour traffic when someone has been injured on the street. One could attempt to override one's apathy, hatred, or conflicting desire by reminding oneself what it is about responding morally that one finds compelling and why it is compelling in that particular instance. This response is only indirectly focussed on those in a particular moral situation. Focus is, instead, on fulfilling a duty of benevolence or justice.⁶

What someone desires is both part of the description of that person's motivation and part of the description of her or his response. To desire that someone is treated well or fairly is to respond to that person and is, therefore, morally significant. Since a dutiful response only indirectly focuses on those in a moral situation, a moral response which requires reminding oneself of what is morally important is less morally significant than a direct response when it is possible to make a direct response. A promise kept because I have made it to someone who is counting on me, for example, has more moral significance than a promise kept because I want to fulfill a duty I recognize to keep promises. It is important to state again, however, that it is not possible directly to desire welfare and fair treatment of all sentient beings. (We could not possibly know all sentient beings as individuals and circumstance often makes direct desire difficult or impossible.) When it is not directly possible to desire others' welfare or fair treatment, to respond from duty is not less morally significant.

Moral Reasons and Moral Emotions

Based on what I have said about there being two fundamentally different moral situations to which a moral

agent may respond either directly or dutifully, it is possible to identify four distinct moral responses. There is the response in which one has a direct desire for others' welfare in situations not requiring adjudication; there is the response in which one has a desire to do one's duty in situations which do not require adjudication; there is the response in which one has a direct desire that those in a conflict are treated fairly; and finally, there is the response in which one has a desire to do one's duty in situations which involve a conflict.

These four moral responses can be further differentiated according to the role moral reasons and moral emotions play in each. I will outline these distinctions in order to make some comments about gendered differences in moral responses.

1. Moral Motivating Reasons

In order for a moral agent to respond to a moral situation, she or he must understand that a situation is one in which another's welfare or fair treatment is at stake. In order to respond morally to a moral situation, however, a moral agent must not only understand that a particular situation is a moral situation, she or he must desire that those in the moral situation are treated well or fairly. To be motivated to respond morally to a particular moral situation entails that one has beliefs about the context in which a response would be appropriate (including beliefs about what makes a particular situation a moral situation) and a desire to respond within this context. When a moral person is confronted with a situation which requires a benevolent response, the motivating reason to respond consists of understanding relevant beliefs associated with what makes the particular situation an instance in which welfare is at stake and a desire that the welfare of those in the situation is enhanced. When a moral person is confronted with a moral situation which requires a just response, the motivating reason to respond consists of understanding relevant beliefs associated with what makes the particular situation an instance in which fair adjudication is an issue and a desire that those in the conflict are treated fairly. An ability to respond to a moral motivating reason is a rational ability. In order to respond to someone who has fallen in the street, for example, one must be able to understand the concepts of harm and help and be able to see the situation as one in which someone is harmed. To have certain beliefs which are, in turn, composed of certain concepts, to appraise a situation in a certain way and to be able to respond to these beliefs and appraisals all make up the rational ability to respond to motivating reasons. Not only is it not necessary for someone to be able to articulate conditions of moral concepts or explain what

it is about a particular situation which motivates one's response, to do so at the time of a moral situation would interfere with a moral response. An agent's moral rationality is indicated when she or he responds to the person who has fallen.

1.1 Emotions and Moral Motivating Reasons

Emotionality is often contrasted with rationality and, because rationality is often thought to be central to moral agency, a perception that women's moral agency is distinguished by emotions is taken as an indication that women cannot be fully moral.⁷ If women do tend to be more emotional than men, this does not demonstrate that women are, then, less rational. This is because, as I will show, moral emotions are also rational when based on benevolent or just desires, rational beliefs and evaluations.

An emotion is a feeling one experiences when one has a particular desire, has beliefs about an object or event and evaluates those beliefs in a certain way. I desire not to be harmed, and I believe that this is an animal with very sharp teeth. If I also evaluate the animal as threatening, I experience fear. Fear is just the feeling one experiences when one desires not to be harmed when evaluating something as threatening. This is not to say that all combinations of desires and evaluated beliefs have corresponding emotions. Not all desires and evaluations have corresponding emotions, but all emotions entail a corresponding desire and evaluated beliefs.

