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Care Ethics and Natural Law Theory: Toward an Institutional Political Theory of Caring

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Feminist care ethics have generally been considered too particular and situational to provide the basis for an institutional political theory. In recent years, however, a number of feminist authors have demonstrated care ethics' applicability to general moral and political problems. Yet they have not yet developed an institutionally based caring political theory. This article outlines such a theory by drawing upon contemporary natural law theory. It is argued that contemporary natural law theory provides a framework for formulating a caring political theory, and, alternatively, that care theory provides a foundation for justifying a form of natural law theory.

Carol Gilligan's *In a Different Voice* (1982) established care ethics as a major new perspective in contemporary moral and political discourse. Yet, two decades after the original publication of this work, it remains unclear whether care ethics can be developed into a distinctive institutional political theory, or represents only a supplement to liberal theories of justice. Taking up the latter line of argument, a number of scholars have argued that care ethics is appropriate for private moral relations but unsuited for political relations (Barry 1995, 252–56; Habermas 1990, 179–81; Kohlberg 1981–84, 2:229; Mendus 1993; Puka 1990, 1991). Feminist scholars have criticized this argument as an attempt to segregate caring into private relations and outlined a number of political policies supported by care ethics, but have thus far failed to show how care ethics can be translated into a comprehensive institutional political theory (Tronto 1993, 87–91).

A comprehensive institutional political theory may be defined as a theory that outlines the basic institutions and rules of society and provides an overarching framework for distributing fundamental rights and duties (Rawls 1971). This article develops a comprehensive institutional political theory of caring by integrating care ethics and natural law philosophy. Martha Nussbaum and John Finnis have recently revived a natural law approach to morality and politics that is in many ways complementary to the concerns of care theorists (Finnis 1980; Nussbaum 2000b). Yet their theories rest upon a contentious teleology of human flourishing and dubious accounts of moral obligation. Care ethics can provide an immanent and freestanding foundation for natural law that avoids the problems

of these natural law theories. At the same time, natural law can provide a framework for a comprehensive institutional caring political theory in the form of a body of rights aimed at facilitating the development of a broad range of human capabilities. Shifting the basis of natural law from a naturalist teleology to care ethics entails some amendments to natural law principles, but the two theories are generally symbiotic: the revival of natural law can be successfully carried out by drawing upon care ethics, and care ethics can be formulated into an institutional political theory by building upon the insights of natural law philosophy.

The Particularity of Care

There are a number of different ways of defining care ethics, but a core element in all definitions is an emphasis on the concrete and particular (Dancy 1992). Care ethics takes the concrete needs of particular individuals as the starting point for what must be done (Tronto 1993, 105). Care ethics is thus distinct from moral theories that start out from broad principles and rules of action, and it is this particularism that has led many writers to conclude that it is unsuited for general moral and political relations among people. In the landmark work on care ethics, *Caring: A Feminine Approach to Ethics and Moral Education*, Noddings (1984) develops this critique most forcefully. While identifying care ethics as superior to impersonal theories of justice, Noddings claims that caring is untranslatable into a general moral and political theory. She has recently revised some of her views (discussed below), but it remains worthwhile to review her original argument in order to understand the skepticism that many writers have about the applicability of care ethics to institutional political theory.

Noddings roots care ethics in the “attitude which expresses our earliest memories of being cared for and our growing store of memories of both caring and being cared for,” and as such, claims it is “universally accessible” (Noddings 1984, 5). She defines caring as attending to the particular needs, opinions, and expectations of others, and associates it with Buber’s account of ethical relationships in *I and Thou* (Noddings 1984, 32). Buber describes the I-Thou relationship as one of total and immediate identification between two individuals (Buber 1970). Noddings elucidates this relationship as one of engrossment.

Caring involves stepping out of one’s own personal frame of reference into the other’s. When we care, we consider the other’s point of view, his objective needs, and what he expects of us. Our attention, our mental engrossment is on the cared-for, not on ourselves. Our reasons for acting, then, have to do both with the other’s wants and desires and with the objective elements of his problematic situation (1984, 24).

While engrossment draws us into the particular world of the other, principled moral theories distance us from it. Rather than meeting others on their own terms, we subsume them under objectifying categories. “The other’s reality becomes data, stuff to be analyzed, studied, interpreted” (36). What is lost in these moral theories is connection with the other concrete person. One acts from principle rather than for persons in a manner that can be cold and calculating—and some-

times downright evil as, for example, when the other is defined as foreign, menacing or in some sense deviant (Noddings 1989). Care places the particular needs of individuals at the foreground of moral action so that attention to immediate human concerns take priority over abstract principles and programs.

Noddings's definition of care necessarily entails a particular and situational morality. She acknowledges that we may "care about" strangers in the sense of maintaining "an internal state of readiness to try to care for whoever crosses our path," but she distinguishes this perspective from "the caring-for to which we refer when we use the word 'caring'" (Noddings 1984, 18). Caring itself requires personal contact and varies according to individuals and situations. Indeed, because of the particularity of care, Noddings is wary of passing judgment on the caring activities of others. What is good for one individual in one situation may not be good for another in another situation. "Since so much depends on the subjective experience of those involved in ethical encounters, conditions are rarely 'sufficiently similar' for me to declare that you must do what I must do" (5). Care ethics does not then stipulate any substantive norms, but rather consists of an attitude of attending to others' wants and needs. The goal "lies in trying to discern the kinds of things I must think about" in caring for others (13–14).

Following directly from her definition of care, Noddings argues that caring cannot be taken as a model for general moral relations or an institutional political theory. Caring occurs in circles of intimates and friends who are engrossed in one another. These circles may be linked through chains of affection when members of one circle form relations with members of another (46–48). Individuals may also choose to extend care to other particular strangers because they recognize it as the moral thing to do (83). Noddings calls this an "ethical relationship of care" and distinguishes it from the more direct natural caring. But she rejects "the notion of universal caring—that is, caring for everyone—on the grounds that it is impossible to actualize and leads us to substitute abstract problem solving and mere talk for genuine caring" (18). A person can only care for so many particular others, and since each of these individuals must be treated particularly without general rules or principles, we must hold in abeyance our readiness to care for those whom we do not yet know. For similar reasons, Noddings rejects the possibility of translating care ethics into an institutional political theory. The commitment to caring, in fact, "invokes a duty to promote skepticism and noninstitutional affiliation. In a deep sense, no institution or nation can be ethical. It cannot meet the other as one-caring or as one trying to care. It can only capture in general terms what particular ones-caring would like to have done in well-described situations" (103). General legal rules and policies do violence to the particular and variable needs of individuals.¹ At least in *Caring*, Noddings therefore advocates a form of philosophical anarchism: the caring individual should distance herself from the uncaring world of law and politics and attend primarily to those particular individuals within her circle of care.

