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Justice, Care, and Gender: The Kohlberg-Gilligan Debate Revisited

Owen Flanagan and Kathryn Jackson

I

In 1958, G. E. M. Anscombe wrote, "It is not profitable for us at present to do moral philosophy; that should be laid aside at any rate until we have an adequate philosophy of psychology, in which we are conspicuously lacking" (p. 186). Anscombe hinted (and she and many others pursued the hint) that the Aristotelian tradition was the best place to look for a richer and less shadowy conception of moral agency than either utilitarians or Kantians had provided.

In the same year Anscombe published "Modern Moral Philosophy," Lawrence Kohlberg completed his dissertation at the University of Chicago, a dissertation that laid the foundations for what has been the dominant program in moral psychology for the last twenty-odd years. The contrast between the sort of Aristotelian philosophical psychology Anscombe envisaged and Kohlberg's program could not have been starker. Anscombe recommended that the concepts of "moral obligation and moral duty . . . and of what is morally right and wrong, and of the moral sense of 'ought,' ought to be jettisoned . . . because they are survivors . . . from an earlier conception of ethics which no longer survives, and are only harmful without it" (p. 186). Kohlberg meanwhile claimed that people at the highest stage of moral development "answer [moral dilemmas] in moral words such as duty or morally right and use them in a way implying universality, ideals and impersonality" (1981, p. 22). And while Anscombe pointed to Aristotle as the possibility proof that ethics could be done with a more robust and realistic conception of moral agency than the self of the wispy Enlightenment conception which Iris Murdoch describes as "thin as a needle" (1970, p. 53) and Alasdair MacIntyre depicts as "ghostlike" (1981), Kohlberg derided Aristotelianism, calling it the "bag of virtues" model, and he explicitly rejected the view that personality is divided up "into cognitive abilities, passions or motives, and traits of

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character." Instead, he proposed that virtue is one and "the name of this ideal form is justice" (1981, pp. 30–31). For Kohlberg the morally good person is simply one who reasons with, and acts on the basis of, principles of justice as fairness.

Despite the fact that Kohlberg's theory has come to dominate the thinking of moral psychologists (but hardly the thinking of moral philosophers who think about moral psychology), critics abound. One of the more widely known challenges to Kohlberg's theory comes from his colleague and former collaborator, Carol Gilligan. Over the past fifteen years, Gilligan has been listening to women and men talk about morality. Her book, *In a Different Voice* (1982), is both a challenge to the comprehensiveness of Kohlberg's theory and a revealing look at the way liberal society distributes various psychological competencies between the sexes. Gilligan describes a moral universe in which men, more often than women, conceive of morality as substantively constituted by obligations and rights and as procedurally constituted by the demands of fairness and impartiality, while women, more often than men, see moral requirements as emerging from the particular needs of others in the context of particular relationships. Gilligan has dubbed this latter orientation the "ethic of care," and she insists that the exclusive focus on justice reasoning has obscured both its psychological reality and its normative significance.

Whereas justice as fairness involves seeing others thinly, as worthy of respect purely by virtue of common humanity, morally good caring requires seeing others thickly, as constituted by their particular human face, their particular psychological and social self. It also involves taking seriously, or at least being moved by, one's particular connection to the other (see Flanagan and Adler 1983). Gilligan's claim is that once the dispositions that underlie such caring are acknowledged, the dominant conception of moral maturity among moral psychologists and moral philosophers will need to be reconceived (Gilligan 1983; also see Blum 1980).

The purpose of this essay is to gain some perspective on the philosophical stakes in the moral psychology debate by surveying and critically evaluating Gilligan's writings subsequent to her book—writings in which she attempts to extend, clarify, and defend her views—as well as recent work of Kohlberg's in which he responds to Gilligan's challenge. Some recent philosophical literature is also discussed.

II

One issue in need of clarification is the precise nature of the ethic of care and its relation within moral personality to the ethic of justice. In her most recent writings, Gilligan characterizes the two ethics as "different ways of viewing the world" that "organize both thinking and feeling" (1986, in press a, in press c), and she returns continually to the imagery of a gestalt shift (e.g., the vase-face illusion) to make it clear that she thinks that the two ethics involve seeing things in different and competing ways. "The justice orientation organizes moral perception by highlighting issues of fairness, rights, and obligations. Indeed, a person entirely in the grip of the justice orientation may be able to see a problem as a moral problem only if such issues can be construed in it. The care orientation meanwhile focuses on other saliencies: on the interconnections among the parties involved, on their particular personalities, and on their weal and woe.