Emotions are conceptually related to the type of rationality associated with motivating reasons. Motivating reasons are comprised of desires and beliefs, and emotions are a necessary result of certain desires and evaluated beliefs. Emotions and rationality are not opposites, although emotions can be unreasonable if desire, beliefs or evaluations of beliefs are unreasonable.

A *moral* emotion is a necessary response to a moral situation in which the motivating reason for responding is others' welfare or fair treatment. If, for example, I desire that another is treated fairly, have beliefs about what counts as fair treatment in this instance, and evaluate this as an instance in which another is not treated fairly, I experience an emotion. If an individual does not receive fair treatment when I desire this person's fair treatment and the other conditions are met, I experience disappointment to anger, depending on the severity of the situation; if the individual flourishes, I experience satisfaction to joy. Similarly, if I desire someone's welfare, have beliefs about what counts as welfare in this instance, evaluate this as an instance in which someone's welfare is at

stake, and, if I or someone else cannot help, I experience regret or sorrow. If I do not act because of a conflicting desire which is stronger than my desire for the person's welfare, I experience guilt or remorse, and so on. A moral emotion is conceptually connected to the rational ability to respond to moral motivating reasons.

A moral emotion is conceptually connected to moral motivating reasons; it is part of a moral response, and it is morally significant to the recipient of the response. A moral emotion is significant to the recipient because, if properly displayed, it is an indication that the person responding. Because of the conceptual connection between emotion and desire, the sincere display of emotion indicates whether someone's behavior is the result of motivation directed at the person in the predicament or whether the behavior has another motivation.⁸

2. Moral Adjudicating Reasons

Adjudicating reasons are reasons a moral agent provides when deciding how others are to be treated fairly when there is a conflict between sentient beings or sentient beings and a standard. Fair adjudication is achieved when a moral agent provides reasons which are relevant to sorting out a conflict. (Just what reasons are relevant is not always obvious. Race, for example, is relevant in some contexts and irrelevant in others. Race is clearly irrelevant to being able to take part in and enjoy swimming, for example. In other contexts, however, to be blind to race would be to continue to favour those who have benefitted from racial exclusion.) An ability to provide adjudicating reasons in moral situations involving conflict requires that the adjudicator be impartial to irrelevant personal features of those in the conflict and that the conflict is not resolved in such a way that it is personally beneficial. Iris Murdoch calls this ability "detachment"—an ability to look at and love something without seizing, using or appropriating it to the "greedy organism of the self."⁹ Impartiality does not require separation from others or indifference to those in a conflict. To desire directly others' fair treatment is to be connected to them.

2.1 Emotions and Moral Adjudicating Reasons

If someone does desire that others are treated fairly, she or he will experience a corresponding emotion related to the severity of injustice someone suffers and related to how the conflict is resolved. This emotion is morally significant because, when sincerely displayed, it indicates that someone desires fair treatment of those in the predicament. In other words, display of sincerely felt emotion is an indication of connection to those in the conflict.

It is important to note that, while to experience moral emotion is always morally significant, to experience moral emotion to the extent that it inhibits someone from fulfilling her or his role as an adjudicator is to fail to act as a fully functioning moral agent in that situation. Adjudicators who become overwhelmed by the plight of people in situations involving conflict may have the ability to adjudicate a problem yet not be able to shift attention away from the experience of emotion to actually adjudicate the conflict fairly.

3. Moral Justifying Reasons

Justifying reasons, as I have been using them here, are reasons which a moral agent utilizes to be reminded that a particular situation is one in which a moral response is appropriate and to recall what one finds compelling about responding morally. Moral justifying reasons are utilized in situations in which someone does not directly desire others' welfare or fair treatment. For example, if I am hurrying to get to a concert when I see someone who looks very lost, I may not directly desire to help this person *qua* person but I give directions because I remind myself of reasons which justify helping people in this type of situation. I respond because I acknowledge that I have a duty to help. What is involved here is a rational ability to remind oneself of reasons which justify responding morally in those instances in which one does not directly desire others' welfare or fair treatment.