¹ Derrida develops a similar critique in "Force of Law" (1990).

Toward a General Theory of Caring Justice

A number of feminist writers have argued that Noddings's definition of care is inadequate and may actually promote uncaring relations (Bubeck 1995; Card 1990; Goodin 1996; Hoagland, 1990, 1991; Tronto 1993; White 2000). In turn, they have formulated more satisfactory definitions of caring that provide the basis for expanding care ethics into a general moral and political theory, but none has thus far articulated a comprehensive institutional theory.

One criticism of Noddings's definition of care is that it accords little importance to caring for oneself, except perhaps as a means to provide further care for others. Hoagland writes that a premium is placed in Noddings's theory on "always being other-directed" so that "being moral" comes to be indistinguishable from "being exploited" (Hoagland 1991, 255). The model caregiver by this definition would seem to be a martyr, servant, or slave. Bubeck underscores the insufficiency of this notion of care by noting that it "lies at the heart of women's exploitation as carers," since a good caregiver in this account selflessly gives herself to others without considering or complaining about the unjust distribution of caring activities (Bubeck 1995, 176–78). Moreover, as Gilligan argues in her account of women's moral development, there is something deficient in a wholly other-regarding caring morality (Gilligan 1982). A mature moral perspective involves concern for oneself and one's own well-being within relations of care. Clement builds on this point to argue that "genuine care" requires the autonomy and concern for oneself, since an individual must first recognize her own distinct needs before she can recognize and empathize with those of others (1996, 27–31).²

A second criticism of Noddings's notion of care is closely related to this first one. A number of critics have argued that the intense dyadic relationships described by Noddings may result not only in the exploitation of the caregiver, but also in a smothering paternalism. Goodin writes that "the trouble with subsuming individuals into relationships of 'we'ness is precisely that we then risk losing track of the 'separateness of people. Within a full Buberian relationship of 'we'ness, we are a single entity, a single personality. Then any can speak for all. That, in turn, makes it easy for everyone to impose upon (to exploit, if not strictly dominate) any or indeed every other" (1996, 507). White observes in a similar vein that Noddings "assumes that needs are transparent to the caregiver" in such a way that the caregiver's perceptions are privileged in the process of interpreting needs (2000, 116–20). Whatever the caregiver perceives as the needs of the other is taken as the other's true needs based upon their special relationship. Grimshaw adds that good care always entails an element of distance between the partners in relationship:

²Benjamin supports this position from the perspective of psychoanalytic object relations theory (Benjamin 1988; 1995).

If I see myself as “indistinct” from you, or you as not having your own being that is not merged with mine, then I cannot preserve a real sense of your well-being as opposed to mine. Care and understanding require the sort of distance that is needed in order not to see the other as a projection of the self, or self as a continuation of other. (1986, 183)

One final criticism of Noddings’s definition of care relates to its potential parochialism. Card argues that Noddings’s emphasis on personal and direct caring renders “as ethically insignificant our relationships with most people in the world, because we do not know them and never will” (1990, 102). Tronto notes that, given this definition, care ethics “could quickly become a way to argue that everyone should cultivate one’s own garden, and let others take care of themselves” (Tronto 1993, 103, 171). Surely, this is not what Noddings intended.³ Any adequate definition of caring must include some attention to the effects of our care (or lack thereof) on other third parties.

Tronto has formulated a theory of care that addresses these criticisms and lays the groundwork for an institutional caring political theory. Like Noddings, she claims that caring begins with the willingness “to suspend one’s own goals, ambitions, plans of life, and concerns, in order to recognize and to be attentive to others” (Tronto 1993, 128). Yet, she departs from Noddings’s definition by arguing that care is not just a disposition or attitude, but a practice with certain distinctive features including attentiveness, responsibility, competence, and responsiveness (118–19, 126–37). Moreover, she argues that the practice of caring is distorted when conceived narrowly in terms of asymmetrical and dyadic relationships, and instead should be understood to encompass attention to one’s self, one’s loved ones, third-party others, the social environment and world. She defines care most generally “as a species of activity that includes everything that we do to maintain, continue, and repair our ‘world’ so that we can live in it as well as possible” (103). By defining care as a practice and placing it in an overall social context, Tronto avoids the dangers of self-effacement and parochialism inherent in Noddings’s account of care. Her emphasis on the importance of responsiveness in caring relationships also avoids the potentially paternalistic elements of Noddings’s definition. A good caregiver will not impose her own notions of care on others but rather will always remain attentive to the other’s needs and concerns as he or she express them (136). One might, of course, question the expressed needs of others, or suggest needs they have not yet imagined, or refuse to meet their needs on the grounds that they conflict with the care of self or others. Some conflict or tension is inevitable in caring relations. But this element of responsiveness at least ensures that the otherness of the other will be acknowledged and respected rather than assimilated into one’s own understanding of the good.

By broadening and refining the definition of care, Tronto opens the way for developing care ethics into an institutional political theory. When we turn to her

³ Noddings indicates as much in responding to Card’s criticism and has revised her position in her most recent work (Noddings 2002).

political theory of care, however, the results are disappointing. She argues that a caring political theory consists of liberal democracy infused with a more caring citizenry. Indeed, she argues that “care is only viable as a political ideal in the context of liberal, pluralistic, democratic institutions” because care presupposes “a politics in which there is, at the center, a public discussion of needs, and an honest appraisal of the intersection of needs and interests” (158, 168). Institutional principles such as the rule of law, the protection of rights and a commitment to due process “constitute part of care” because they promote “listening and responding,” and thereby allow citizens to articulate and discuss their needs (215, n6).

