

MARTHA NUSSBAUM'S CAPABILITIES APPROACH:
A RETHINKING ON 'SELF', 'RESPONSIBILITY' AND
'GENDER JUSTICE' IN 'FAMILY'

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There is by now a vast critical feminist literature that questions the ethical and philosophical foundations of various normative theories in different discourses of social sciences whether it is development, social justice, inequality, freedom or social policy. The ethical foundations of these theories generally constitute a reflective and normative framework on what is the ideal way to live life (what is expected of us), the moral virtues its manifests and produces and lastly how they get reinforced and sustained, shared as moral understandings in a society or what we know as 'morality'. These shared moral understandings entail fixed conceptions of 'self', 'relationships' and 'values', expressed and organized in some form around highly differentiated social/moral positions, through which individuals understand who they are and where they are by knowing what are they responsible for in various social relationships. These understandings broadly constitute the study of 'moral philosophy' (Walker: 1998).

One of the most widely agreed critiques is that moral philosophy is androcentric, and male-centered. They are also false gender-neutral in the sense that the 'subject' is a 'male' and it is 'his' experiences, concerns, needs, desires, aspirations, interests around which the whole theory is developed thereby ignoring aspects exclusive and pertinent to lives of women. Often these theories implicitly rely upon sexist or patriarchal assumptions, or incorporate empirical claims about gender issues that are highly contested or have a poor underlying theory of gender (Okin: 1989; Anderson: 1999; Fraser: 1998; Young: 1990; Friedman: 2000).

The first human interaction, relationship and association of an individual take place in his/her 'family'. This association continues for the rest of her life, manifested and

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transformed through various relationships. In almost all forms of societies and cultures, an individual relates to family as a space of emotional security, love and care, without any threat and competition in contrast to relationships and associations outside 'family' (Friendship is an exception). Though a lot has been written and critiqued about this over-benign and benevolent image of 'family' to the extent of some arguing for its 'breakdown' while still some hoping for its reform, at the end of day family is a big support for all of us.

What makes this social institution so significant to our lives is not a problematic issue. We all know that. What is problematic are the implications of this uniqueness on its members that has made the political and social theorists to rethink on this institution. Its benign image is being questioned by looking at the dynamics of power relationship between its members, nature of distribution of resources and the intricate web of emotions and feelings that overwhelm it. Due to the image of its embeddings in mutual altruism and all pervasive public-private divide, family as an analytical site of gender justice came as a later development in social sciences. Some earlier thinkers like M Wallstonecraft (in Engster: 2001) and Engels (1972) touched upon it, but their perception was limited. It took some time for political philosophers and social theorists to realize that gender oppression emanates and get reinforced in this very benign institution, because it is here that the formative moral and psychological development of an individual takes place (Okin: 1989). It is in and through 'family' that an individual gets his/her first impression of oneself and others, of the norms of behavior and values and what is expected of them in different relationships, as men and women.

The main objective of this paper is to explore the scope of Nussbaum's Capabilities Approach in revealing the gendered moral understandings of 'self' and 'responsibility' in 'Family' by her concept of 'human nature' and 'adaptive preferences' and the way they get redefined in her theory as a necessary condition for true realization of gender justice.¹ With reference to the above discussion, it seeks to address the issue of 'gender justice in family' and also touch upon the feminist critique of moral philosophy in her proposed theory. Justice, for Nussbaum is the ability to 'live life in truly human way' rooted in Aristotelian tradition, that she develops in the form of ten capabilities to be made possible for all human beings in all societies as a minimum criteria of social justice. Secondly the realization of these capabilities is argued for each and every human being as 'end' in all spheres of human life

The concept of ‘human being’ and the list of ten capabilities within a liberal framework suggested by her, holds relevance for the kind of injustice faced by women in ‘family’ (Nussbaum: 2000; 2002; 2004; 2006). Though her universalist positionⁱⁱ is problematic due to different kinds of family structures and interpersonal relationships in different social contexts, however her strong arguments in favour of an uncompromising stand for gender justice, makes her theory interesting and worth consideration.

I examine the following aspects of this debate in this paper. It is divided into four sections: First I discuss the assumptions underlying the ‘concept’ and ‘institution’ of ‘family’ and its consequences, secondly ‘Family’ as a Source of Oppression’, third section is an analysis of the Politics of ‘self’ and ‘Responsibility’ in ‘family’ and fourthly I take up how Nussbaum delves on these issues in her theory.

I begin with a critique of the socially constructed patriarchal roots of authoritarian shared distribution of ‘responsibility’ in family which emanates from patriarchal moral understandings that require women to perceive themselves as bearers of a particular ‘self’ ordained to fulfill certain ‘responsibilities’, in various interpersonal relationships that exist in ‘family’ (Mead: 2005; Friedman: 2002; Meyers: 2004). It is through ‘internalization’ of the ‘given self’ and fulfillment of these ‘responsibilities’ that they express themselves and in turn retain their identity and recognition in interpersonal and social relationships. For example a woman gets recognition from society and recognizes her own identity of a woman only when she becomes a caregiver as a mother or wife. This socially constructed and psychologically sustained ‘self’ and ‘responsibility’ is the main source of gender oppression in ‘family’. I intend to bring out this complexity and its implication on women, in this chapter.

This would be followed by Nussbaum’s critical analysis of the issue and her arguments in favour of capabilities approach as a normative proposition for gender justice in ‘family’

SECTION 1

‘Family’ as a source of gender oppression

Sources of gender injustice get produced and reinforced in the institution of ‘family’ is gradually being recognized and argued in the social and academic world. One of the earliest instances of gender neglect or abuse or oppression takes place in the family she is

born (if not victimized to female feticide and infanticide) and continues for the rest of her life in changing roles of daughters, wives or mother is also an accepted idea. The form of gender injustice in family is also most fundamental, as it is during the formative years in 'family' that men and women develop a sense of wrong and right, taking deep roots in their character.

However what goes into this oppression or what actually is the root cause of this oppression is a contested issue between the feminist and non-feminist thinkers. Some blame it to the biological differences, some to the economic dependency of women and some to the psychology of domination. In this section, within limits I am exploring different perspectives that have been argued to explain gender injustice in family. For conceptual clarity, I have taken three themes:

- The Politics of Labour
- The Politics of Public and Private
- The Politics of 'Self' and 'Responsibility'

1. The Politics of labor: This perspective analyses gender injustice in family as a structural phenomenon and has mostly been dealt within the Marxist framework. It sees family as a product of private property and gender injustice as a result of capitalist exploitative relations of production that also gets reflected in the relationship between husband and wife. The end of capitalism will end the exploitative relationship in family as well. Within this perspective, five approaches have been discussed:

First approach takes the emergence of exploitative family as a clear product of the capitalist development, which stripped it of its productive functions, transferring it to the public sphere (Zeretsky: 1976). This excluded the role of women in the productive functions, relegating her the private realm, concerned mainly with the reproductive functions (Smith: 1975). Men, on the other hand took over the public realm, based on which also exercised domination in the private realm of 'family'. The creation of two spheres public and private, according to this perspective, is a creation of capitalism and gender injustice could be specifically understood in terms of her exemption from waged labor and held responsible for non-waged labor.