3.1 Emotions and Moral Justifying Reasons

Someone who desires to fulfill a duty will experience some degree of disappointment or regret if thwarted in fulfilling this duty or will feel some degree of satisfaction if the duty is fulfilled. There is, however, an important distinction between an emotion experienced by someone as a result of desiring that things go well or fairly for some particular person and an emotion experienced by someone as a result of desiring to fulfill a duty. Someone who desires others' welfare or fair treatment will experience an emotion both during the moral situation and in response to whether the situation is resolved. This is because she or he is motivated by what is happening to particular individuals in the moral situation. Someone who desires that a duty be fulfilled, on the other hand, experiences an emotion when it is determined whether a duty has been fulfilled or thwarted. This is because her or his concern is for duty and not directly for those in the situation. As I have said, an emotion experienced as a result of a desire for others' welfare or fair treatment is significant to those in a moral situation because it is an indication of another's concern for them. An emotion experienced as a result of a

desire to fulfill a duty is not particularly significant because the emotion is an indication of a concern that a duty be fulfilled and not a direct concern for those in the situation.

Gender and Moral Agency

I have argued that there are two general types of moral situations with which we are faced as moral agents—those moral situations which involve adjudication and those which do not. I have also said that in each of these situations it is possible either to respond directly to those in a moral situation or to respond indirectly after acknowledging a duty to respond. Keeping in mind these moral responses, I want to make some comments about possible interpretations of gendered differences in moral responses.

1. Benevolent Responses and Just Responses

Any reported differences in moral responses of men and women will need to sort whether women are more likely to respond to situations in which benevolence is appropriate while men are more likely to respond to situations in which justice is appropriate. If men do tend to respond from a justice perspective while women tend to respond from a care or benevolence perspective, it does not then follow that there are two perspectives to be taken to every moral situation. Rather it is an indication that social expectations and experiences of women and men prepare them differently for two fundamentally different moral tasks. It is important to re-emphasize that Gilligan's claim for two different perspectives to every moral problem is different from the claim I make about their being two distinct moral situations to which one could only appropriately respond either benevolently or justly.

If there are tendencies for women to respond to situations requiring benevolence and for men to respond to situations requiring justice, these tendencies may mirror a private-public split in which situations requiring benevolence are more prevalent than situations requiring justice in the private sphere while situations requiring justice are more prevalent than situations requiring benevolence in the public sphere. However, even if this is the case, moral situations do not neatly divide in this way. People do not cease to become injured, or to be troubled, or be distraught, when they do public functions. A benevolent response is as appropriate in public as it is in private when welfare is at stake. So, too, conflicts do not only occur in public institutions and adjudication is not only the purview of those who fill institutional roles. Conflicts requiring fair adjudication also occur between friends and family members, and this adjudication is often performed by

other friends and family members. If women tend to avoid situations requiring adjudication or adjudicate badly when they do adjudicate because, as Harding interprets Gilligan, "subjectively a felt hurt appears immoral to women whether or not it is fair,"¹⁰ then responding only to "felt hurt" will be inappropriate in those situations in which it is important to achieve fairness. Similarly, men will be deficient as moral agents if they tend to "worry about people interfering with one another's rights" in all moral situations.¹¹ There are moral situations in which consideration of rights just is not relevant to a moral response.

2. Direct Response and Dutiful Response

To desire directly others' welfare or fair treatment is to be morally connected to them. Connection to others is possible and morally significant both in situations in which a benevolent response is appropriate and in situations in which a just response is appropriate. There is not the alignment between care and connection and justice and separateness that Gilligan suggests.