Tronto is surely correct to argue that rights and democracy have an important place within a caring political order, but they certainly do not guarantee it. Rights may just as easily lead to a highly individualistic and selfish society as a caring one, and participatory democracy may lead to majority tyranny and the oppression of minority groups. The success of Tronto’s theory thus comes to depend primarily on her claim that a caring political order will be a liberal democratic society inhabited by caring citizens. These citizens will vigilantly criticize and address power inequities wherever they may exist and strive to make certain that all people are adequately cared for through provisions for good schooling, adequate health care, and so on (Tronto 1996, 145). Unfortunately, Tronto provides no suggestions for how such a caring citizenry, or even a political culture of care, might be fostered. She argues, in effect, that our existing liberal democracy would be more caring if people only cared more. Her proposal for translating care into political theory thus remains highly abstract, utopian, and ultimately incomplete.⁴

In her most recent work, *Starting at Home: Caring and Social Policy*, Noddings (2002) has revised her earlier position on caring to argue that care ethics can in fact guide social policymaking (1). Noddings still insists on the supreme moral value of directly caring-for others, but now adds that indirect and general

⁴A similar problem besets a number of other efforts to translate care ethics into political theory. In *Rethinking Obligation: A Feminist Method for Political Theory*, Hirschmann (1992) formulates a more caring political theory based upon participatory democracy. Like Tronto, she associates care ethics with participatory democracy but more explicitly acknowledges the potential for participatory democracy to favor privileged groups and result in oppressive policies (256). To safeguard against these dangers, she introduces various attitudinal elements into her theory such as a commitment among citizens to recognition, trust, mutuality, reciprocity, inclusion, and conversation. Once again, however, she provides little indication for how such attitudes are to be encouraged among the citizenry except to suggest that participatory democracy itself will foster their development. In a similar vein, Stephen White attempts to integrate the work of care theorists and postmodern theorists through a moral and political theory organized around what he calls a “lightness of care” (White 1991, 90–94). White’s lightness of care involves the pairing of curiosity and care so that one attends to the needs of others only after taking sufficient time to register the concrete details of their lives. White’s proposals ultimately do not advance us much beyond Tronto’s views in thinking about how to translate care ethics into an institutional political theory. Much like Tronto, he suggests that the institutionalization of care depends upon a combination of more democratic institutions and a more (lightly) caring citizenry. Yet he never explains how we might generate a more caring citizenry.

forms of caring, or caring-about, deserve much more attention (22). In particular, she argues that caring-about should be “seen as instrumental in establishing the conditions under which caring-for can flourish” (23). Even though we cannot directly care for everyone, we can care “indirectly for others by working to establish social conditions in which care can flourish,” and anyone who fails to do so, Noddings now insinuates, is not truly caring (48).

Noddings begins her thinking about caring social policies by “starting at home” and examining the types of practices that characterize the best, or most caring, home environments. The most caring homes attend to the needs of dependents, respond to their wants (albeit not always positively), foster independence and growth, avoid causing pain or using coercion whenever possible, and cultivate the ability to care. Noddings deduces two general social policy guidelines from these practices. First, social policy should “approximate (or enable others to undertake) the [caring] actions we would perform if we could be bodily present” (3). Secondly, social policy should “reject any principle or rule that makes it impossible for people in responsible positions to respond with care to those who plead for care or obviously need it” (231). Noddings argues, for example, that “there should be no mandatory sentencing laws that effectively remove judgment from judges,” and that “social workers should be able to tinker, within limits, with amounts, deadlines, eligibility requirements, and the like” (231).

Based upon these principles, Noddings formulates a number of policy proposals for developing a more caring society. Her first priority is finding homes for the homeless, since homes are central to attaining many of our basic needs, such as shelter, safety, food, and medical care (249–51). She proposes the construction of apartment or dorm complexes for the homeless, the creation of permanent group homes for the mentally ill, and emergency loans for individuals in danger of losing their homes (248–64). Noddings also emphasizes the importance of reforming our public school curriculum to include classes designed to teach students about parenting, child development, nutrition, and other household skills essential to the development of capable, caring adults (283–300). She likewise argues that both abortion and euthanasia should be legal, but subject to certain restrictions and mandatory counseling (235–39). Conversely, she argues that capital punishment and the current war on drugs should be abolished since both are excessively punitive and cruel (243–47, 269–78). Such are the central pillars of Noddings’s caring social policy. Since her aim is to show how an ethic of care might be infused into existing liberal societies, she can hardly be faulted for her partial and somewhat idiosyncratic discussion of topics (229, 230). Yet, her argument falls short of demonstrating how her ideal of a caring home might be translated into a comprehensive institutional political theory.

Other care theorists have outlined proposals that are supplementary to Noddings’s caring social policies. Kittay suggests that a caring social policy should be organized around the principle of *doulia*, a term taken from the name of the postpartum caregiver (a *doula*) who assists the new mother as the mother cares for the infant (1999, 68). She states the principle of *doulia* as follows: “Just as

we have required care to survive and thrive, so we need to provide conditions that allow others—including those who do the work of caring—to receive the care they need to survive and thrive” (107). Kittay’s notion of *doulia* has obvious similarities with Noddings’s vision of a caring social policy: the basic idea is to foster the ability of caregivers to give direct care to others. Kittay’s theory, however, addresses an important oversight in Noddings’s theory. In *Starting at Home*, Noddings pretty well addresses the problems of paternalism and parochialism that beset her earlier theory, but gives little attention to the ways in which caregivers are often exploited or disadvantaged by the very practices of providing care. Kittay foregrounds this important problem by emphasizing the need to provide care to caregivers so that they are not unfairly burdened by their caring work.

Turning to social policy, Kittay identifies the Family and Medical Leave Act of 1993, which permits up to 12 workweeks of unpaid leave for workers within any twelve month period, as emblematic of the sort of legislation necessary to support caregiving, but argues that it is marred by three shortcomings: “1) leave is unpaid; 2) employers with less than 50 employees are exempt from the FLMA; 3) The FLMA construes family in relatively traditional terms” (135). Because of these shortcomings, the majority of the workforce is unable to take advantage of this law. An immediate solution would be to provide some compensation for workers during their leave time, to expand the FLMA to include all employees, and to allow nonmarried adults who are cohabitating to qualify. More radically, Kittay calls for a “socialization and a universalization of compensation for dependency work,” whereby all caregivers would receive a payment for dependency work, “which can be used to compensate a mother for her time caring for her child, or allow her to use the money to pay for daycare. Or to provide a son or daughter to care for an ailing parent, or to pay someone else to perform the service” (143).