The second approach focuses on the impact of deeply structured patriarchy in various layers and institutions (Family being one of them) on the female consciousness which gets

conditioned to succumb to male power .Its takes a more psychoanalytical approach to understand female psychological reconciliation to male domination which gets psychically represented in her thoughts and feelings about her relationships with her husband. Two important works could be mentioned here Juliet Mitchell and Annette Kuhn who see its source in construction of gendered sexual identity of a female to control her mentally and physically.

A third possible perspective could be grouping those theories that focus on one particular aspect of women's life in family like motherhood, care-giving, home-making, non-waged work. Issues like motherhood and care-taking involve questions of her sexual identity and personhood dealt radically by Shulamith Firestone who considers the reproductive role and child-bearing as the main source of her oppression (Firestone: 1972). She applies the antagonism between classes in Marxism to argue for the antagonism between men and women as antagonistic sex classes in family and procreation as the root cause of this conflict, socially arranged in a manner to sustain the subordination of women. She suggests complete control of a woman over her sexual life with the help of techniques like artificial reproduction and abortion (Firestone: 1972). On the other hand, the mainstream Marxists attack the unwaged domestic labour and homemaking by women, a condition created by capitalism, which is responsible for her exploitation. It is the housework, constituted under the socio-economic relations of capitalism, which is the main source (Malos: 1980). It is analogous to theory of surplus value, exploited by the capitalists in the sense of women receiving nothing in return of the huge labor they do at home.

The fourth approach, though focuses on housework, has a different take on it, suggested by Christine Delphy (in Britton and Maynard: 1984). She argues that there are two modes of production, the industrial and the domestic, leading to capitalist and patriarchal exploitation respectively. The emphasis is again on the housework with the difference that unlike the previous perspective, Delphy does not relate this to capitalism. She considers this as a material foundation of the patriarchal relations between husband and wife in family.

A fifth perspective takes a different stand of arguing for contradictory relationship between capitalism and patriarchy. Heidi Hartmann takes this stand arguing that female oppression originates in men's control over her labor power through her inaccessibility to productive resources like waged job or controlling her sexuality (Hartmann: 1979). However

she further states that the role of men as husbands and as capitalists together could contradict, as the husband would want his wife to be at home and the capitalist would want his wife to earn money.

2. The Politics of Public and Private

One of the oldest and most widely agreed critique by the feminists has been of the public-private dichotomy or spatial politics (Pateman: 1987), as a culturally constructed continuum, which gives rise to and perpetuates different patterns of male power and control. Many feminists have used this distinction as a metaphor to express the limitation placed on women by having to operate within the restrictions of private realm. The adverse implications have not only been in terms of division of sphere of physical activity but also in creation of psychological boundaries between men and women on ideas of what is expected of them, who they are and what are they responsible for i.e moral understandings (discussed above with reference to Walker). The persistent dichotomies like justice and care; mind and body, culture and nature, reason and emotion, production and reproduction, family and public places are all manifestations of this dichotomy.ⁱⁱⁱ Women's confinement to the private realm, unequal wages at work, poor literacy rate, domestic violence, placement in low status jobs and very close to our discussion, neglect of family as an analytical site of justice in social sciences, could all be traced to the public-private distinction. The idea gets best reflected in the words of Ruskin Bond's during a lecture in Manchester town Hall, 1864 'of Queen's', "...the home was where women should stay, for only man could be the doer, the creator, the discoverer; in contrast women are passive, self-effacing, pious and graceful" (In Millett: 1969). He uses the metaphor of 'flowers' for women and their garden bound by walls for 'home' – as their natural space. As Millett remarked, "...his metaphor of the 'garden' indicates both supposed naturalness of women's natural beauty and the boundaries of their existence (Millett: 1969). There are three ways in which the politics of public and private has been discussed:

-Division of Activities

This pertains to the traditional division of labor in terms of activities specific to the family and political/economic arrangements, divided between men and women (Zeretsky:

1976; Smith: 1975-76). This division gets exemplified as reproduction-production; non-production-production; non-work (home)-work, essentially associated to women and men respectively. This traditional division of physical labour has had three main consequences, adversely affecting women's lives.

First women in family came to be perceived only as consumers as their reproductive role and non-waged work were not considered productive. This relegated her status as caretakers in family against men as breadwinners (Britton and Maynard: 1984). Secondly, there has been a complete neglect of evaluation of the cost-value analysis of work done by women at home by standards of justice, as it is not considered economically productive. It is ironical that kind of work done by a house- wife or a mother is considered as a labour of love and affection, whereas a domestic servant is paid for the same work. A Third implication has been the absence/low women's participation in activities of the public arena like employment, voting, decision-making, policy -making of a country, participation in public-forums and education, factors which actually left behind women in every aspect of well-being and development. Citizenship rights came as late as nineteenth century for women in many countries. With few women being able to get employment, they face injustice in form of unequal wages, low positions a compared to men and even sexual exploitation at workplace, indicating that they are not taken seriously as an employee (HDR: 1995)

Fourth implication has been the non-recognition of the informal labor done by women in family, and its justification by projecting this work as a natural obligation/responsibility to be fulfilled by women. Her 'household' work for long wasn't acknowledged as a contribution to nation's economy considered 'invisible' (Joseph: 1997, Datta: 2002). Thus the question of exploitation never arose with reference to household work, naturally associated with women.

-Division of Location/geography

Another apparent conception of the public-private divide is the division in terms of access to physical spaces' in society –streets, schools, parliament, parks, courtyard etc-between men and women. Hence conventionally as we may see, women are expected to stay at 'home' and feel uncomfortable, conscious and out of place in public sphere. Dominique Poggi and Monique Coormaert made an interesting analysis of the city being off limits to

women (Poggi and Coormaert: 1974). They point out how public spaces like parks, streets, riversides of cities-are available to women only exercise discretion because in public sphere women run the risk of being molested, hustled or raped. The underlying assumption is that these 'spaces' in public domain do not belong naturally to women hence it involves risk. Further it also necessitated the idea that women need company of men to feel secure and protected in the public domain. Thus a single woman walking on the road is more vulnerable to eve-teasing and molestation as she is expected to be in company of some male and the fact she is not, reflects her abnormal life and even her immoral character. With some contextual differences according to societies, this is generally an all-pervasive notion. These limitations in terms of 'space' have constrained her options to participate in economic and political activities of her society. With naturalism attached to this division of spaces, the division clutches the flourishing of aspirations in women who want to move beyond 'home', constraints her association with other people and groups and deprives her of opportunities to know her potentiality in public roles.