The claim is that typically one orientation dominates moral thinking and that the direction of dominance is gender linked. Recent research shows that while most people introduce both care and justice considerations when discussing moral problems, over two-thirds present three-quarters or more considerations in one mode or the other. Furthermore, men and women distribute themselves bimodally on the justice and care ends of the scale (Lyons 1983; Gilligan and Wiggins 1986).

It is significant that there are such differences in the way men and women conceive of the moral domain and in the way they choose to talk about the moral issues they confront in real life. But two things must be kept in mind. First, although one way of conceiving of moral problems dominates, most individuals use both orientations some of the time. Therefore the differences between two individuals with contrasting dominant orientations will be more like the differences between two people—one of whom tends to see physical objects in functional terms and only secondarily in aesthetic terms, and another person with reversed dominance—than like the differences between occupants of totally alien universes. Second, the data on how people in fact conceive of morality have no simple and direct implications on the issues of how the domain of morality is best conceived, what virtues and reasoning skills are required by morality, and how best a particular moral issue is construed.

One need not be committed to any implausible version of moral realism to maintain that the most defensible specification of the moral domain will include issues of both right and good, that moral life requires a multiplicity of virtues, and that the description under which a particular problem is best understood is at least partly constrained by the kind of problem it is. The first two points seem fairly obvious, so let's focus on the third.

In several places, Gilligan suggests that every problem that can be construed morally can be construed from either the justice or care orientation (Gilligan 1986; Gilligan and Wiggins 1986). Suppose this is right. Imagine someone who sees the problem of repaying or forgiving foreign loans as an issue of love between nations, or a mother who construes all positive interactions with her children as something they are owed. There may still be good reasons for preferring one construal over another. Generally speaking, there are two sorts of grounds that might recommend one construal over another and thus that might recommend educating moral agents to be disposed to make one interpretation rather than another. First, there might be normative reasons. Although a particular type of issue, say, parent-child relations, can be construed theoretically from the perspective of either of Gilligan's two orientations, the different construals lead to different kinds of worlds, one of which is more desirable than the other, all things considered. Second, there might be reasons having to do with our basic psychological makeup for making use of different dispositions and reasoning strategies for dealing with different kinds of problems. For example, if one accepts Hume's insight about the difficulty of widening fellow feeling indefinitely, then it makes sense to inculcate beliefs and principles which produce moral sensitivities in situations where no positive feelings exist among the parties.

The data Gilligan and her coworkers have gathered point to the existence of something like such a psychological division of labor with different kinds of moral problems drawing out different kinds of moral response. Recall that most people use both orientations some of the time and that the choice of orientation depends at least in part on the type of problem posed. Indeed, standard Kohlbergian dilemmas, such as the Heinz dilemma (should Heinz steal the drug which could help his dying wife from the avaricious pharmacist who will not sell it at a fair price?), generate the highest number of justice responses in both sexes, and hypothetical stories that highlight inequality or attachment result in higher rates of justice and care responses, respectively, for both men and women (Gilligan and Wiggins 1986). This is true despite continuous findings of gender differences in responses to open-ended questions about the nature of morality and one's own real-life dilemmas, as well as in the ratio of justice versus care responses to hypothetical moral dilemmas.

Such findings regarding the domain specificity of moral responses, especially in light of the point about better and worse construals, indicate that although Gilligan's gestalt-shift metaphor is illuminating in three ways, it is unhelpful and misleading in two others. First, it is helpful in drawing attention to the fact that just as some people have trouble ever seeing one or the other available images in a gestalt illusion, so too there are some people who have trouble understanding talk of rights or alternatively talk of love; they just can't see what you are talking about. Second, the metaphor highlights the findings that for most individuals one way of seeing moral problems dominates the other way of seeing to some degree, and that the direction of dominance is correlated with gender. Finally, the metaphor draws attention to the fact that there are some moral problems—abortion, for example—the proper construal of which is deemed by all parties to be a matter of the greatest importance, but for which the proper construal is an issue of deeply incompatible perceptions.