Folbre and Harrington propose a number of similar proposals (Folbre 2001; Harrington 1999). Folbre notes that in France any woman with at least 10 months of prior work experience can take a 16-week maternity leave with a generous subsidy, and new parents who have been working for a current employer for at least a year have the right to an extended unpaid leave or a reduction in work hours (with a proportionate reduction in pay) until their child is three years old (2001, 131–32). The French have further instituted publicly funded “maternal schools” for children from age three to five that serve a dual role as early education and daycare centers (132–33). Folbre suggests that similar policies ought to be implemented in the United States, along with a more generous family allowance in the form of higher tax exemptions for dependents, higher earned income tax credits for families with dependents, and subsidies for childcare (109–20; see also Harrington 1999, 51–60). In general, Folbre argues that we need to “develop and strengthen ways of rewarding the work of care” by creating a simpler system of care support that attends, in particular, to the needs of the poor and vulnerable (135, 232).

Taken together, Noddings, Kittay, Folbre, and Harrington outline a solid platform for a caring social policy, but their proposals amount to something less than an overarching institutional political theory. These scholars say very little, for example, about the nature of government institutions, decision making and rights. Noddings does devote a chapter to demonstrating the link between needs and rights, but does not develop a theory of caring rights specifying which needs ought to be guaranteed to all individuals within society (Noddings 2002, 53–68). In fairness, all these writers have more immediate social policy aims than outlining an institutional political theory. However, when measured against existing institutional theories, their recommendations appear partial or incomplete. They describe important pieces of a caring institutional political theory, but do not fill out the whole puzzle.

A number of other feminist writers have enumerated other aspects of a caring political theory, but likewise fall short of enumerating an institutional theory. Clement, for example, argues that the simple contrast between caring and rights is invalid (1996, 80–83). Rights can be fruitfully conceived as rules specifying what people should do in relation to one another, and as such, may be used to institutionalize the commitments of care. Positive rights, in particular, bring the priorities of care to the public sphere by establishing general caring relations among all people. Much like Noddings, however, Clement fails to outline a substantive theory of rights to support a caring political theory. Clement further suggests that social welfare programs, at their best, “exemplify the defining features of an ethic of care,” and as such, represent a “public application of the ethic of care” (89–90). Arguing against critics who see state support for child- or elder-care as undermining family values, she contends that public subsidies and programs actually promote caring relationships by providing more individuals with the opportunity to attend to their loved ones, and by ensuring a level of autonomy for dependents by tying their care to state entitlements rather than family support (97–102). Clement adds, however, that if these programs are to avoid the problem of paternalism, they must “begin with a public discussion of needs” and promote “healthy relationships between caregivers and care recipients” (104–05). Once again, though, she does not outline a comprehensive program of state entitlements following from care ethics.

White and Robinson develop Clement’s last point in greater detail (see also Sevenhuijsen 1998). White argues that when social welfare programs are conceived within the distributive paradigm, they almost invariably manifest paternalistic relations. A group of experts allocate some set of goods to individuals usually without “recognizing the particular identities of the actors involved” (White 2000, 72). White contends that these programs are uncaring (and often ineffective) because they ignore the particular needs, circumstances, and resources of the individuals whom they are intended to serve, maintain hierarchical power relations between providers and dependents, and hence often arouse suspicion and resistance. By contrast, she argues that a caring approach to social welfare programs must involve a democratic process of needs interpretation in

which the “needy” are given the opportunity to define their needs and actively participate in the programs designed to serve them (White 2000, 136, 164–67, *passim*). Robinson expands on this point by arguing that a caring political theory must move beyond the “discourse of partnership,” where aid is provided to the needy without effectively redistributing power, to a new discourse of partnering “based on close face-to-face interaction between organizations and their constituencies so that ideas and policies are shaped in the crucible of everyday practice rather than in the upper echelons of remote and rule-bound bureaucracies” (Robinson 1999, 160). Like White, she argues that caring involves more than providing for the needs of individuals; it also involves establishing trusting relationships. Both White’s and Robinson’s theories thus add another important element to an overall political theory of care, but once again, their proposals amount to something less than a comprehensive institutional theory.

Care and the Natural Law

The writers discussed in the previous section take important strides toward developing a political theory of caring, but none outlines a comprehensive institutional theory capable of integrating the various aspects of care ethics. The question thus remains whether care ethics can generate a distinctive institutional political theory or represents only a supplement to liberal theories of justice. In this final section, I argue that care ethics can be developed into a distinctive institutional political philosophy by building upon the ideas of two prominent contemporary natural law (or neo-Aristotelian) theorists: Martha Nussbaum and John Finnis.⁵ Nussbaum and Finnis outline a theory of rights for facilitating the development of a broad range of human capabilities and meeting the particular needs of individuals through localized democratic processes, and consequently, describe an ideal institutional framework for integrating and actualizing the insights of care theorists. The cogency of their theories is partially undermined, however, by unacknowledged metaphysical premises and insufficient accounts of moral obligation. These defects can be remedied by drawing upon the insights of care theorists. Specifically, care theorists’ account of the intersubjective nature of human existence supplies an immanent ground for justifying natural law theory superior to the justifications offered by Nussbaum and Finnis. The result is a more satisfying and consistent caring natural law theory capable of providing the foundation for a caring institutional political theory.

Care ethics and natural law theory share a number of important similarities. Both emphasize the inherently social nature of human beings and view the most basic intimate relationships between individuals, such as parent-child relation-

⁵Nussbaum’s and Finnis’s works share a number of similarities, but draw some very different conclusions from them. See, for example, their differing views on homosexuality (Finnis 1993; Nussbaum 1993).

ships and friendship, as the model for theories of justice. Both likewise suggest that just relations among people require attention to the particular needs, concerns, and characteristics of concrete individuals, and as such, endorse practical and situational moralities. Nonetheless, feminists have been hesitant to draw upon natural law theories in formulating their care theories—and with good reason. Traditional natural law arguments rest upon a natural teleology that translates biology into destiny and difference into hierarchy (Ruhl 2000; Traina 1999). Women in this scheme are usually said to be biologically destined for child-bearing and child-rearing but deficient in other capacities. Indeed, the two most famous historical proponents of natural law, Aristotle and St. Thomas Aquinas, both judged women to be naturally inferior to men and best suited for domestic labors (Traina 1999, 10–11, 85–86).

Both Nussbaum and Finnis, however, argue that natural law theory can be reformulated apart from natural teleology, and hence in a manner devoid of the hierarchical elements that have made it unattractive in modern times.⁶ In fact, both contend that traditional interpretations of Aristotle and Aquinas are mistaken, since neither philosopher rested his natural law theory on natural teleology in the manner usually assumed (Finnis 1980, 23–55; 1983, 1–25; 1998; Nussbaum 1995). Leaving aside the question of whether their interpretations of Aristotle and Aquinas are correct, I focus here on the sufficiency of their own natural law theories.