Division of Consciousness

The structural perpetuation of the public-private divide has led to identification of the public and the private with male and female consciousness respectively. This entails division of emotions, responsibilities, values, obligations and perspectives and identities which eventually define and gets defined through the dynamics of relationship between men and women in family. A prevalent perception is of associating the private realm of family with personal and intimate relationships based on love, care, security, emotional well being, to be carried out by their natural dwellers that is 'women'. On other hand, the public is associated with impersonal and detached relationships based on rationality, competition, justice and power politics, involving its natural dwellers that is 'men'. It is through the endorsement of these relationships and responsibilities attached to the two public and private that men and women acquire perceptions of their 'selves' and 'others' (Mead: in Jackson, 2005; Goffman: 1980,1987; Chodrow: 1995; Cahill: 1987). The division has been severely attacked from various angles by the feminists, to expose its implicit and explicit patriarchal indoctrination. The critique that emerged is that the divide is a creation of deeply rooted patriarchy. The 'personal' in family is 'political', as it gets defined/recognized by the state laws and political

institutions in public sphere. Therefore, it makes obligatory for the state to interfere in family and redefine relationships on the basis of justice (Nussbaum: 2000). Men and women through different relationships in family are engaged in sexual politics (Millett: 1969) where one exercises power, authority and domination over the other. Foreman sees femininity, with its emphasis on living through personal relations, as a product of the public-private split (Foreman: 1977), created to relegate women to the sphere of emotionality where they 'cannot escape the intimate oppression of being foils for men' (Barrett: 1980).

In spite of diversity of perspectives, at times contradicting each other on the public-private dichotomy, Susan Moller Okin draws three common lines of critique which give them a common base (Okin: 1997).

First, all perspectives defend the fallacy of this divide and claim that 'personal is the political' (Pateman: 1982) This is in recognition of the presence of more subtle form of power politics that colour the relationship between men and women in family, in all forms It is through this complex game of power that men dominate women in a manner not so explicit.

Secondly, Family considered as a 'personal or private realm' is a constitution/construction of the state in public realm. The institution has its legitimate basis in state, which gives recognition to the relationship of wife with her husband, mother with her children and the conditions of the legitimation. It is the state –based laws which empower or disempower women in family on issues of property acquisition, domestic violence, divorce laws, post –divorce status, health, education etc (Nussbaum: 2000a) However the persistent backwardness of women in society and abuse in family, led to a consensus that state is also a patriarchal structure, equally responsible and party to gender injustice. State institutionalizes and legitimizes sexual politics (Mc Kinnon: 1982) to sustain the male gender hierarchy in and outside family.

Thirdly, the division of activities, location and consciousness between men and women in family is a product of gendered parenting (Cahill: 1987) influencing relationships, identities and values. It is a product of unjust social and political arrangements in society and has no groundings in biological differences between men and women. The patriarchal construction of gendered consciousness emanates from the traditional division of labour, which gets transcended in 'space' and 'psychology'.

I elaborate on the third theme in following section.

SECTION 2

The Politics of ‘Self’ and ‘Responsibility’ in ‘Family’

As briefly touched upon earlier, one of the implications of traditional division of labour in family, is the division of consciousness, in which women, primarily concerned with the care-taking activities at home conceive their own ‘selves’ in terms of agents existing to serve men through different roles and eternally subordinate to them. The idea of ‘who they are’ (Self) and ‘for what they are’ (Responsibility) according to their own perception, are issues that constitute the base of injustice against women in family. I am discussing two perspectives here to analyze this statement

- 1) The Moral perspective
- 2) The Sociological Perspective

Before I begin to elaborate on these, I wish to state that there are two similarities in these perspectives. First both conceive the ‘Self’ as a product of a process –moral or social .It is not an abstract entity lying outside the paraphernalia of human processes but a ‘situated’ entity which get its ‘forms’ and ‘feature’ as a result of engagement with different forces/processes of human life. It is also not absolute in the sense that it undergoes transformation incessantly, gets define and redefined through its diverse conciliatory and antagonistic interactions with its ‘own self’ and other ‘selves’ (Mead: in Jackson: 2005; Goffman: 1987; Cahill: 1987).

Secondly, both the perspectives do not claim a monolithic universal theorizing. They do acknowledge the relevance of inter-societal differences and inter-subjectivity in the conception of identity, responsibilities and forms of family. They agree on the point that there could be several other variables for the determination of ‘self ‘ and our shared moral understandings like class, race, religion, personal circumstances, gender being just on of them.

Thirdly, these perspectives converge on the consequences of power relationship between the ‘self’, ‘responsibilities’ and ‘gender’ in ‘family’ elaborated later.

(1) **The Moral Philosophical Perspective:** This perspective gets best reflected in Margaret Urban Walker's work based on the premise that notions of 'self' and 'responsibility' constitute intrinsic elements of moral life, which in turn, is situated and produced in our social knowledge and experience. She perceives the concept of morality as 'a shared understanding on issues of who we are, what we are and it is through these shared understandings that the human agency or 'the male self' and the 'female self' are defined. In other words, it constitutes a family of practices based on our shared perceptions on what is to be valued by making people accountable to each other for it (Walker, 1998). What is expected of the 'self', reflects a set of responsibilities expressed in the interpersonal relationships that the 'self' engages in, which when consistently practiced, reproduces, reinforces and sustains the 'embodied self' as a man or woman. As Walker puts it, morality exist in practices of 'responsibility'^{iv} that implement commonly shared understandings about who gets to do what, to whom and who is supposed to do what and for whom. Through these practices, individuals learn themselves as bearers of particular identities/actors in various relationships that are embedded in certain moral values. Exploring further, she invokes the work of **Robert Goodin** 'Protecting the vulnerable' (1985) who argues for a responsibility ethic based on the principle that "we are responsible for protecting those vulnerable to our actions and choices." According to him, unjust social arrangements create and exacerbate vulnerabilities, which necessitates responsibilities. Guided by this thought, he argues that thus it is the primary responsibility of women to care of 'children' in 'family' as children are most vulnerable to the actions and choices made by their mothers. Walker intervenes at this point, criticizing the distribution of 'responsibilities' as authoritarian in three ways:

First, the idea that these moral understandings are 'shared' does not mean that it is based on the consent of all moral agents, reflecting the aspirations of all. This is one the strongest critiques by feminist Ethics that the normative account of 'who we are and what we are' have been determined by men for themselves and women as well. Hence these normative accounts of how to conceive selfhood, relationships, identities and values failed to reflect the aspirations of women. This also shows the fallacy in the distribution of responsibilities and of the conceived 'self'. The 'self' then acquired by women is not her true 'self' but a gendered, authoritarian social construction. Same is true of the responsibilities which are more like 'forced upon obligations' on women, that they have come to accept as

‘given’ It is the ‘self’ defined by men for them, through which they identify themselves as ‘women’. They retain this identity expressed in the authoritarian distribution of responsibilities in ‘family’, which they are supposed to perform to confirm their identity of a woman in their own eyes and in eyes of others (Walker: 1998). For example, motherhood and child-rearing since ages have been considered intrinsic to womanhood. Thus a woman naturally feels that it is her utmost responsibility to become a mother and take care of her children, compromising on her own dignity as an individual. In trying to put forth this point, I am not negating the pleasure and dignity of motherhood but I am asserting that it is important to critically assess, who is held ‘responsible’ for what and at what ‘cost’.

Secondly, it is also important to reflecting the nature of consequences that a woman bears if she fails to live up to the responsibility expected of her. For example, a wife is held responsible for a failed marriage no matter how unbearable were the circumstances for her. This is one of the reasons why women suffer for so long in an abusive marriage before they break because it is socially projected as their own failure as a ‘wife’ with little onus on the husband. She is blamed and ridiculed not only by society but also by her own family. Inadequate laws on divorce and unequal equal ‘exit’ options (Okin: 1987) for women from abusive marriage reflect this assumption underlying the political institutions of our society as well.

Thirdly, she points out that the distribution not only aims to produce outcomes but reproduce the specific shared understandings and locked identities through unjust social arrangements like ‘family’ so that the male dominance is sustained and unchallenged. They are ‘chartered’ in a way to “...to keep afloat a system of mutual expectations and self” (Walker: 1998).

The notion of ‘responsibility’ in ‘family’ is based on authoritative allocation of values (phrase used by Easton for ‘power’), according to Walker (1998) is a) *manipulative* as the internalization of the ‘self’ and ‘responsibility’ by women does not involve direct coercion, b) *regulatory* as it reproduces and reinforces the sustenance of gendered ‘identities’, ‘relationships’ and ‘values’ in ‘family’ c) *definitive* in articulating and defining the human agency, relationships and values.

She also points out two limitations in Goodin’s ‘Responsibility Ethic’ for women. First, he does not take into account the vulnerability of women vis-a-vis men in the

institution of 'family' in different roles as a wife, as a mother and as a daughter. Feminist theory has explored various kinds of deeply institutionalized vulnerabilities that women face in marriage related to their care-giving role, motherhood, economic dependency, sexuality and 'exit' options (Okin, 1987; Held, 1997; Ruddick, 1989; Gilligan, 1987; Chodrow, 1981; Baier, 1985). Secondly about the obligation of 'responsibility towards the vulnerable' she points out that distribution of responsibilities is in itself a part of social arrangement, which as discussed before, could be 'authoritative' and 'unjust', creating more vulnerability (Walker: 1998).^v The point could be very well connected to the responsibility of women as care-givers in 'family' which leave them vulnerable in terms of economic dependence on their husbands for their own survival hence limited options to break away from a bad marriage.

Walker's analysis is an articulate exposition of the power dynamics between 'self', 'responsibility' and 'gender' mediating through our 'shared moral understandings' in the institution of 'family'. Her insistence on the need to critically examine the 'geography of responsibilities' in 'family' to comprehend who is held responsible for what and to whom, on what conditions, which authority distributes it and at what criteria (Walker: 1998) are issues that are pertinent for a serious thinking on gender justice in 'family'

(2) **The Sociological Perspective:** This perspective suggested by A Brittan and M. Maynard, delves on the interconnections between gender oppression and socialization in 'family' that involves a close analysis of the 'self' and 'responsibility'. According to them, it is through the process of 'socialization' (a universal force which remorselessly shapes human personality and conduct) that the bisexual human beings acquire their identity of masculinity and femininity. The acquisition of gender is a process of 'internalization' of the 'expectations and role scripts' associated with masculinity and femininity, as human beings grow and develop in their environment (Britton and Maynard: 1984; Goffman: 1987; Cahill: 1987). To be a man or a woman thus implies a long process of indoctrination that transforms them into socially constructed gendered beings. They explain this through a prevalent identification of motherhood and womanhood. For a woman the whole process of socialization is seen as a preparation of marriage and motherhood which begins from a different treatment of a girl child from her brother at home, witnessing her mother's subordination to her father in family

to the extent of physical abuse in some instances, followed by her association with other social institutions and norms.

Socialization takes place through an entire gamut of social-political institutions/structures and conventions (agents of socialization), which confront the individual with an element of force to comply to the gender stereotypes. This requires passivity of the subject in an oppressive relationship between the 'socialized and socializers'. Their main argument is that it is not the gender, which is coercive in it, but it is oppression that mediates through gender, what is mediated is an ideology of masculinity produced and reinforced as a common sense, as naturalized, as a lived experience, as a conscious and as a collective force. It is this deeply *structured masculinity* that gets mediated and internalized through socialization that make women believe and conciliate to the injustice they face in 'family'. They probe into the works of Freud and Lacan to explain the relationship between 'self' and 'responsibility' in family. The psychoanalytical account of socialization by Freud assumes a sequence of developmental stages till the age of five, by which all pre-requisites of male and female gender are internalized as a 'self' through Oedipus situation. The 'self' of a 'man' emerges as a strong masculine superego and of a woman as a repressed passive 'self' reflecting the demotion of clitoral sensitivity (Freud: 1977). For a woman to reach sexual maturity, she must abandon her bisexuality and develop a truncated form of sexual identity suitable for motherhood and marriage. Hence for a woman her 'self' gets epitomized in her role of child rearing and care as her 'natural' responsibilities. Brittan and Maynard refute this assumption, by arguing that there are no intrinsic responsibilities of men and women by definition but, historically specific, relative, acquired, learnt and undergo transformations. Jacques Lacan's theory conceives gender as a historically specific form of internalized ideological discourse that is as an autonomous symbolic representation of the sexual division of labor. The discourse is adulterated Family, being one of the first and most crucial sites of socialization in Freud and Lacan's analysis, a woman's 'self' is produced and reproduced captivated in gender-specific responsibilities, primarily causing and sustaining her oppression.

Implications:

Based on above discussions I argue now that it has three implications on the status of women in society.