There are undoubtedly also problems of less monumental importance for which there are no clear grounds for preferring one construal over the other. In one study by a member of Gilligan's group, teenagers of both sexes were good at switching from their preferred orientation when asked if there was another way to think about a certain problem, but all subjects believed that their preferred mode gave rise to the most defensible solution. Barring radical discrepancies from a normative point of view as to what action is prescribed or how things turn out, there may well be nothing definitive to say about the preferability of one construal over the other in many specific cases (although there might well be objections to general dominance of one orientation), since personal style, even if socially constructed and gender linked, has certain saving graces on the side of cognitive economy once it is in place. Or to put the point more contentiously: in some cases the preferred mode of moral construal may be the most defensible simply because it is preferred.

Nevertheless, what is misleading about the gestalt metaphor is that, just as not all visual stimuli are ambiguous in the way gestalt illusions are, so too not all moral issues are so open to alternative construals. To be sure, the psychological apparatus involved in moral appraisal involves learning and underdetermination in a way visual perception does not, and thus moral construal is more tradition sensitive than visual perception. But again there may be both normative reasons and reasons of cognitive economy for teaching moral agents to be sensitive to certain saliencies (e.g., asymmetry among parties, prior explicit contracts) in such a way that these saliencies are more or less sufficient to generate one construal (e.g., a justice construal) rather than some other. As we have seen, some of Gilligan's own data indicate that something like this happens for at least some problems for both men and women.

The second and more important way the gestalt metaphor is misleading has to do with the fact that there is a deep and important difference between visual perception and moral construal which the metaphor obscures. Whereas it is impossible to see both the duck and the rabbit at the same time in the duck-rabbit illusion, it is not impossible to see both the justice and care saliencies in a moral problem and to integrate them in moral deliberation. This is because moral consideration, unlike visual perception, takes place over time and can involve the assimilation and accommodation of as much, and as messy, information as we like. It is wrong, therefore, to suggest, as Gilligan does in one place, that the two perspectives are "fundamentally incompatible" (Gilligan, in press b; also see Lyons 1983).

The point is that there is no logical reason why both care and justice considerations cannot be introduced, where relevant, into one and the same reasoning episode. *Heinz,* after all, should steal the drug because it is his wife; and his wife should get the drug because any human life is more important than any avaricious pharmacist's desire to make some extra money.

This is not to deny that in some cases construing a particular problem from both perspectives will block moral clarity about what should be done (see Flanagan and Adler 1983), nor is it to deny that for the sake of normative elegance and psychological stability it will be important to have some, even imperfect, decision procedure to resolve such conflicts. But, as we have suggested, one possibility is that the saliencies construable in a particular situation will make different sorts of considerations differentially relevant to that situation and, in that way, will keep intractability (but, possibly, not a sense of moral cost) to a minimum. The important point is that there is no impossibility in imagining persons who are both very fair and very caring and who, in addition, have finely honed sensitivities for perceiving moral saliencies and seeing particular problems as problems of certain multifarious kinds.

Thinking of moral psychology as variegated, as composed of a wide array of attitudes, dispositions, rules of thumb, and principles that are designed for multifarious sorts of situations, suggests a move in a more virtue-theoretical direction and, thus, a return to the sort of conceptual model that has been out of favor in the cognitive-developmental tradition since Piaget's *The Moral Judgment of the Child* (1932).[1] Indeed, the more plausibility one assigns to an Aristotelian conception of moral psychology, the more credible will be the suspicion that Gilligan's expansion of Kohlberg's model to include two general orientations is still insufficiently fine grained to be adequate from either a psychological or normative point of view. There are three reasons for this. First, we still lack a clear (and relatively complete) taxonomy of the various dispositions—the cognitive and affective attitudes—that constitute the care orientation, and the same goes for the justice orientation. This failure to provide a more fine-grained analysis is more understandable for Kohlberg than for Gilligan. After all, Kohlberg believes that morality is decidedly not a matter of special-purpose virtues, dispositions, and reasoning strategies but, rather, consists of the application of a unified general-purpose style of thinking. But there is every reason to think that Gilligan's program would benefit from moving in a more virtue-theoretical direction insofar as the conception of moral agency she describes is potentially so much thicker than Kohlberg's, embedded as it is in self-conception and social context.