Results which show that women tend to connect to others while men tend to separate is not, as I have said, an indication that women tend to respond with care while men tend to respond with justice to every moral situation. Instead, women's tendency to connect may indicate that women tend to respond directly to others in moral situations requiring either benevolence or justice. Men's tendency to separate from others by emphasizing autonomy and rights may, on the other hand, be an indication that men tend to respond to duty rather than directly to those in moral situations. Whether women do directly desire others' welfare and fair treatment, while men desire to fulfill duties, is possibly reflected in expression of moral emotion at the time of a moral response. As I have said, when someone desires another's welfare or fair treatment, she or he experiences emotion both during the moral situation and at its resolution, whereas when someone desires to do a duty, emotion is experienced when it is determined whether the situation has been resolved. It is important to note that both women and men are faced with moral situations in which it is not possible directly to desire others' welfare or fair treatment and, therefore, both women and men must be able to respond to duty. Clearly, also, on some occasions both women and men do respond directly to those in moral situations.

Concluding Remarks

Carol Gilligan's *In A Different Voice*¹² was an impetus for others to consider the importance of accounting for connection in moral theory.¹³ With the recognition that connection is important to understanding morality has

also come the caution that morality must not be reduced to connection.¹⁴ Not all connection to others is morally significant. Indeed, some profound connections to others are the sources of powerlessness, dependence, and submissiveness. Even when connection to others is indicative of a desire for welfare or fair treatment, this connection can be problematic if it is thought to be an important attribute of only some. Connection, affiliation, and relation, often thought to be virtues for women, are often also sources of women's oppression. Connection to others has moral significance when it is indicative of a desire to help others and treat them fairly in a community in which moral connection is appropriate for all.

NOTES

1. This paper relies on my work, *Care and Moral Motivation* to be published by OISE Press. I am grateful to Susan Sherwin and Barbara Houston for their comments on an earlier draft of this paper.
2. Carol Gilligan, "Moral Orientation and Moral Development," in *Women and Moral Theory*. Totowa, NJ: Rowman and Littlefield, 1987.
3. This is a distinction which William Frankena makes in *Ethics*, second edition. Englewood Cliffs, NJ: Prentice Hall, 1973.
4. Joel Feinberg says that justice achieved when sentient beings conflict is comparative justice and justice determined independently of others is noncomparative justice. There is a comparison made in noncomparative justice but the comparison is with a standard. *Rights, Justice and the Bounds of Liberty: Essays in Social Philosophy*. Princeton, NJ: Princeton University Press, 1980, p. 266.
5. This is an example of a conflict between a sentient being and a standard. The standard is a set of accepted criteria for receiving a particular university degree.
6. It is possible that someone who initiates a response from duty may, as a result of being involved in the situation, come to desire directly the welfare or fair treatment of those in the situation. I would like to thank Elaine Ney and Barbara Houston for bringing this to my attention on separate occasions.
7. See, for example, Lawrence Blum, "Kant's and Hegel's Moral Rationalism: A Feminist Perspective," *Canadian Journal of Philosophy*, Vol. 12, 1982, pp. 287-300.
8. As Jerome Shaffer points out, we are not always able to know another's motivation as a result of an emotional display. "We can be misled; physiological/psychological states can be feigned or suppressed and their presence or absence can be misrepresented." "An Assessment of Emotion," *American Philosophical Quarterly*, Vol. 20, 1983, p. 167.
9. Iris Murdoch, *The Sovereignty of Good*. London: Routledge and Kegan Paul, 1970, p. 65.
10. Sandra Harding, "Is Gender a Variable in Conceptions of Rationality: A Survey of Issues," *Dialectica*, Vol. 36, 1982, p. 238.
11. Harding, p. 237.
12. Carol Gilligan, *In A Different Voice: Psychological Theory and Women's Development*. Cambridge, MS: Harvard University Press, 1982.
13. Examples of work inspired by *In a Different Voice* include the following: *Social Research*, Vol. 50, 1983, special issue; *Signs: Journal of Women in Culture*, Vol. 11, 1986, "On *In A Different Voice*: An Interdisciplinary Forum"; Eva Feder Kittay and Diana T. Meyers, editors. *Women and Moral Theory*. Totowa, NJ: Rowman and Littlefield, 1987.
14. See, for example, Kathryn Pauly Morgan, "Romantic Love, Altruism, and Self-Respect," in *Hypatia*, Vol. 1, 1986, pp. 117-148.