First gender injustice in ‘family’ leads to injustice in the political and economic realms in public sphere and vice-versa. This forms a vicious cycle in which women are victimized with limited options to escape the process. It is in this cycle itself that the patriarchy is mediated. Some could argue that the essentiality of women as care-givers in family, gets reflected in the public sphere as there are less job opportunities for women, they are paid low wages as compared to men for same hours of work, they are exempted from holding higher posts and have limited options of political participation (HDR: 1995; Joseph: 1997) On the other hand, her inaccessibility to education and political participation limits her own understandings of the rights she could exercise, confidence to dissent or resist and understand her own exploitation. Hence deprivation in one acerbates deprivation in other or deprivation in one could be seen as the factor for deprivation in the other.

Secondly, We began with a question that what took so long for women themselves to realize that they to have a claim to justice like men, not only in the public realm but also in the personal realm of family. One of the adverse implications of the politics of ‘self’, ‘responsibility’ and ‘gender’ in family that kept women’s subjugation unchallenged is ‘Adaptive Preferences’ (Nussbaum: 2000) or ‘false consciousness’ (Crocker: 1992). She evaluates herself through a sexist, andocentric and masculinist ‘lens’ which she internalizes as she is subject to gendered parenting (Brittan and Maynard: 1984) or ‘authoritarian sharing of responsibilities’ (Walker: 1998). This results in Adaptive preferences (Nussbaum: 2000; 2003), preferences that not in sync with the true nature of an individual but have been maneuvered and manipulated to suit the interests of those who maneuver it. In the context of women, many women in India never question their own preference of leaving their jobs after marriage to take care of the house even if they were doing really well in academics. Many women especially from poor families put up to physical abuse by their husbands without resistance. In most parts of the world, their husbands, who get away with it, have raped women at some point of their lives.^{vi}

Thirdly the politics of private-divide has resulted in a rigid care-justice dichotomy, replicating the traditional sexual division of labour. The relegation of ‘care’ as an exclusive

feature of the personal sphere of family and as an exclusive moral obligation of women, not only made women to suffer but also demeaned the value of 'care' in society. Many traditional and modern theories of justice have failed to address the importance of care, as they are based on equal, moral and rational nature of man with little acknowledgement of the physically and mentally disabled who need 'care' more than 'justice' (Okin: 1987). Going by Goodin's 'Responsibility Ethic' of 'responsibility towards the vulnerable', it is important to realize that this responsibility should not be limited to women towards her children but should be expanded to make all citizens in public sphere responsible to the vulnerable groups in society: the poor, the old, the physically challenged, destitute women, homeless children and so on. This is an important condition for any decent society. Many feminist thinkers like Kittay (1997), Ruddick (1989), Tronto (1993), Okin (1997), Ruiz (2005), Noddings (1984) Nussbaum (2005) has extensively attacked devaluation of 'care' in public realm and women as care-takers. Carol Gilligan's breakthrough hypothesis of Ethics of care vs. Ethics of Justice' made a significant contribution in making women's equally viable and relevant 'Care' perspective based on obligations and affection (Gilligan: 1982; 1987), visible as against the ethics of justice of men. Since then, feminist thinkers are grappling with the idea of how to combine the two perspectives theoretically and practically in private and public spheres. Nussbaum's capabilities approach is a plausible attempt in this direction (arguments in the next section).

SECTION 4:

Gender Justice in 'Family': Alternative Frameworks

Contemporary feminism in all its variations, has invoked the issue of gender justice in 'family', extensively and intensively. They have focused on the sources of gender injustice, factors behind its perpetuation and approaches to eliminate these sources. All three interventions have aroused plausible and almost non-conciliatory debates, facilitating the discussion in research and its significance in public policy.

This section is divided in two parts: In the first part, I will briefly take up some of the recently suggested frameworks to reconstruct gendered perceptions of self and responsibility in family, in context of the kind of injustice women face, that deprives them of a dignified

life. This would be followed by an elaborate analysis of Nussbaum's capabilities approach and its credibility as compared to some contemporary works.

To put most simply, mainly two strands of thought have emerged on this issue. One emphasizes on the need to move beyond 'gender' dissolving all boundaries between the 'public' and 'private' in political, social, economic and psychological relationships. This would mean reconciliation of the care-justice dichotomy, production-reproduction /non-production dichotomy, waged work-non-waged work difference, rationality-emotion dichotomy, the naturalized 'male self' and 'female self' and the gender-locked authoritarian distribution of responsibilities. It entails 'equality' of opportunities for both sexes in all aspects of life and equal sharing of the productive and reproductive roles like women's participation on government decision-making and men's enhanced participation in child-rearing. It adheres to justice in terms of respecting each individual freedom and choice. Liberal thinkers like Mary Wallstonecraft (Engster: 2001) and Susan Moller Okin's 'Humanist concept of justice' for 'family' have made a valuable contribution in this approach (Okin: 1989).

A different view defends the valorizing of differences and orientations between men and women, by providing them with adequate resources and opportunities to preserve and enjoy these differences without getting exploited and disadvantaged. They strongly criticize the idea of gender-neutral or genderless institutions and structures that undermine the specific needs of both sexes. Since, patriarchy is deeply rooted in our society, terms like genderless or gender-neutrality actually imply sexist, androcentric and masculinist notions. This perspective holds relevance in bringing forth the connection between inequality in the public sphere and private sphere. Implicitly patriarchal nature of explicitly projected gender-neutral opportunities, rights, laws and political institutions could not respond to the injustice and subjugation of women in public sphere, legitimizing the traditional division of labour. Many feminist thinkers have contributed in this approach, with varying focus on specificity of the issue. Some have dealt with motherhood (Friedman: 1997; Held: 1997), some with reproductive role (Firestone: 1972), some with her emotional orientation (Gilligan: 1982; 1987) and still some on her non-waged work as care giving (Fraser: 1997; Tronto: 1993). A recent preoccupation of the literature is with the objective to dignify the value of 'care' and women primarily as 'care-givers'. Their main concern is that women as caretakers should not

be left vulnerable and subjugated to men in family but should be supported and valued. This is not only important for gender justice but also for moral development of children, the old in family and the mentally and physically disabled of society (Kittay: 1995, Nussbaum: 2005, Ruiz: 2006). There is a wide agreement among the thinkers for a need to restructure the political and social institutions, structures and relationships based on 'care' (Tronto: 1993). However the problem with this approach is that reinforces the sexed -differences and associated roles and responsibilities. When Gilligan talks about a different, though equally viable orientation of women towards 'mutual obligation and care' than man's towards 'justice', she actually 'naturalizes' and 'essentialists' the 'acquired' gendered orientations which are produced through socialization (gendered parenting). In family thus, the association of men with justice and women with care, inculcates natural obligation and responsibility of 'care-giving' in a girl child and natural abhorrence to express 'care and affection' in a male child. This locks them in their gendered 'selves' and 'responsibility', limiting their own natural individual preferences and growth.