Nussbaum's theory is based upon the capabilities approach to human well-being developed in economics by Amartya Sen and inspired by her research on Aristotle.⁷ The basic idea behind this approach is that there are certain capabilities that are so central to what it means to be a human being, or we might say so essential to human nature, that a human being cannot be deprived of the opportunity to exercise them without at the same time being stripped of his or her humanity (Nussbaum 1995, 94–95). The capabilities approach thus rests upon an evaluative concept of the human being that singles out certain capabilities as essential for human flourishing. Nonetheless, Nussbaum insists that her theory is a “freestanding moral idea” that does not rely upon “a particular metaphysical or teleological idea” (Nussbaum 2000a, 119; 2000b, 83). “The body that labors,” she writes, “is in a sense the same body all over the world, and its needs for food and nutrition and health care are the same.” She further adds that the “search for competence and mastery and control over the conditions of their lives” is a common desire among all human beings in all societies (Nussbaum 2000b, 22). Drawing upon Rawls's recent works, she claims that her list of capabilities represents “a type of overlapping consensus on the part of people with otherwise very different views of human life” about what is right and good (Nussbaum

⁶Traina similarly distances natural law theory from the hierarchical arguments of Aristotle and Aquinas, but retains much of their natural teleology (Traina 1999).

⁷For a discussion of the differences between Sen's and Nussbaum's approaches, see Nussbaum 2000b, 11–15.

2000b, 76). No matter what else people might believe about the universe and human existence, all can agree that the basic capabilities are good.

Based upon the most commonly articulated needs and desires of individuals, Nussbaum formulates a list of 10 central capabilities essential for human existence, but acknowledges the potential for future additions (Nussbaum 2000b, 77–80, 148–61). Her current list includes the ability to live to the end of a human life of normal length (clause 1); to enjoy bodily health and bodily integrity (clauses 2 and 3); to develop and freely use one's senses, imagination, emotions, and reason (clauses 4 and 5); to exercise practical reason and form a personal conception of the good (clause 6); to engage freely in various forms of social interaction with others (clause 7); to live with concern for animals and the natural world (clause 8); to be able to laugh and play (clause 9); and to exercise control over one's political and economic life (clause 10).

Nussbaum proposes her capabilities approach as the basis for an institutional political theory. The aim "is to provide the philosophical underpinning for an account of basic constitutional principles that should be respected and implemented by the governments of all nations, as a bare minimum of what respect for human dignity requires" (Nussbaum 2000b, 5). More specifically, she claims that every government should provide their citizens with the opportunity to practice at least a threshold level of each of the capabilities (Nussbaum 2000b, 12, 74–75). The capabilities approach is therefore not a complete theory of justice. It does not specify the requirements of an ideally or fully just society, but instead outlines only a decent social minimum of public justice. Moreover, the political goal is to provide every individual with the opportunity to exercise his or her capabilities in a minimally human way rather than to promote the actual functioning of all these capabilities (Nussbaum 2000b, 86–96). Individuals are left to themselves to choose which capabilities to develop or neglect (religion over sexual expression, play over work, or some combination of each) according to their own conceptions of the good. Different societies, in turn, are responsible for determining within reason the threshold level of each of the capabilities (Nussbaum 2000a, 126). An unreasonable level would be one that deprived individuals of their ability to develop any of their essential capabilities.

While Nussbaum presents her capabilities approach as a universal theory of justice, she emphasizes its particular value for women, the poor, and the disempowered who often lack the opportunity to develop their fundamental capabilities because of cultural and financial obstacles. In this regard, her theory should assuage the doubts of feminists and others who regard all forms of natural law arguments with suspicion. Indeed, her capabilities approach has much in common with care ethics: the goal is to meet the particular needs of all individuals and foster the development of their capabilities at least up to a threshold level. Moreover, her emphasis on the inherent capabilities of all human beings implicitly recognizes one of the central tenets of care theory: that people in need are simultaneously capable of providing care for others when adequately cared for themselves. Nussbaum's approach also avoids most of the dangers associated with

paternalistic theories of justice because (a) it promotes the needs that individuals themselves most generally identify as central to their well-being; (b) it addresses individual needs by promoting “capabilities, not actual functioning, in order to leave to citizens the choice whether to pursue the relevant function or not to pursue it;” and (c) it recognizes that “each of the capabilities may be concretely realized in a variety of different ways, in accordance with individual tastes, local circumstances, and traditions” (Nussbaum 2000b, 51–59, 105, 148–61).

Nevertheless, Nussbaum’s theory as currently formulated is not entirely successful. Despite her claims to the contrary, her theory ultimately rests upon a particular metaphysical doctrine of human nature. It may not rest upon a particular religious or cultural dogma (although it does appear to have much in common with western liberal ideals), but it does posit an ontology specifying what it means to be really human by defining a full or flourishing human existence in terms of some capabilities while excluding others. As such, it suffers from the same weakness that afflicts all political theories that rest upon metaphysical definitions of human nature: it will be persuasive to those individuals who agree with the underlying evaluative conception of human nature but unpersuasive to all those who regard other capabilities, such as domination and conflict, as essential to human well-being or posit an essential difference between people.

A second problem in Nussbaum’s theory is her account of moral obligation. Her argument, in brief, runs as follows: there is a set of basic capabilities that we are all obliged to respect and foster in all human beings since otherwise we fail to treat them in a manner worthy of the dignity of a human being. Covertly slipped into this argument is the assertion that we have a moral obligation to treat other human beings with dignity. This argument works in traditional natural law teachings because the moral obligation to respect and develop others’ capabilities is commanded externally by God or nature. Yet, Nussbaum’s secular rendering of this theory has no such external moral support. Even accepting her account of human nature and her list of basic human capabilities, one still might question: why am I obligated to respect others and provide them with the opportunity to develop their capabilities, especially when it may involve some cost to me? Nussbaum leaps from the claim that all human beings have certain capabilities to the claim that we have a moral duty to foster the capabilities of others—via political institutions—without providing any argumentative link between these two claims. She simply assumes our duty to respect and promote the human dignity of others without justifying it.