In the second place, we lack a careful analysis of the differences between good and morally problematic or even corrupt kinds of care. Care can be corrupt either because of qualitative features of the caring relationship (e.g., it is based on insincerity or coercion) or because of the relationship's content (e.g., the parties have bad aspirations for each other or give sensitive attention to meeting each other's corrupt needs and desires). (See Baier [1986]. Gilligan does some of this in her own attempt to simulate stage theory [1982, p. 105].)

Third, even if we accept the plausible view that moral psychology is neither totally modular (as in vulgar Aristotelianism) nor totally unified and general purpose (as in vulgar Kantianism) but, rather, is tiered, containing both virtuous and vicious dispositions to think and react in certain ways as well as a general higher-level moral orientation (which may or may not have power over the lower levels), there is good reason to think that there are more than two such general orientations.[1] For example, Charles Taylor (1982) has described moral outlooks guided by the commitments to personal integrity, to perfection, and to liberation which cannot be assimilated under either of Gilligan's two rubrics, let alone under Kohlberg's one (see Miller [1984] for descriptions of some even more alien moral orientations), and it is hard to see how virtues like courage or moderation fall under either orientation.

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[1] The rest of cognitive psychology, of course, has gone increasingly 'modularistic.'

The issues of the scope of morality and the range of realizable moral conceptions are of the utmost importance. What moral psychologists conceive of as possible determines how they understand and classify moral personalities. But if the possibility range is too narrowly conceived or too culture bound or too gripped by a contentious normative conception, actual psychological realities may be missed.

In addition to these issues, there is still the important question of precisely what sort of adjustment Gilligan thinks work such as hers warrants in our conception of moral maturity. She was not clear on this matter in her book, and her recent work still shifts between the ideas that the two ethics are incompatible alternatives to each other but are both adequate from a normative point of view; that they are complements of one another involved in some sort of tense interplay; and that each is deficient without the other and thus ought to be integrated.

One might think that our claim that there is no logical incompatibility between the two ethics and thus no logical problem with bringing both kinds of considerations to any problem (which is not to imply that the two sets of concepts can be applied without conflict in every place) means that there is nothing to block the tactic of pursuing the integrationist strategy less hesitantly. But here Gilligan has some interesting things to say about the psychological origins of the two orientations. Although there may be no logical incompatibility between the concepts of justice and care (and their scope), Gilligan suggests in many places that there is a deep-seated psychological tension between the two perspectives, a tension rooted in the fact that the two ethics are built out of etiologically distinct underlying competencies which make different and competing psychological demands on moral agents. It is the differences in origin and underlying cognitive and motivational structure which make integration of the two orientations in particular moral agents hard to realize and which, at the same time, explain the data on gender differences.

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[1] Both Gilligan and Kohlberg take narrative data to be a fairly accurate index of the more general orientation. This is problematic. The relationship between first-person speech acts and underlying psychology is a widely discussed issue in contemporary philosophy of mind and cognitive psychology, and there is reason to think that our deficiencies in giving accurate self-assessments run very deep. Confabulation is an especially salient worry when the speech acts are being offered in response to issues which connect so obviously as do moral problems with issues of self-worth and with how one is perceived by others. Gilligan and Kohlberg are strangely silent on such matters.

Gilligan accepts a roughly neo-Freudian account of early childhood. This account turns on two main variables: (1) the psychological situation of the child as both dependent and attached and (2) the typical differences between maternal and paternal relations with the child. The basic story goes like this: The child has continuous experiences of both her relative powerlessness vis-à-vis her parents and her powerful attachment to them. The experiences of powerlessness and inequality give rise to the search for independence and equality and thereby provide fertile ground for the notions of fairness and autonomy (and their opposites) to take root. Meanwhile, the experiences of deep attachment and connection, of moving and being moved by others, provide the ground for the dispositions that will guide later attachments—for companionship, love, and altruism. Together, "the different dynamics of early childhood inequality and attachment lay the groundwork for two moral visions—of justice and of care" (Gilligan and Wiggins 1986).