The psychoanalytical approach to analyze gender oppression in family, has made a commendable contribution by finding roots of oppression in the construction and reproduction of 'false self', a consequence and a cause behind gender- locked identities, responsibilities, relationships and values, which makes an individual a 'man' or a 'woman'. Hence there is a need to rethink on the constitution of 'self' of both men and women, formed in family. Baier, Virginia Held, Noddick, Ruddick, Milton Friedman, Chodrow, Frye and Gilian Rose have responded to this need in their own ways. D.T Meyers^{vii} suggests four reclamation strategies of 'Self' for women in family;

- 1) Understanding Motherhood
- 2) Dissolution of care-justice dichotomy
- 3) Recognition of cultural differences and separatist tendencies.
- 4) Reconceptualization of Autonomy

In the next section I analyze Nussbaum's theory in the light of these pertinent issues. I argue there that her theory is a commendable attempt that responds well to the mentioned issues in a formidable and workable way. It holds good relevance in not only understanding gender injustice in family but also suggests a plausible claim to reproach the issue.

SECTION 5

An overview of Nussbaum's 'Capabilities Approach'

Nussbaum's theorizing on matters of gender justice emanates from a deeper concern for human dignity and bodily integrity of a woman, abused in 'family' that are 'typically ignored urgent issues of justice' (Nussbaum: 2000). Hence apart from dealing with the traditional issues of distribution of resources and opportunities in justice, she reflects deeply on the nature of human being, the way it has been conceived and the fallacy of the conception. She also gives lot of emphasis on the scrutiny of 'family' based on principles of justice (another neglected issue), as it is in 'family' that the most subtle and grave violations of gender justice takes place. In light of the main theme of this paper, her theory envisages a life of human dignity for women as human beings before they become daughters or wives or mothers.

The Capabilities perspective, suggested by her aims to ensure that each and every individual has the capability to function 'in a truly human way' as measured by an Aristotelian inspired substantive account of human flourishing. In her own words her idea is to arrive at "*....basic social minimum ...that focuses on human capabilities, that is, what people are actually able to do and to be –in a way informed by an intuitive idea of a life that is worthy of a dignity of a human being*" (Nussbaum: 2000). Secondly she endorses a concrete list of capabilities, which she argues should be made intrinsic part of 'each and every person' in this world by virtue of being a human being. This point is a pertinent claim for women who have been always considered as 'means' in different roles, to serve patriarchal ends, especially in family. Thirdly, she considers the list as a minimum threshold for social justice in all societies, below which the injustice inflicted, needs recognition and intervention.

Thus, her approach is a theory within the liberal philosophy, arguably of a critical strand emphasizing 'choice as good' but it is not neo liberal as it necessitates material and institutional conditions for the 'choice' to be actually exercised and it is duty of political action to provide these to all citizens (Nussbaum: 2000).

I argue in defense of Capabilities Approach as a plausible normative framework, concretized in form of ten capabilities, which if pursued could ensure an equally dignified life for women in 'family', without dispensing with her emotions of care and sacrifice for her

loved ones. This is because Nussbaum's achievement lies in not just glorifying emotions, but dignifying them also through their recognition in the public realm. Her second important achievement lies in the proposition to ensure full moral development of children especially the female girl child through proper educational and health opportunities without burdening her with a preconceived masculinist notion of responsibility. There is a strong emphasis on 'moral autonomy' in terms of realizing one's real 'self' and 'worth' as an independent 'subject'. In practical sense it means the capability and freedom to make choices in life and determine one's own destiny.

In my view, following aspects of Nussbaum's Capabilities Approach makes her theory unique in its treatment of the issue of gender justice in family:

The 'Self' in Nussbaum's theory:

In previous sections I discussed how male and female identities are products of gendered social construction embedded with sexist perceptions of responsibilities, relationships and values, mediated through moral philosophy or socialization. 'Family' is one of the first and most influential sites where this construction takes place. Nussbaum's perceives this problem as that of 'adaptive preferences' (Nussbaum: 2000). The 'self' gets redefined in her theory in following ways:

First, Nussbaum is very critical of the Kantian notion of person as 'equal, moral, rational, objective, unemotional, free beings' most commonly a 'male', underlying the traditional theories of justice. It is exclusionary and discriminatory. She draws attention to the fact that life is full of contingencies and not all individuals fall into this category especially women and physically/mentally challenged.

She proposes to change the political conception of person in Kant as 'equal and independent' to Aristotelian conception of person^{viii} as both 'capable and needy' (Nussbaum: 2000; 2002; 2004; 2006) and as Marx puts it "in need of a rich plurality of life activities" (Marx: in Nussbaum: 2000). This conception touches human life the way it is for those in 'need' and some who are 'capable': the powerful and the powerless. Inspired by Aristotelian thought– it sees human beings from the first as animal beings whose lives are characterized by profound neediness as well as by dignity. It is a powerful point to include women in the

discourse as 'subjects' and acknowledge their subdued status in society and family, a neglected issue in justice discourse.

Secondly her argument to treat each individual as 'end', worthy of a life that entails human dignity, is a very relevant issue for women. Women in 'family' are recognized in different roles like 'mother' or 'homemaker' or 'a wife', which they perceive as their real identities. Her 'self' has an instrumental value to serve men. Nussbaum argues that all these roles come into picture only after her she is recognized as an independent entity' and given equal opportunity to acquire the capabilities given by her. That is a minimum threshold for all individuals in order to live a just life, irrespective of the roles and responsibilities.

Thirdly she believes that each individual has some 'innate capabilities' like capability to eat or drink and some basic capabilities like capability to love or care or study. It is only through suitable external conditions and opportunities that the innate and basic capabilities flourish as 'combined' capabilities. This point is an important check on 'gendered parenting' that is responsible for creating conservative gender identities. Nussbaum is persuasive that the girl child should be given adequate opportunities to for the development of the innate and basic capabilities in her, which means no discrimination in access to education, good health and other basic resources (Nussbaum: 2002; 2004). This is an important condition for a girl child to realize her individual integrity and 'real' self. If 'true self' is not attainable, at least the search for it should not be trammled.

Fourthly her conception of 'self' deals well with the problem of 'adaptive preferences' of 'false consciousness, which women come to form as a consequence of poorly-cultivated desires or ill-informed desires. The fact that she endorses these capabilities for each and every person as a minimum threshold, entails a gradual transformation in the psychology of men through these capabilities and therefore in the asymmetrical relationships between man and women in family.