Finnis takes a different tack in outlining his natural law theory, but ultimately falls into some of the same problems. Like Nussbaum, he sets out to defend a natural law theory independent of metaphysics and a philosophy of nature, but he also avoids substantive claims about human nature by building his case for natural law strictly upon practical reasoning (1983, 12–17). Practical reasoning is “thinking about what (one ought) to do . . . in deciding, in adopting commitments, in choosing and executing projects, and in general in acting” (1980, 12). When a person adopts the practical point of view, “we mean that he must assess

importance or significance in similarities and differences within his subject-matter by asking what would be considered important or significant in that field by those whose concerns, decisions, and activities create or constitute the subject-matter" (1980, 12).

Based upon this definition of practical reasoning, Finnis proceeds to outline a set of basic human goods, which he notes are not yet to be taken as moral goods. Basic goods are those goods that are self-evident to anyone who uses his or her practical reason to attend carefully and honestly to the relevant human possibilities (64–73). They are the sort of goods that "intelligence makes evident and thus available to us" as "aspects of human flourishing or fulfillment," and cannot be denied without involving oneself in absurdities or contradictions (Finnis 1983, 71–72). Finnis's list of basic goods is similar to Nussbaum's and includes life, knowledge, play, aesthetic experience, sociability, practical reasonableness, and religion (Finnis 1980, 86–90). Like Nussbaum, he claims that none of these goods is superior to others since all are potentially important to a good life (Finnis 1980, 92–95). Individuals may choose to emphasize some of these goods over others in their own lives, but no one who honestly considers the whole range of possibilities open to human beings and the fullness of human flourishing will fail to recognize all of these basic goods as potentially desirable to all human beings (Finnis 1980, 127).

The next step in Finnis's argument involves providing an account of moral obligation to explain why we should respect and foster the basic goods of others, and for this he appeals to the requirements of practical reasonableness. A person who seriously engages in practical reasoning will recognize the full potentiality of human well-being, and hence the fundamental importance of all the basic goods regardless of her own particular preferences. She will further acknowledge that the basic goods are potentially desirable for all human beings and respect their right to pursue them. Finnis calls these requirements the principle of fundamental impartiality, explaining that "intelligence and reasonableness can find no basis in the mere fact that A is A and is not B (that I am I and am not you) for evaluating his (our) well-being differentially" (Finnis 1980, 107). There is, he notes, some room within practical reasonableness for self-preference, since "my self-determined and self-realizing participation in the basic goods" is part of realizing "the forms of human good" (107). But once an individual has realized a modicum of her own basic goods, she is required by practical reasonableness to favor and realize the fulfillment of basic human goods wherever and in whomever they exist. Finnis proceeds to list a number of other requirements of practical reasonableness closely associated with the requirement of fundamental impartiality, such as the requirement that one ought never to damage or impede the realization of any of the basic goods, and inversely, ought always to promote the basic goods of others (118–25). The crux of Finnis's moral argument, however, is the claim that a person must respect and foster the fulfillment of basic goods in others because practical reasonableness makes "no arbitrary preferences amongst values" or "persons" (106). This requirement amounts to a restatement of the

Golden Rule: "Do to (or for) others what you would have them do to (or for) you" (107–8).

The final step in Finnis's argument involves formulating his moral argument into an institutional political theory. He begins by arguing that sociability, or living in peace and harmony with others, represents a basic good of human life that all people at least implicitly recognize through practical reason (88). Without the cooperation of others, human beings would be unable to fulfill most (if not all) of their basic goods. The paradigmatic case of sociability is friendship in which individuals mutually attend to and foster the particular needs and goods of others (141–42). At least in diluted form, Finnis argues that the same attentiveness, responsiveness and "sharing of aim" of friendship is constitutive of all human groups, communities, and societies (152). Human beings must show some concern for the well-being of others and a willingness to coordinate their actions with them if there is to be any community among them. In friendship, one knows the particular needs and goals of others and hence can discriminately provide for them. In society, however, the particular needs and goals of others are often unknown. Finnis therefore suggests that sociability toward others in general requires respect for and attention to all those conditions that will promote the particular good of every person within the community and maintain a relationship among them. Since there are a variety of basic goods among human beings and individuals may choose to rank them differently, this means respecting and fostering the whole panoply of basic human goods. "In the case of political community, the point or common good of such an all-round association . . . [is] the securing of a whole ensemble of material and other conditions that tend to favour the realization, by each individual in the community, of his or her personal development" (154).

The institutional means for ensuring individuals the material and other conditions necessary for their development is a body of rights guaranteeing everyone a threshold level of material well-being and civil and political freedoms (198–230). These rights should not, however, provide directly for individuals, but only assist them in providing for themselves (146). Finnis thus suggests that government policy should be guided as much as possible in distributing goods by the principle of subsidiarity, or the idea that individuals and local organizations should assume responsibility whenever possible for the realization of their goods (145–47).

A number of writers have charged that Finnis's theory collapses without the backing of the philosophy of nature and human nature that supported classical natural law theory (Hittinger 1987; Lisska 1996, 139–65; Veatch and Rautenberg 1991; Weinreb 1987). Lisska succinctly summarizes many of these criticisms with the following: "Traditionally, the concept of human nature or human essence has played a central role in determining the list of goods that are to be sought. Natural law philosophers, Veatch in particular, ask if the dependence on human nature for the determination of the goods is eliminated, then what is the ground for these ends or goods?" (1996, 143). Finnis, for example, excludes from his list

of basic goods “selfishness, cruelty and the like” on the grounds that they “simply do not stand to something self-evidently good as the urge to self-preservation stands to the self-evident good of human life” (91). Yet, in *Genealogy of Morals*, Nietzsche argues just the opposite—that among “more primitive men” the qualities of “selfishness, cruelty and the like” were self-evidently good to human life, vigor, and happiness (Nietzsche 1967, 67). The point here is not to endorse Nietzsche’s account of goods over Finnis’s but simply to note that a certain conception of human flourishing and good already stands behind Finnis’s list of basic goods. The basic goods he lists are not self-evident but more precisely the sorts of goods that most individuals enmeshed within the Judeo-Christian tradition tend to endorse. An unstated theory of human nature appears to stand behind his enumeration of self-evident goods.