Even if one accepts that it is the alleged tension between the two kinds of early experiences that grounds the tension between the two ethics (one might be skeptical on grounds that there is a high degree of overlap between the two kinds of experiences), this tension does not explain the data on gender differences. Here Gilligan follows Nancy Chodorow's (1978) influential analysis of gender differentiation. Initially for children of both sexes, the relationship with the primary caretaker, typically the mother, is one of powerful attachment and identification. However, as the child gets older and begins the project of carving out a self-concept, she starts to identify strongly with her same-sex parent, and parents reinforce this identification. In the typical family where the mother has a greater nurturing role than the father, boys will have to shift their initial identification with the mother to the father. Girls, meanwhile, do not need to reorient their initial identification but only to intensify the one that already exists. This means that the project of separation is more salient and more pressing for boys than for girls. Furthermore, because of the mutual feelings of identification between mother and daughter, girls will have richer experience than boys with attachment and connectedness. According to Chodorow, "Boys . . . have to curtail their primary love and sense of empathic tie with their mother. A boy has been required to engage in more emphatic individuation and a more defensive firming of experienced ego boundaries. . . . Girls emerge from this period with a basis for 'empathy' built into their primary definition of self in a way that boys do not" (1978, pp. 166–67).

Assuming this story is true, it should be obvious, first, that there is nothing necessary (although there may be biological and social pressures in certain directions) about the way we arrange nurturance nor about the particular ways parents treat their male and female children, and thus the story is not required to turn out exactly the way it now does. If there were greater sharing in nurturance by both parents, the process of acquiring a self-concept would not make such different demands and rest on such different experiences for boys and girls. Resultant attitudes about autonomy, attachment, and so on might not be as different as they now are. But, second, the latter analysis does indicate why, given current practices with their long cultural histories, we cannot be sanguine about the possibilities for inculcating moral sensibilities which support both a rich sense of justice and care and a well developed sense of autonomy and connection in one and the same agent.

Full-fledged integration aside, it is important to consider what role, if any, the experiences and dispositions which underlie each ethic have in contributing to morally good forms of the other. Again, it is important not to lose sight of the fact that the early experiences of powerlessness and attachment overlap.

Annette Baier has made some interesting suggestions in this regard. Her basic insight is similar to Hume's about the problem with Hobbes's state-of-nature hypothesis, namely, it ignores the fact that for any human interaction to take place, including even "a war of each against each," there must first be family and nurturance. Otherwise the helpless infant will not survive its first nights.

Baier argues first that theories of justice, including Rawls's, need to assume that there will be loving parents in order to ensure the stability of a just society and the development of a sense of justice in new members. "Rawls's theory like so many other theories of obligation, in the end 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 . . . . The virtue of being a loving parent must supplement the natural duties and obligations, if the just society is to last beyond the first generation" (Baier 1985, unpublished section).

Second, Baier argues that the dispositions to be fair and to keep contracts presuppose (psychologically and normally, but not logically) that the agent has been cared for and has had experiences of trust. "Promises presuppose both experience of longer on-going trust relationships not necessarily initiated by any voluntary act (with parents or with friends) so that the advantages of such future involving mutual trust be already clear, and also an already established climate of trust enabling one to choose to get close enough to a stranger to exchange words or goods or handshakes with him" (Baier 1986).

Baier's argument suggests the further insight that the moral disposition to be just normally presupposes not only that the agent is attached to certain abstract concepts and ideals, but also, more fundamentally, that he is attached to and cares for his community, and that he has a sense that his own good and that of those he cares for most is associated with general adherence to these ideals. Without such cares and attachments, first to those one loves and secondarily to some wider community to which one's projects and prospects are intimately joined, the moral disposition to justice—as opposed to the purely prudential disposition to justice—has no place to take root.

There is no objection in principle to using one set of virtues and dispositions to support or strengthen another set. The point is simply, as Baier puts it, that "a decent morality will not depend for its stability on forces to which it gives no moral recognition" (1985, unpublished section).

III

The question arises as to what Kohlberg makes of the ethic of care and the various dispositions and experiences that constitute it. What sort of recognition does he think this ethical perspective deserves? What is its relation to the conception of morality as justice that he more than anyone else has championed?

At first, Kohlberg (1982) flirted with the strategy of simply denying that there is such an ethic and thereby denying that there is anything of moral psychological importance to recognize. Kohlberg admits that initially he found Gilligan's work unwelcome and preferred to read it as concerned with ego psychology but not with moral psychology (1982, p. 514). This suggestion in itself displays a very unrealistic view about the isolation of moral psychology from overall personality.