Lastly, all capabilities in the list especially value of 'bodily integrity' and 'emotions', could play a very positive role in a woman's life to protect her from sexual abuse and violation of bodily integrity.

Hence. Capabilities approach, according to her, endorses the value of 'care' provided in such a way that the capability for self-respect of the receiver is not injured and also in such

a way that the caregiver (women in most cases) is not exploited and discriminated against on account of performing that role (Nussbaum: 2000).

‘Responsibility’ in Nussbaum’s Theory: Resolving the care-justice Dichotomy

A general consensus among feminist thinkers is that ‘care and justice’ are complementary and thus have suggested that ethics of care be supplemented by ethics of justice in private realm and ethics of justice in public to be supplemented with ethics of care in public realm (Tronto (1993), Gilligan (1982), Fraser (1998), Ruiz (2006). One of the other achievements of Nussbaum’s theory is her proposal of a concrete list of capabilities that incorporates both justice and care as essential to social justice. This becomes evident in following points:

First she advances the emotions of love, imagination and care as central political and social goals to elevate the status of ‘care’ in society considering that all human beings at some point of time are in need of care as children and in old age and some are in perpetual need like the physically and mentally disabled. Thus ‘care’ is not a value of contingency but a need at all stages of human life (Nussbaum: 2000,2004,2005). It needs to be valued and recognized not only in the private realm of family but should become the basis of political and social institutions to support the depended. In envisaging love/care as primary political and social goals, Nussbaum not only protects the self-respect of women in ‘family’ but also elevates the status of ‘care’ in society by making it everyone’s responsibility.

Secondly, she dissolves the dichotomy by opening ‘family’ to public scrutiny based on acquisition of the capabilities, by each member in family.

Thirdly, keeping in view the acceptance of ‘love’ and ‘imagination’ as moral abilities and social goals, Nussbaum suggests reform in the existing structure of ‘family’ based on asymmetrical public-private divide in political, social and psychological terms. There is a need to redefine masculinist identities, relationship and values in family in terms of these capabilities, to be actively pursued. Nussbaum’s theory dissolves all the boundaries between public-private, to ensure equal participation of women in public sphere.

Lastly, according to her, two capabilities play ‘an architectic’ role in human life ‘Practical Reason and Affiliation’ since the two purportedly “organize and suffuse all the other capabilities, making their pursuit truly human”(Nussbaum, 2000). These two

capabilities could be interpreted in terms of ‘justice based on reason’ and ‘care based on affiliation’ respectively, both playing an important role in making other capabilities a possibility. This reflects her deep belief in the importance of both ‘justice and care’ in ‘family’ for gender justice.

‘Family as a site of Justice’

Nussbaum discusses the institution of ‘family’ as a contradictory site of love, bonding and intimate relationships along with sexual abuse, domestic violence and discrimination at the same time. She begins with a criticism of the political approaches to family that project it as ‘natural’, oblivious to the cultural influences, as a ‘private structure without acknowledging the role of laws and institutions that actually shape it and ‘as a space for women’s natural responsibilities of love and care’ without recognizing of the forces of socialization (Nussbaum, 2000). Her perspective is based on the critique of ‘family’ understood in Rawls theory of justice. She raises three questions from his theory, indicating its fallacy of overlooking the implications of gender oppression in ‘family’ and the urgent need of intervention (Nussbaum, 2000-article). First, though Rawls agrees that ‘family’ is part of the basic structure, he denies any intervention in its ‘internal functioning’ (Rawls: 1971; 1977) as it a voluntary like church or a university. She contends that family is not a voluntary institution directly for children born in it who are subjected to gendered parenting without their realization (Nussbaum; 2000). It is not voluntary for women as well because she hardly has a choice of not entering this institution due to social pressures and very limited exit options from marriage. Looking at its pervasive influence in determining identities, relationships and values of men and women, it cannot be left to function on its own. Secondly she criticizes Rawls for not acknowledging the ‘parochial character of the western nuclear family’ (Nussbaum: 2000a) and thus ignoring other forms of human affiliation like village families, women’s collectives, joint families etc. She intends to reduce the dependence of women on the typical ‘family’ for emotional and financial support. Through the capability of ‘affiliation’, she valorizes the associational liberties of women so that they can draw support from other human associations and feel bonded. She cites the example of SEWA, an NGO in India supporting women from broken marriage, in which women feel the same bonding based on care and love among themselves, as they would in a family.

She also wants to break the myth that intimate relationships could only be formed in a typical heterosexual 'family' and gives importance to other forms of human associations. This would develop women's basic capability to 'associate with others' and form relationships, rather than being identified through only family relationships.

Thirdly, she criticizes Rawls' view of 'family' as given and its pre-political rights as an association to protect it from state action. She contests that that 'family' is a political institution, created by the state itself which gives legitimacy to relationships, define rights and privileges of its members, terms of divorce, marriage and parental responsibility in a family. Therefore it is also the responsibility of the state to put constraints on the associational liberties in family in order to protect the integrity and well being of women and children. Family as a 'group association' has value in terms of what it does in promoting the capabilities of each of its members (Nussbaum: 2000a). This means that deprivation of individual basic rights of women in the name of sustaining the familial bonding does not hold ground. Family as an independent group cannot have an independent standing and thus its public scrutiny is not a violation of its privacy. In the end the important question that needs to be asked is how is each individual faring in terms of capabilities, rather than arriving at any aggregative conceptions. Through this point, Nussbaum makes a convincing claim of valuing human dignity of each member of family, above any other concern.

The Role of state

One of the features of Nussbaum's capability ethic which makes it unique and convincing is the emphasis on its implementation by making it the philosophical basis of constitutional principles of state as a minimum threshold of social justice (Nussbaum: 2000; 2003; 2005). An idea is real only when it is real in its consequence. All societies claim to believe in gender equality but experience teaches us otherwise. Hence Nussbaum's proposition of the capability development ethic in form of ten capabilities is a plausible attempt to make justice accessible to all individuals by virtue of being human beings as end. (Nussbaum: 2000a). The fact that she argues in favor of 'capability to do' than on the actual functioning, reflects her concern for freedom of choice. For this, she envisages an active role of the state^{ix} in keeping a check on the internal dynamics of asymmetrical relationship between man and woman in family and providing adequate opportunities. Nussbaum's

considers 'family' as purely political institution constituted by the state and thus sees lot of potential in the state to restructure the 'family' in a way that gives women basic opportunities and freedom to develop a morally autonomous 'self', engaged in mutually interdependent relationships in family and other associations, determining her responsibilities as a free individual and forming her own conceptions of what to value in life. In terms of specific functions, the state could amend laws, make policies and create opportunities for promotion of the capabilities for each member of a family (Nussbaum: 2000: 2002). With reference to women, anti-dowry laws, laws against sexual exploitation at work, against sex-determination of fetus, against child marriage in India has definitely helped in protecting women from violation of her personal dignity. On the other hand, government programmes like adult education for women, women empowerment projects, national literacy mission, mid-day meal schemes, inheritance rights, adoption rights have generated awareness and consciousness among women. The fact that we still don't have laws against marital rape in India does make many of them vulnerable in abusive marriage to sexual abuse and rape, which is a gross violation of her integrity. Relationship between parents has a deep influence on the moral development of children; therefore it needs to be based on mutual respect and needs state intervention in case of violation.

