

liberalism, with its elitism, and your Freudianism, with its sexualized misogyny, has anything in common with feminism.¹⁴

Some of the above ideas on equality and pornography will be familiar to many feminists. However, the book contains material that has not been accessible in the past. I am thinking particularly here of the speech entitled "Whose Culture? A Case Note on *Martinez v. Santa Clara Pueblo*," given at the North American Survival School, Red Earth, St. Paul, Minnesota, in 1983. The ideas expressed in this are important for those who are troubled by the interaction of equality and the respect for the culture of native Canadians.

Julia Martinez sued her tribe because of a rule which excluded her children from membership if she married outside the tribe. The United State Supreme Court held that tribal membership was a matter to be resolved by the tribe itself.¹⁵ Thus, the tribe was to define what equality is with respect to the question of membership, which left them free to use an exclusionary rule out of fear of the loss of native land through inter-marriage between native women and white men. The issue, if seen in this way, can be constructed as a clash between cultural survival and the "white" notion of equality. MacKinnon asserts, for Julia Martinez, the right to claim equality as an *Indian* idea, and rejects the conflict between cultural survival and equality. She suggests instead that survival is "as contingent upon equality between women and men as it is upon equality among peoples"¹⁶. She asks when male supremacy became a tribal tradition. Perhaps *inequality* is the "white" idea. Such a way of thinking does not provide any easy responses to the problems, but does take us out of the deadend blocked by the dichotomy between cultural autonomy and equality.

What else can be learned from this book? We should not shrink from knowledge of the subordination of women. "Since when is politics therapy?"¹⁷ Nor should we deny ourselves the use of law because it cannot be trusted. Women cannot restrict demands for change to spheres we can trust, because there simply are not any, not medicine, not theology, not technology, not the environment and not the media.¹⁸ For myself, a lawyer tempted to succumb to the idea of the pointlessness of legal change, as for other feminists, this book can be a source of reassurance as well as inspiration.

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NOTES

1. MacKinnon, *Feminism Unmodified*, p. 16.
2. MacKinnon, p. 3.
3. MacKinnon, p. 3.
4. An earlier, and much more extensive discussion of sexual harassment, which has influenced American judicial thinking about this form of discrimination can be found in MacKinnon, *The Sexual Harassment of Working Women*, New Haven: Yale University Press, 1979.
5. "Excerpts from a Debate with Phyllis Schlafly." *Law and Inequality: A Journal of Theory and Practice*, Vol. 1, 1983, p. 341.
6. "The Male Ideology of Privacy: A Feminist Perspective on the Right to Abortion." *Radical America*, Vol. 17, 1983, p. 23.
7. *Supra*, fn. 1, p. 15.
8. *The Constitution Act*, enacted by the *Canada Act, 1982* (U.K.), c. 11, Sched. B.
9. Sheehy, "Personal Autonomy and the Criminal Law: Emerging Issues for Women," Canadian Advisory Council on the Status of Women, 1987, p. 8.
10. Ordinance #3, City of Minneapolis (1984). The United States Supreme Court has held that an Indianapolis version of the ordinance violates the First Amendment guarantee of free speech. *American Booksellers v. Hudnut*, 771 F. 2d 323 (7th Cir. 1985), aff'd 106 S. Ct. 1172 (1986).
11. For the definition of pornography, see MacKinnon, "Not a Moral Issue," *Yale Law and Policy Review*, Vol. 2, p. 321. See also "Pornography, Civil Rights, and Speech," *Harv. Cir. Rts. Civ. Lib. Law Review*, Vol. 20, p. 1.
12. See, for the views of some Canadians, V. Burstyn, editor, *Women Against Censorship*. Vancouver: Douglas and McIntyre, 1985.
13. *Supra*, fn. 1, p. 200.
14. *Ibid.*, p. 205.
15. *Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978).
16. *Supra*, fn. 1, p. 68.
17. *Ibid.*, p. 220.
18. *Ibid.*, p. 228.