Lately Kohlberg seems to have come around to seeing that Gilligan's challenge was more apt than he first admitted. In two long coauthored essays (both with Charles Levine and Alexandra Hewer) in the second volume of his collected papers (1984), Kohlberg attempts to set forth a more complete and satisfactory response to Gilligan's work. On an initial reading, Kohlberg appears to concede many of the main points of contention. Reflecting on his original theory, he writes, "I assumed that the core of morality and moral development was deontological; that is it was a matter of rights and duties or prescriptions" (p. 225). These "starting assumptions led to the design of a research instrument measuring reasoning about dilemmas of conflicting rights or the distribution of scarce resources, that is, justice concerns. We did not use dilemmas about prosocial concerns for others that were not framable as rights conflicts" (p. 304). "We admit, however, that the emphasis on the virtue of justice in my work does not fully reflect all that is recognized as being part of the moral domain" (p. 227).

In speaking specifically of his standard measurement tool, Kohlberg says, "We do agree that our justice dilemmas do not pull for the care and response orientation, and we do agree that our scoring manual does not lead to a full assessment of this aspect of moral thinking" (1984, p. 343; see also pp. 305–7 and 622–23). Kohlberg now recommends, therefore, understanding his theory as a "rational reconstruction of justice reasoning: emphasizing the nomenclature 'justice reasoning,' since the . . . stages have most typically been called stages of moral development [by him]" (1984, p. 224).

Despite such concessions, it is really quite difficult to put one's finger on how Kohlberg now intends his theory to be interpreted, and sometimes what is conceded with one hand seems to be withdrawn with the other. Indeed, on a closer reading, it is hard to read Kohlberg as completely sincere in the latter concessions, for he also puts forward a variety of claims that are at odds with them.

For example, although Kohlberg now acknowledges that his theory is not comprehensive, he continues to promote a restricted conception of morality which belies this concession. In particular, he continues to make two common but questionable claims about the nature of morality. First, there is the claim that all moral judgments have certain formal features such as prescriptivity (i.e., they entail obligations) and universalizability (1984, pp. 293–96). Second, there is the claim that "moral judgments or principles have the central function of resolving interpersonal or social conflicts, that is, conflicts of claims or rights" (p. 216).

Both points are problematic. With regard to the first point, imagine a complex judgment about how one can best help a friend who is depressed. The judgment here will involve assessments of particular features of both parties. What one can do for a friend is, after all, determined in large part by the kinds of persons both are, the characteristic patterns of interaction between the two, and so on. It is implausible to think that there is anything interestingly universalizable about such a judgment or that there is necessarily any judgment of obligation involved. Indeed, where friendship or love truly exists, thinking about what one is obligated to do can, as Bernard Williams has put it in a related context, involve "one thought too many" (1981, p. 18).

With regard to the second point, the same example serves to show that it is simply not obvious that morality has the central function of resolving "conflicts of claims or rights." To be sure, this is an important function of moral theory, and the function most visible in public debates, but to conceive of this function as central and other functions of morality as peripheral is to beg the interesting question of how best to conceive of the domain of morality. There is too much moral energy expended on self-improvement and the refinement of character, on respectful interactions with loved ones, friends, and strangers, and on supererogation for such a claim to be acceptable without considerable defense. None is given.

At one point Kohlberg stresses that his conception of "morality as justice best renders our view of morality as universal. It restricts morality to a central minimal core, striving for universal agreement in the face of more relativistic conceptions of the good" (1984, p. 306). And in many places he emphasizes that there are two senses of the word "moral"—one sense is that of "the moral point of view" with the alleged formal features, the other sense refers to "personal" issues—to things like friendship, family relations, supererogation, and so on (p. 232). Kohlberg points out that how one treats the latter issues is widely acknowledged to be a relative matter (but, one must stress, not completely relative).

Still two issues must be kept distinct. It is one thing to want to study a certain kind of moral thinking because it is more stable (the function of a theory of justice is, after all, to produce such stability in interpersonal relations among individuals who may have no personal connections) or because it is easier to talk about in terms of the theoretical framework of cognitive-developmental stage theory. Kohlberg (1984, pp. 236–49) makes it clear that one reason he prefers to study justice reasoning is that he thinks that there are "hard" stages, that is, stages which satisfy standard Piagetian criteria of universality, irreversibility, and so on, of justice reasoning (see Flanagan [1984] for doubts about this) but not of reasoning about personal issues. But such theoretical attractions are irrelevant to the issues of psychological realism, normative adequacy, and the domain of the moral.