Second role of the state, according to Nussbaum, could be to support and protect other forms of associations and groupings that could also help in the fostering of individual capabilities.

A third role suggested by her is to give women access to credit and economic self-sufficiency, along with education and leadership. This would give a woman equally viable exit options from a coercive marriage to sustain herself.

The role of state in family assumes its maximum viability with reference to the theme of this paper that is conception of 'self' and 'responsibility'. The 'girl child' in family needs equal attention, protection, basic resources like education and nutrition and freedom from pre-conceived notions of gendered identities and responsibilities. It also entails encouraging the public perception that women are not secondary to men, deserve equal respect and have an identity beyond being mothers and wives. It would help in changing the course of gendered 'socialization' gradually, consequently changing male and female mindsets.

Broadly, Nussbaum envisages a developmental welfare state in protecting the dignity, integrity and well being of each individual located anywhere, by promoting the capabilities suggested by her, within limits set by the associational and personal liberties of individuals (Nussbaum: 2000).

CONCLUSIONS:

This whole discussion on ‘Gender’, ‘Justice and ‘family’ could be summed up in these famous lines by Simon de Beauvoir (1949):

“One is not born, rather becomes a woman....it is the civilization a whole that elaborates this creature, intermediary between male and eunuch , which is classified as feminine .Only the intervention of others can establish an individual as an other”.

Though Beauvoir’s claim is stretched a bit far, it nonetheless brings forth explicitly, the overwhelming power of *patriarchy* rooted in social structures and institutions (family being one of them), in defining womanhood and her agency. The credibility of Nussbaum lies in the fact that she, unlike Beauvoir’s solution of dissociation from anything that defines womanhood like mothering, care, affection proposes to dignify these emotions along with other traits associate to men (Nussbaum: 2000). This is because she considers these as intrinsic to human life, both for men and women.

Finally, the point she is trying to make is that there is nothing wrong in becoming a ‘woman’ also, as long she has acquired all the basic capabilities and hence, is capable of defining her ‘womanhood’ from her own perspective as a morally autonomous ‘self’.

Nussbaum’s theory has received criticism for her uncompromising liberal stand, her universalistic claim, reliance on the state and limited applicability of her capabilities. I shall return to these issues in the conclusion.

The point she is trying to make is that there is nothing wrong in becoming a ‘woman’ also, as long she has acquired all the basic capabilities and hence, is capable of determining her ‘womanhood’ from her own perspective as a morally autonomous ‘self’.

Her theory assumes unique significance when placed in the Indian context. The three main concerns in gender justice that is the source of oppression, its legitimizing factors and approaches to eliminate them, when unfolded in the institution of ‘family’, become more

sophisticated in the Indian case as they engage with strong notions of culture and tradition. The sources of gender injustice are implicit and have assumed legitimacy due to perceived justness of dogmatic norms and lack of any contrary sense deep injustice in society. This is also one of the factors for the sustenance of unjust arrangements in social, political, economic and cultural spheres. Hence it is a pertinent task to scrutinize the underlying concepts of justice/injustice and to seek a confrontation between theory and practice. Nussbaum makes a commendable attempt by emphasizing on the necessity to build 'just' families which could produce individuals with a sense of 'justice' and mutual respect for each other's dignity.

The realization of these 'capabilities' both by men and women could eventually deconstruct the patriarchal images of 'feminine and masculine 'self' and the associated notions of 'identities', 'responsibilities'' and 'values' formed primarily in 'family'. The reconstruction of 'self' and 'responsibility' based on the capabilities proposed by her, holds the potential of transforming 'family' as a site of 'gender oppression' to gender 'justice' and hence a just society. Analogous to the saying 'Charity begins at home', I believe 'Justice begins at home'.

ENDNOTES:

ⁱ I have deliberately narrowed the discussion of this theory to ‘family’ in this chapter. Her theory is not just about family. It is linked to larger issues like liberalism and democracy.

ⁱⁱ For a full discussion of her defense of universalism refer Martha Nussbaum. 2000. *In Defense of Universal Values* in ‘Women and Human Development’ Cambridge: Cambridge University Press. and Martha Nussbaum. 1993. ‘Social Justice and Universalism: In Defense of an Aristotelian Account of Human Functioning’ *Signs*. 90:s46-s73.

ⁱⁱⁱ For a detailed discussion of these dichotomies refer Genevieve Lloyd .1984. *The Man of Reason: ‘Male’ and ‘Female’ in Western Philosophy*. Minneapolis: University of Minnesota Press. And S. Ortner. 1974. ‘Is Female to male as Nature is to Culture?’ in Rosaldo (ed) ‘Women Culture and Society’. Stanford: Stanford University Press.

^{iv} I do realize the limitation of this paper in not discussing other discourses on ‘responsibility’ especially from a male perspective.

^v For an excellent discussion on ‘vulnerabilities for women in marriage refer chapter 7 in Okin, Susan .1989. ‘*Justice, Gender and the Family*.’ New York: Basic Books.

^{vi} For an excellent study and interpretation of physical violence against women refer Martha Nussbaum. 2005. ‘Women’s Bodies: Violence, Security, Capabilities’ *Journal of Human Development: Alternatives Economics in Action*. 6(2). 167-184.

^{vii} For a full discussion of these points refer D.T Meyers. 2004. ‘*Feminist Perspectives on the Self*’ Source: Internet.

^{viii} For a detailed discussion of her Aristotelian stand refer Nussbaum, Martha. 1993. ‘Non-Relative Virtues: An Aristotelian Approach’ in Martha Nussbaum and Amartya Sen (eds.) *Quality of Life*, New York: OUP.

^{ix} For a detailed discussion on the scope of state’s action (U .S and India) in the realization of the Capability Ethic, refer Martha Nussbaum. 2002. ‘*Sex Equality, Liberty and Privacy: A Comparative Approach to the Feminist Critique*’ in Zoya Hasan, E.Sridharan and R.Sudarshan (eds) ‘India’s Living Constitutions :Ideas, Practices and Controversies’ Delhi: Permanent Black.