A second, related problem arises in Finnis’s list of the requirements of practical reasonableness. Finnis suggests that practical reason makes no distinction among goods or persons, but is oriented toward the fulfillment of as many goods as possible in whomever they may exist. This assumption grounds his theory of moral obligation, yet it rests upon the prior moral assumption that all goods and persons are essentially the same or equal. It certainly would be contradictory or unreasonable to favor some goods or persons over others if all goods and persons are exactly the same in some important respects, but why practically speaking must we make this assumption? If we assume that there are relevant differences between persons and goods, then it would be perfectly consistent or reasonable to favor some over others. Finnis never adequately explains why practical reason must necessarily assume the essential sameness or equality of all goods and persons, but merely inserts this moral assumption into his definition of practical reasonableness. He is thus able to derive a theory of moral obligation from his account of practical reason because he stipulates a theory of practical reason that already includes moral presuppositions.

This brief discussion of Nussbaum’s and Finnis’s natural law theories demonstrates some of the main problems confronting the revival of contemporary natural law principles. Natural law theories appear almost necessarily to rely upon metaphysical notions of human nature and moral obligation. An alternative, immanent ground for these theories can be found, however, in the intersubjective accounts of human existence developed by care theorists. This account of human existence is implicit in Nussbaum’s and Finnis’s theories, but neither justifies her or his account of natural law in terms of it.

The reconstruction of natural law theory begins with a principle central to all natural law theories—that human beings are political animals who depend upon community with others for their development and well-being. Care theorists provide a more precise rendering of this principle by noting that human beings depend first and foremost for their development and well-being not upon some abstract notion of community, but rather upon the concrete care of particular individuals. Without the attention and responsiveness of parents or guardians, children would never develop any of the capabilities described by Nussbaum and

Finnis, “grow into anything recognizably human (for all of the variations of which humanness admits),” or probably even survive for very long (Code 1987, 363). We likewise all depend upon the care of others throughout our lives for the fulfillment of our basic needs and goods, particularly in times of sickness, disability, and old age, but also more generally in our everyday relationships with family and friends (Baier 1997). Kittay argues that “early childhood, illness, disability and frail old age” are not exceptional circumstances in human beings’ lives but “inevitable dependencies” grounded in biology (Kittay 1999, 29). Since these dependencies are inevitable, so, too, is the care necessary for survival and flourishing throughout our lives. Even during times of relative health and vigor, most people depend upon the care of family and friends for their material and emotional well-being. This form of dependency is obviously more voluntary than illness or old age, and yet individuals who choose to live entirely without family and friends almost always live impoverished material and/or emotional lives. Care, then, is necessary for our development and continued well-being. Without the attention and responsiveness of others, we would simply not be who we are, which is not to say that we need these goods to be essentially human. Rather the claim is that we are who we are—capable of using reason and language, making moral judgments, and interacting peaceably with others—because we have enjoyed and continue to enjoy the care and cooperation of others, and being who we are, we cannot help but to regard the basic practices of caring as good.

Caring is also necessary for the constitution and reproduction of society. Every society depends upon the care of parents or guardians—usually women—to raise children into competent adults capable of cooperating with others and contributing to society in positive ways. Baier observes that every social system “must take out a loan not only on the natural duty of parents to care for children . . . but on the natural virtue of parental love” (Baier 1994, 6).⁸ Lacking “good enough mothering,” children will fail to develop a sense of personal identity and confidence necessary for successful cooperation with others (Winnicott 1965). As such, anyone who depends upon social cooperation to achieve their goals ultimately depends on caring, since the ability of individuals to engage in a cooperative social scheme itself depends upon the background condition of caring. Folbre makes this point with particular force in discussing the modern capitalist economy (Folbre 2001). The invisible hand of the market, she argues, fundamentally depends on the visible heart of caring. Unless caregivers raise responsible individuals capable of generally fulfilling their contractual obligations, capitalist markets would cease to function smoothly. Even the most purely instrumental human relations thus depend at root upon the prior existence of care.

A good case, too, can be made for the idea that some modicum of caring is necessary to sustain peaceful and noncoercive relations among people. Benjamin argues that our earliest experiences of caring translate into a lifelong need for

⁸ Baier here is specifically criticizing Rawls’s lack of attention to the importance of caring, but her criticism applies more generally.

attention and responsiveness, or what she calls “recognition,” from others (Benjamin 1988; 1995). Individuals who are unable to achieve the recognition they desire from others often resort to coercive behaviors to extort attention and responsiveness from them (Benjamin 1988, 51–84). Honneth has developed these insights into a general social theory. “Built into the structure of human interaction there is a normative expectation that one will meet with the recognition of others, or at least an implicit assumption that one will be given positive consideration in the plans of others” (1996, 44). When individuals feel their particular needs and opinions are not being recognized or their opportunity to exercise their basic capabilities is being denied, they experience humiliation and anger and often resort to covert or open acts of rebellion to demand recognition, or in other words, they counter unsociable treatment with more of the same.

Based upon this analysis, we arrive at the conclusion that the basic good (or necessity) of caring provides an immanent justification for respecting and fostering the basic goods of others. The argument may be briefly summarized in the following way: we all require community with others for our development and well-being; our ability to engage in community with others—as well as the very existence of community—depends upon the practices of caring; and the practices of caring demand that we respect and foster the basic goods of others. It is not necessary, then, to resort to a philosophy of nature, or a theory of human nature, or an account of practical reasonableness, to justify natural law principles. A foundation for natural law exists in the basic practices of care. We should care for others by respecting and fostering their basic capabilities because, as Baier writes, “free riding on the generative scheme” of care is “at best churlish, at worst manifestly unjust” (Baier 1997, 30); and similarly because, as Benjamin and Honneth suggest, the attention and responsiveness of caring underlie social cooperation and peace. One certainly might choose to ignore or thwart the practices of caring (as many individuals choose to do every day), without fearing the imminent collapse of society. Yet insofar as one desires to behave morally toward others and contribute his or her fair share to the maintenance and reproduction of society, one ought to embrace these practices. Care is a hypothetical imperative for anyone who seeks to live in a moral community with others as their end.

In reorienting natural law theory from a philosophy of nature to an ethics of care, certain amendments are necessary. The precepts of traditional natural law theory based on natural teleology, including those associated with hierarchy and sexuality, are all shorn away.⁹ Natural law becomes limited to the subset of moral dictates associated with the practices of caring. The substance of this natural law

⁹ Finnis, for example, argues that homosexuality is unnatural on the grounds that our sexual organs have natural reproductive ends that are fulfilled only in heterosexual relations (Finnis 1993). Nussbaum’s tolerant position on homosexuality is more consistent with the immanent and secularized natural law theory described here (Nussbaum 1993). Other questions related to sexuality, such as abortion, are more difficult to decide based upon a caring natural law theory since they rest on the question of whether, or how much, care is owed to the fetus. This issue cannot be adequately discussed here.

is determined by the expressed and inferred needs of people rather than on any notion of human dignity or flourishing. We should foster the life, health, imagination, aesthetic experience, and other basic goods of human beings not because these goods are essential to what it means to be a human being, but simply because these are the goods that human beings almost always say they desire (Nussbaum 2000b, 148–61). Reformulated in this way, natural law theory provides an exemplary framework for formulating an institutional political theory of care.