Once Kohlberg's proprietary attempt to restrict our conception of the domain of the moral is seen for what it is, his "total disagreement" (1984, p. 342) with Gilligan regarding gender differences is of little moment. Kohlberg clings to the fact that such differences are minimal or nonexistent in studies using his standard justice dilemmas as the test instrument (see Walker [1984] for a review; but see Baumrind [in press] for a criticism of Walker). The fact remains that there are, as Kohlberg acknowledges (p. 350), gender differences in preferred orientation, in response ratios, and so on, even if there are none for one restricted type of moral problem. Such findings point to differences in moral psychology unless one implausibly restricts the domain of inquiry.

In several places Kohlberg tries a more interesting tactic than the one of restricting the conception of morality to what he studies. This tactic starts by accepting that "personal morality" is part of the domain of the moral (1984, pp. 230–35) but then moves to claim that justice lies in some subsuming relation to this morality. In speaking specifically of Gilligan's work, he says, "The two senses of the word moral do not represent two different moral orientations existing at the same level of generality and validity" (p. 232).

The overall strategy is to make an argument for the "primacy of justice," either by arguing that considerations of justice trump considerations of care when the two conflict or by arguing that justice is in some sense necessary for care but not the other way around (see Kohlberg 1981, p. xiii; Kohlberg 1984, p. 305).

The first idea, that the demands of justice must be met before all others, is a familiar one within the context of liberal political theory. However, it is important to emphasize that, even within the liberal tradition, the claim that justice is trump applies in the first instance to the arrangement of basic social institutions. Many liberal philosophers are hesitant about any simple and straightforward extension of the deontological constraints governing political practices to individual behavior.

Furthermore, even if one holds that considerations of justice are overriding at the individual level, nothing follows about how often considerations of justice are germane. If, as seems the case for most of us, the largest part of social life takes place in situations and contexts in which considerations of justice are not especially relevant, then the "primacy of justice" might be an important principle to have, and sensitivities to issues of justice will need to be well honed, but the virtue of justice will not be doing most of the work in the actual social lives of most persons.

The second idea—that justice is necessary for care—comes in two forms. First, there is the claim that conditions of social justice must obtain for the personal virtues associated with both justice and care to thrive. "It seems to us . . . that morally valid forms of caring and community presuppose prior conditions and judgments of justice" (Kohlberg 1984, p. 360). Second, there is the claim that the personal virtue of justice is necessary for the personal virtue of care. "In our view special obligations of care presuppose, but go beyond, the general duties of justice, which are necessary, but not sufficient for them" (p. 359). "More than justice is required for resolving many complex moral dilemmas, but justice is a necessary element of any morally adequate resolution of these conflicts" (p. 370).

The first point is important. There is something obviously right about the view that morality is not a purely individual project and that personal virtue takes root best in a just society. But once we push things back to the basic social conditions necessary for morality, we come again upon the point that all societies, just or unjust, stable or unstable, egalitarian or inegalitarian, presuppose prior relations of care between new members and those members involved in child rearing. There is in the end something misleading in the widely held view that justice is the first virtue of society. Indeed, although it is wise to resist lexically ordering the basic virtues required for an ongoing morally good society or for a morally good personality, there is no incoherence in putting care first when it comes to creating the possibility conditions for family, wider community, and individual character in the first place.

The second claim that personal justice has some essential connection to the other virtues comes in several versions. The strongest and most implausible claim is that personal justice is sufficient for moral goodness overall. With the possible exception of Plato, no one has held this view. The reason is that it is easy to imagine someone who espouses and abides by some defensible conception of justice but who is morally deficient in other ways.

Kohlberg intends something weaker than the implausible sufficiency claim. His proposal, however, is ambiguous between two different claims: (1) that experiences of fairness and the development of the disposition to be just are necessary for the causal formation of whatever psychological competencies turn out to be associated with Gilligan's ethic of care, but not vice versa, and (2) that the display of any other virtue necessarily presupposes possession of the virtue of justice, but not vice versa. Showing either claim 1 or 2 would help support the claim that the two ethics do not "exist at the same level of generality and validity."