Women's Ways of Knowing: The Development of Self, Voice and Mind. Mary Field Belenky, Blythe McVicker Clinchy, Nancy Rule Goldberger, and Jill Mattuck Tarule. *New York: Basic Books Inc., 1986, Pp. 256.*

Women's Ways of Knowing deserves to be as stimulating to feminist epistemology as Carol Gilligan's *In a Different Voice* was to feminist ethics. Like Gilligan's study, this book begins by asking whether a paradigm of development designed to explain men's behaviour and experience can be applied to women. The paradigm is William Perry's 1970 description (in *Forms of Intellectual and Ethical Development in the College Years*. New York: Holt, Rinehart and Winston, 1970) of the epistemological development of a group of male Harvard students during their college careers. *Women's Ways of Knowing* answers no, that Perry's model does not apply very well to women, but this question and answer are only the beginning and not the heart of the book. Its heart is in the descriptions and analyses of women's perspectives on knowledge.

Belenky, Clinchy, Goldberger and Tarule interviewed 135 women living in the United States and selected from a broad range of economic and family backgrounds and wide range of ages. Ninety of the women were students at six quite different schools and colleges. Forty-five were clients at family agencies that assist women with various aspects of parenting. The women were interviewed at length and in a sympathetic, open-ended way, beginning with the question, "Looking back, what stands out for you over the past few years?" and proceeding to questions about self-image, relationships, education and learning, decision-making, personal changes and growth, and visions of the future. Some of the questions were designed to test the accuracy of Perry's, Kohlberg's, and Gilligan's developmental schemata. The interviews were then blind-coded and extensively analyzed by the authors. An effort was made to preserve the women's own voices in the final product, and those voices come through clearly in the text.

Analysis of the interviews produced five categories for the women's perspectives on knowing:

1. Silence, in which the women assume they cannot understand or learn from the words of others and feel unable to use words effectively themselves. They experience themselves as mindless, voiceless, and subject to the whims of external authority.
2. Received knowledge, in which the women learn by listening to authorities but have little confidence in their own ability to generate or communicate knowledge.
3. Subjective knowledge, in which they trust their own intuitions to generate knowledge and conceive of truth as personal, private and subjectively known.
4. Procedural knowledge, in which they acquire and apply procedures for obtaining knowledge and communicating it, including procedures for observation and analysis and for concise, exact and reasoned self-expression.
5. Constructed knowledge, in which the women view all knowledge as contextual. They attempt to integrate knowledge they generate intuitively with knowledge they have learned from others, to integrate rational with emotive thought and procedural with subjective knowing. These women tolerate internal contradiction and ambiguity. They know that "All knowledge is constructed, and the knower is an intimate part of the known." (p. 137)

Although the authors leave open the question of whether these perspectives are universal stages in women's epistemological development (p. 15), they believe perspective five to be the most empowering and value it most highly of the perspectives. They found the constructivists to be most morally and spiritually committed and most concerned with acting on their moral commitments.

In Part I of *Women's Ways of Knowing*, each of the epistemological categories is described and discussed at length, with ample illustrative examples and quotations from the interviews. Both knowledge of the external world (including other people and relationships) and self-knowledge are discussed for each category.

In Part II, the authors consider the effects of family life and their experiences of formal education on the women's intellectual development. They found that women who shared an epistemological position had a great deal of family history in common. "Only a few—usually with the help of supportive friends, neighbors and excellent schools—were able to move far beyond the epistemological atmospheres depicted in their family histories" (p. 155). Of particular importance was the "politics of talk" within the family, *i.e.*, "those forms of discourse that a family permits and encourages and those that they minimize and prohibit" (p. 156).

The last two chapters of the book examine the effects of experiences in educational institutions and programmes on the women's epistemological positions (Chapter 9 is rich in anecdotes about this) and argue for the development of "connected teaching" for women. Connected teaching is based upon the model of the midwife-teacher, who supports the student's thinking rather than attempting to fill her with the teacher's own thoughts (which would be based on the banking model). The authors concluded that the women they interviewed had benefitted most when their educators emphasized "connection over separation, understanding and acceptance over assessment, and collaboration over debate" (p. 229).

