

# Unjust Gender Inequalities<sup>1</sup>

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Many papers on gender inequality focus on one or more respects in which women, as a group, fare worse than men, with some also noting respects in which gender discrimination and oppression is bad not only for women and children but also, as John Stuart Mill recognized, for society as a whole (1869: eg. 471-5, 558, 564). All this is, of course, consistent with men being harmed by patriarchal institutions or worse off than women in some respects either because of those institutions or for independent reasons.

In his controversial paper “Four Puzzles on Gender Inequality,” based on a provocative talk presented at a feminist forum, Philippe Van Parijs lists some peculiar gender inequalities. Such inequalities are puzzling not because they indicate dimensions in which women fare better than men but because they show a lack of shared and clear criteria to determine when inequality involves injustice, which is not due to predictable differences between Left and Right. Whether some inequalities require some sort of compensation or institutional reform is unclear even within a single position in distributive justice, including positions as elaborated as that of John Rawls.

As readers will notice, the paper is different from the standard scholarly pieces that appear in academic journals like LEAP. However, it still serves a valuable philosophical function because the puzzles it describes raise important questions regarding which statistical differences between two social groups identify an injustice and which merely contain information that is either irrelevant or that bears a more indirect relation to social justice. The value of discussing these questions, stressed by Van Parijs’ response “Real Freedom for All Women (and Men),” thus extends well beyond feminism. In addition, each instance of gender inequality Van Parijs describes is also intriguing in its own right, and not only as an illustration of the general problem just described. So, the discussion published here aims to contribute to an exchange that is informative and engaging not only for those interested in gender but also for those working on distributive justice more generally.

1. I thank Philippe Van Parijs and all participants for their cooperation and contributions and Serena Olsaretti for useful comments on this introduction. For help with the entire exchange, I thank Andrew Williams for excellent philosophical advice, and Laura Sánchez de la Sierra and Hannah Weber for their conscientious editorial assistance.

The first potential injustice Van Parijs' paper discusses concerns the fact that women live longer than men. This issue, previously discussed not only by conservatives like John Kekes (1997: 100ff) and men's rights advocates like David Benatar (2012: 57ff), but also by luck egalitarians like Shlomi Segall (2010: 105ff), brings out the controversy over whether there are normative differences between natural and social inequalities. The authors who successively agreed to contribute a piece on this puzzle turned out to be unable to deliver it. And so, despite the fact that LEAP Editors do not normally contribute to any exchanges, I ended up writing a (doubly blind refereed) reply to this first puzzle not to delay publication further. The response, "Distributive Justice and Longevity," claims that on plausible liberal egalitarian views men's lack of female longevity is not an injustice.

The second potential injustice concerns women's greater educational achievements. This new trend is worth attending to *inter alia* because women's lower educational achievements used to be deemed an important cause of gender inequality (e.g. Okin 1989: Ch. 7, esp. 142-7). In "Women's Greater Educational Efforts as a Consequence of Inequality," Jesús Mora denies there is any injustice here because society does not offer men any less educational opportunities. Instead, men reject or squander their equal or greater educational opportunities because society already offers them such good opportunities that they do not need qualifications as desperately as women, who, by contrast, in view of their greater likelihood of suffering domestic and workplace exploitation, take up the opportunities they have more conscientiously.

A third puzzle highlighted by Van Parijs concerns the fact that most voters are women, both because women live longer and because educated individuals tend to vote more. In "Do Women Enjoy a Political Advantage?" Pierre-Étienne Vandamme denies this inequality is an injustice or even an advantage because mere membership in a majority group cannot plausibly be judged so. Moreover, if women are not voting self-servingly, it is inappropriate to respond to their discharging their duty to vote and protect public goods or vulnerable groups, like children or animals, by depriving them of resources we otherwise deem theirs.

A fourth and final puzzle arises from three distinct inequalities, which may or may not represent injustices: inequalities in the possession of certain hormones, in incarceration rates, and in sexual desire. In fact, the final puzzle actually contains three distinct puzzles, which is why there are three responses to it. "Hormonal inequality" is the claim that men are handicapped by possessing more hormones linked to undesirable behaviors such as those involving imprudence or aggression. In "A Blatant Case of Over-Accommodation," Valeria Ottonelli grants that the set of propensities Van Parijs describes as

linked to male hormones could, in some sense, be understood as disabilities. But she argues that the over-accommodation of the unfortunate traits has effectively turned them into advantages. One cannot thus claim hormonal inequality is an injustice that needs to be rectified or that diminishes the inequality between men and women.

Inequalities in incarceration rates are a very different matter. First, incarceration is something only a minority of men experience, rather than part of men's normal constitution, like male hormones. Second, incarceration is not something that happens "naturally" but is instead a social method to prevent a murderer or rapist from committing further crimes and to deter other individuals from acting likewise. Third, unlike hormones, incarceration rates bring back the debate between natural and social inequalities and causation. Van Parijs compares the higher incarceration rates suffered by men with those suffered by the victims of social injustice, poverty and racial discrimination, despite the fact that it is women that are more often the victims of social injustice, poverty, and discrimination. However, in "Are Unequal Incarceration Rates Unjust to Men?" Gina Schouten answers affirmatively, even if men are the beneficiaries of injustice and guilty of the crimes for which they have been imprisoned.