With regard to claim 1, we have already expressed the opinion that experiences of care and caring have an important role in laying the foundations for any ethical sense whatsoever (see Noddings [1984] for someone who makes too much of this point). Hence we already have grounds for doubting the claim that justice has some unique foundational status with regard to the formation of other virtues or to overall moral psychology.

When one focuses less on the basic experiences necessary for developing a moral sense and looks more closely at the sort of explicit moral instruction that takes place between parents and children (something neither Gilligan nor Kohlberg does), the claim that the acquisition of the personal virtue of justice has unique foundational status also seems implausible. To be sure, parents often say things like "Kate, look how sad David is; he deserves a turn too." But it is most plausible to read such statements as presupposing that some of the competencies, dispositions, and beliefs required by justice and care are required by morally good forms of either. It is hard to see how we could teach children about kindness without teaching them certain things about fairness, but it is equally hard to see how we could teach them about fairness without teaching them certain things about kindness and sensitivity to the aims and interests of others. The situation is one of mutual support rather than a necessary condition in only one direction.

The fact that normally both justice and care are built out of some of the same underlying competencies does not imply, however, that a mature sense of justice is necessary for the display of the other virtues or for responding to every particular moral problem (claim 3 above). First, there are some persons who we think of as virtuous in certain ways and in certain domains, but who we do not think are very fair or just; and the same holds true in the other direction. Second, it is possible to imagine individuals in whom beneficence is so sensitively and globally developed that the virtue of justice, as normally conceived, is not only unnecessary for the display of the other virtues, but is even unnecessary in situations in which ordinary persons with less saintly personalities would need to call upon it. Third, and setting such moral exotica aside, there are many moral problems which have nothing to do with justice. It is implausible, therefore, to think the personal virtue of justice is necessarily implicated in our dealings with such problems.

To question the truth of the necessary condition claim as a psychological thesis is not to deny what is normatively important about it. A morally good life overall requires fairness because the possession of the virtues associated with care might well, if not tempered by justice, result in immorality, for example, chauvinism, in certain circumstances. But the same holds true in the other direction.

In several places, Kohlberg tries to make the normative point but links it with the implausible psychological one. He says, "In our philosophic end point of moral reasoning, the hypothetical sixth stage, there occurs, we believe, an integration of justice and care that forms a single moral principle" (1984, p. 344). And elsewhere he claims that the two orientations converge at the highest stage because the "principle of persons as ends is common to both" (p. 356).

This way of talking is misleading in two respects. First, Kohlberg now acknowledges (1982, p. 523; 1984, p. 215) that his highest stage of moral development is purely hypothetical; that in over twenty-five years of research, he and his colleagues have been unable to confirm the existence of stage 6. This means that the claim that justice and care converge at the highest stage to "form a single moral principle" is a claim for which there is no empirical evidence. Second, it is extremely doubtful for reasons Gilligan and others (Blum 1988) have expressed, that a normatively adequate moral psychology is best thought of in terms of the possession of a single unified faculty and, even less plausibly, in terms of the possession of a "single moral principle."

Still, Gilligan's own view that morality consists of "two voices" needs further refinement, development, and defense before its full psychological and normative importance is clear. We need to know more about many things, including the precise nature and extent of the gender differences, the social causes of these differences, context effects, the fine-grained features of the ethic of care, the role of the competencies it makes use of in justice reasoning, and the plausibility of carving morality into only two voices.

IV.

The view that there is one ideal type of moral personality—a unique way moral psychology is best ordered and moral reasoning conducted—is the psychological side of the coin whose other face contains the image of morality as a unitary domain with a determinate and timeless nature. Much recent work in moral philosophy has questioned this view of morality as a clearly carved domain for which a unified theory can be produced. Such work suggests that our attitudes and expectations about underlying moral psychology may also need to be revised. Rejection of the doctrine of the "unity of the moral" (Taylor 1982) may also require rejection of its close relative—the doctrine that there is one ideal type of moral personality.

A reasonable hypothesis is that moral personality occurs at a level too open to both social and self-determination for us to expect there to be any unique and determinate set of dispositions, capacities, attitudes, and types of reasoning which ideally underwrite all moral responsiveness. This means that we will have to learn to tolerate, and perhaps applaud, a rich diversity of good moral personalities. The fact that this will be hard for those still in the grip of the doctrine of the "unity of the moral" in no way belies the possibility that this is the right road to go.

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