The core of an institutional caring political theory is a body of rights aimed at meeting the needs and developing the capabilities of all individuals. While such a theory remains open to the articulation of new needs and capabilities, it institutionalizes those needs and capabilities that are almost universally identified as desirable by individuals. Consistent with this aim, it attempts to ensure that those who care for others do not have their capabilities compromised by their caring work and likewise strives to foster the ability of those in need to care for themselves and others as much as possible. The state within this theory acts primarily as a facilitator, or “doula,” and as a caregiver of last resort. This state is fundamentally different from the traditional liberal welfare state with its emphasis on freedom and equality, focusing instead on fostering care and development for all.

A substantive body of caring rights may be divided into three main categories. The first category is a set of rights relating to development and dependency work. New parents should be guaranteed a period of leave from work, and provided a subsidy for their dependency work. During the first few years of a child’s life, parents should be guaranteed childcare subsidies that can be used as compensation for their direct care of children, or to pay for daycare. Children should be guaranteed an adequate education beginning with free full-day preschools and childcare centers, (i.e., “maternal schools”), and encompassing a primary and secondary education sufficient for developing the full range of human capabilities. Dependency leaves and subsidies should also be provided to all individuals responsible for caring for elderly, sick, or disabled persons, and group homes should be guaranteed to all individuals who would not otherwise be cared for by others. The extent of work leaves and the amount of the subsidies would have to be determined democratically, but should be sufficient to provide a decent level of caring for all. The rationale for all these rights is to provide adequate care to individuals so that they may develop their capabilities while also ensuring the ability of caregivers to pursue their own goals.

The second category of rights includes traditional political and economic rights. All individuals should be guaranteed rights to freedom of speech, press, assembly, religion, and other civil liberties, as well as protections against arbitrary arrest and imprisonment, cruel and excessive punishment, and discrimination on the basis of race, sex, and sexual orientation. Care theorists (with the notable exception of Tronto) sometimes overlook the importance of political rights to a caring society, but political rights are essential for protecting the bodily integrity of individuals and providing them with a wide scope of opportunity for

achieving their goods as they define them. Since the goal of a caring political theory is not merely to carve out a sphere of individual freedom but also to provide individuals with the opportunity to pursue the basic goods, it also includes rights to bodily health and economic sustenance—both because these are basic needs of individuals and because the pursuit of basic goods can be severely compromised by illness and economic deprivation (Shue 1980). Thus basic provisions must be guaranteed for health insurance, housing, heating, and food. The delivery of these economic rights must be guided, however, by two principles central to care ethics and natural law theory. First, individuals should be enlisted whenever possible in formulating and participating in the programs designed to serve them. There are numerous ways to provide food or housing to individuals, for example, and individuals in local communities should be guaranteed the opportunity to decide what is best for them. Such local participation is absolutely necessary not only for ensuring that the particular needs of diverse individuals are met, but also for preserving caring practices in the delivery of goods (Tronto 1993, 138–39). Hence all individuals must be guaranteed the right to participate in formulating and enacting policies designed to serve them. Secondly, as Noddings argues, programs should be flexible enough to ensure that people who administer them may respond with care to those who need it. In addition to these political and economic rights, some provision should also be made for cultural rights (if desired) so that groups can enjoy and promote their culture through bilingual education and culturally based curriculum. The point of these rights, after all, is not to forge a common good among diverse individuals, but to respond to the needs of individuals and groups as they perceive them.

The third category of rights relate to political participation. In addition to the right to democratic needs interpretation mentioned above, all adults must be guaranteed the right to equal political participation so that they may gain public recognition for new needs as they arise, make others aware when some basic needs are not being met, and take part in formulating general policies relating to such important matters as the extent of dependency leaves, the amount of childcare subsidies and so on. The decision-making powers of democracy must be tempered, however, by respect for the rights promulgated above. If caring for others means respecting and fostering the exercise of all of their basic capabilities, then there can be no justification for ignoring or denying any of these rights. The rights outlined above reflect widely (if not universally) recognized desires and needs. Within a caring natural law philosophy, the question facing the legislature is not if individuals should be provided with rights to childcare, education, housing, and so forth, but how these rights can be best realized.

There are of course practical limits to how much any society can spend on, say, health care or childcare, and just as individuals face practical limitations to their particular care for others, so, too, do societies. But every effort should be made to foster as many of these basic rights as possible. Nussbaum's position here is sensible. She argues that societies should work toward the goal of ensur-

ing every individual the opportunity to develop a threshold level of their basic capabilities given their current possibilities, and regard it as a tragedy if any individual is deprived of the opportunity to develop any of his or her basic capabilities (Nussbaum 2000a, 126–27).

It might still be objected that formulating care ethics into an institutional political theory undermines and distorts the practice of caring. This objection may be countered with an assertion that cuts in just the opposite direction: caring demands the development of caring political institutions. One reason that individuals may not currently show more care for others is precisely because the collective caring institutions are not in place to encourage and coordinate caring activities. Indeed, one would expect (and here the argument must remain speculative) that a caring political system would encourage individuals to become more caring themselves. Individuals would come to anticipate that some time during their lifetimes they would most likely take a subsidized leave from work to care for their children, parents, or loved ones, and in turn, would expect others to do the same for them. Individuals in need would be encouraged through the principle of subsidiarity to take an active role in providing care for themselves and others within their communities. The institutional ethos of society would emphasize the importance of developing individual capabilities and responding to the needs of others. None of this is to deny that other steps might be necessary to promote a more caring citizenry. Noddings's proposal for mandatory classes in parenting and nutrition comes to mind here. Yet, the influence of institutional reform should not be underestimated. Citizens within a society based upon the institutional principles of a caring natural law philosophy would be more apt to recognize the inevitable dependencies in their lives and the centrality of caring to society, and as a result, would be more likely to embrace caring as a positive value for themselves and others.

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