Unfortunately, *Women's Ways of Knowing* does not discuss the conflict between connected teaching and the institutional and social settings in which most of us teach, which demand frequent assessment of students. Students themselves need and want assessment from their teachers in order to find a good place in the competitive academic and labour markets. How compatible is the role of assessor with that of understanding and accepting teacher? What would it take to reduce the demand for assessment?

Although *Women's Ways of Knowing* does not help to

answer those questions, it offers a great deal to teachers. Soon after I started teaching, I began to suspect that most students' learning difficulties were tied to complex psychological processes involving self-esteem and self-concept, strategies for learning and communicating, and attitudes toward knowledge. I thought that if only we could start from the student's psychological starting point (and one rarely gets to do this), many more students would learn something lasting and valuable from us. This book gave me a glimpse of what it would be like to understand this problem through systematic inquiry and to begin to solve it.

Women's Ways of Knowing touched me deeply. The stories the women told in the interviews took me back to high-school struggles for intellectual independence; to the excitement of the first year of university; to discovering people who thought more like me than anyone I had ever known; to the process of entering into a series of world-views, each of which seemed beautiful and complete, and then experiencing the conflict among them; to the painful choice between science and philosophy; to my epistemological bewilderment in graduate school, when philosophy seemed reduced nearly out of existence by Wittgenstein's disciples; to later (and continuing) struggles to integrate psychological insights with ethical and social theory. At every step of this retrospective it reminded me that I was not alone. I felt when I finished the book that I understood my family, friends, students and myself more clearly and with more compassion, and that the door had been opened to a vital new area of inquiry into women's lives.

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Daughters of the Reconquest. Women in Castilian Town Society, 1100-1300. Heath Dillard. *New York: Press Syndicate of the University of Cambridge, 1984, Pp. xii/272.*

In the words of the author, "This book is about the pioneering women who migrated to brand-new settlements and their daughters who inhabited the flourishing town of Leon and Castile during the last two centuries of the medieval Reconquest, roughly between the capture of Toledo in 1085 and the last quarter of the thirteenth century" (p. 1). Actually, the book is about how secular women were represented in local and regional law codes of Castile. These codes, known as *fueros*, embodied the liberties, immunities, and customary law of the municipalities of the area, an area which underwent expansion and

shrinking as a result not only of the Muslim presence, but also as a result of the political ambitions of the kings of Castile in relation to their indigenous neighbours.

After a brief introductory discussion of the *fueros* and a chapter on the medieval settlement of Castile, the author takes up the subject of women, centering most of the chapters around types: those preparing to marry, wives, widows, mistresses, abducted wives, and a group called "women without honour," such as prostitutes and sorceresses. One chapter paints a charming picture of what might be called the female "spaces" within the day-to-day life of the townspeople, and records interesting commercial occupations engaged in by townswomen. This is followed by a lengthy chapter on legal protection afforded women by municipal laws.

Running through the mass of detail presented by this book is a thesis about the important role women played as anchors and centres of stability in settlements from which the warring male population would have been absent for much of the time. If the castle was an instrument of physical protection for the re-occupied towns, the female inhabitants were the human agents of solidity and continuity; as the author points out, "the customs of most important towns...defined a man's residence...as the dwelling in the town or village where his wife lived" (p. 21). A measure of the extent to which the laws were manipulated in order to attract women to new settlements is the account of the provisions of immunity granted in many of the *fueros* to those guilty of obtaining wives illegally and bringing them to newly established municipalities; a practice, apparently, which continued long after the pressures of the Reconquest. In this connection the author shows a fine sensitivity to the ambiguity of the medieval idea of *raptus*, a Latin word which cannot invariably be translated into English by "rape." Historically, *raptus* primarily connoted abduction, a crime against the parents more than against the one abducted, who may even have given her consent. Forced sexual advances were not a necessary component of the notion. Only gradually did the component of forced sexual advances come to the fore, and in this regard, Dillard provides a harrowing account of the difficulties faced by a woman desiring to lay a successful charge of rape in our sense of the term (pp. 180-185). The author does not mention the possible influence of the *Bible* (Deuteronomy 22:23-27) on the requirements made on the woman to cry out when attacked, and the distinction between the deed done in a populated area and in the countryside.

The book is a mine of interesting information about such matters as engagement arrangements, dowries, mis-