A final issue involves the fact that men tend to be more interested in sex than women, and hire prostitutes or act foolishly, harming themselves and others in the pursuit of sexual gratification. In "The Rich Also Cry," Ana de Miguel not only addresses the issue of prostitution and male desire. In addition, she also tries, to some extent like Vandamme, to explain why Van Parijs' original audience reacted with hostility to his talk.

One reason for the adverse reaction seems to be the way Van Parijs' comments on prostitution sit outside decades of feminist work on the fact that almost all clients of prostitutes— including child prostitutes — are male, and how the sex industry and much of society caters to male desires for sex and domination that men do not regret.<sup>2</sup> Van Parijs, of course, does not claim that since men have certain desires women should give in to men's demands. However, at least part of the hostile reaction appears to have been caused by his unawareness of the way, vividly illustrated by de Miguel, in which portraying male sexual "greediness" as a burden *men* bear can be used, and has been used, for oppressive purposes.

2. For example, since men want novelty and ethnic variety, pimps regularly relocate prostitutes, preventing them from forming attachments that can undermine the pimp's control (de Miguel 2015:165). In the wider society, too, sexual access to women is maximized by keeping them poor, voiceless, isolated, homebound, or foot-bound, in harems or brothels, and by inventing religions like that of *trokosi*, *deukis*, and *devadasi* that sanctify sexual slavery, or by brainwashing girls into "wifely duties" and obedience because "men can't help it."

Van Parijs was moved by the desire to understand distributive justice better and was not thinking about possible misuses of his questions nor about the existence of a men's right movement, with which he has no connection. However, as women's position slowly improves in developed societies, and men's rights groups grow and become more vocal academically, legally, and politically, these sorts of misencounters and heated reactions are only likely to multiply and escalate. It is, therefore, preferable to examine calmly and separately each claim about a potential injustice to men. Some disputes may be solved by mere exposure to the relevant empirical research and by clarifying misunderstandings or faulty patterns of reasoning, whilst others may involve reasonable disagreements, or refer to an important unfairness to men that needs to be institutionally addressed. In all cases, however, it seems preferable to discuss such matters amicably when one has well-disposed interlocutors eager to do so, than to ignore potentially reasonable considerations. Failing to discuss such concerns is likely to fuel the growing resentment that is already brewing in the men's rights movement.

Some general recommendations one can extract from the exchange between Van Parijs and the other six political philosophers who respond to him are also likely to prevent other inequalities from being misconstrued as injustices. The first is that we should not *zoom in* and focus on an isolated inequality, for example, on education or longevity, without also *zooming out* to take a wider picture that may change the significance of the observed inequalities. The second is that we should not assume all statistical regularities indicate the existence of constraints reducing individuals' options, responsibility, or liabilities. For example, the fact that there is a strong statistical correlation between excessive power and corruption does not mean that power reduces people's options and should be seen as an attenuating circumstance making the powerful less liable to punishment for corruption. Finally, we cannot assume inequalities are reduced whenever the better-off engage in unadvisable behavior. For example, we may have reasons not to count the badness of being corrupt as something that diminishes the inequality between the very powerful and the powerless.<sup>3</sup>

3. One example can illustrate all three points. It was statistically very normal for slave-owners to pick a slave and force her to satisfy whatever sexual whim they had. The way the slave's family looked at the slave-owner doing so or perhaps the expression of the slave-owners' wife or daughter if they saw him may have caused him a temporary discomfort. However, it would seem odd to focus on that discomfort as an inequality justice requires amending, once we *zoom out* and take into account the circumstances that surround the discomfort and explain it. Second, the fact that it was common for slave-owners to exploit slaves sexually does not automatically mean slave-owners were constrained or lacked sufficient opportunity to act differently. Finally, it would be strange to deem the slave-driver's greater tendency towards additional wrong doing as something that reduced the inequality between masters and slaves.

The following exchange discusses several inequalities seen both from a narrower and a wider focus by Van Parijs and his commentators, reflecting on relevant factors that surround each of them. After all, it is by placing all the pieces together rather than by staring at each one in isolation that puzzles are usually solved.

## BIBLIOGRAPHY

- Benatar, D. 2012: *The Second Sexism - Discrimination Against Men and Boys*. Oxford: Wiley-Blackwell
- De Miguel, A. 2015: *Neoliberalismo Sexual. El mito de la libre elección*. Valencia: Cátedra.
- Kekes, J. 1997: *Against Liberalism*. Ithaca: Cornell University Press.
- Mill, J.S. [1869] 1998: "The Subjection of Women", in *On Liberty and other Essays*. Oxford: Oxford University Press.
- Okin, S. 1989: *Justice, Gender and the Family*. NY: Basic Books.
- Segall, S. 2010: *Health, Luck and Justice*. NJ: Princeton University Press.

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