

# Feminism and Philosophy



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APA NEWSLETTER ON

# Feminism and Philosophy

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SERENA PAREKH, EDITOR

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## FROM THE EDITOR

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This is my inaugural issue as editor of the *APA Newsletter on Feminism and Philosophy*. I want to thank Margaret A. Crouch for her work as editor of this newsletter and for helping me learn the ropes as a new editor. The current issue of the newsletter includes one article and a number of book reviews. My thanks to all those who submitted articles, reviewed books, and acted as reviewers of submissions for this issue of the newsletter.

The article, by Waithe and Rogers, begins by reminding readers of the dire state of diversity in philosophy scarcely a generation ago. When, in 1969, one of the authors asked her department chair why he refused to sign the papers that allowed her to get her BA in philosophy, he replied, "Because you'll just get married, have babies, and waste it." Though, of course, gender diversity in the profession of philosophy has come a long way since then, it remains an ongoing struggle. To this end, the authors introduce a new set of DVDs on the history of philosophy that feature female philosophers front and center. The *Busted!!* DVD series was created by the Society for the Study of Women Philosophers to promote gender inclusiveness in the profession. The authors look at how this DVD series might be used to promote this end. Can a DVD series help us to overcome stereotypes and other cognitive biases? When used in a classroom, can it help female undergraduates to feel more welcomed in the discipline? Read on to find out!

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## ABOUT THE NEWSLETTER ON FEMINISM AND PHILOSOPHY

The *Newsletter on Feminism and Philosophy* is sponsored by the APA Committee on the Status of Women (CSW). The newsletter is designed to provide an introduction to recent philosophical work that addresses issues of gender. None of the varied philosophical views presented by authors of newsletter articles necessarily reflect the views of any or all of the members of the Committee on the Status of Women, including the editor(s) of the newsletter, nor does the committee advocate any particular type of feminist philosophy. We advocate only that serious philosophical attention be given to issues of gender and that claims of gender bias in philosophy receive full and fair consideration.

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## SUBMISSION GUIDELINES AND INFORMATION

**1. Purpose:** The purpose of the newsletter is to publish information about the status of women in philosophy and to make the resources of feminist philosophy more widely available. The newsletter contains discussions of recent developments in feminist philosophy and related work in other disciplines, literature overviews and book reviews, suggestions for eliminating gender bias in the traditional philosophy curriculum, and reflections on feminist pedagogy. It also informs the profession about the work of the APA Committee on the Status of Women. Articles submitted to the newsletter should be limited to ten double-spaced pages and must follow the APA guidelines for gender-neutral language. Please submit essays electronically to the editor or send four copies of essays via regular mail. All manuscripts should be prepared for anonymous review. References should follow *The Chicago Manual of Style*.

**2. Book Reviews and Reviewers:** If you have published a book that is appropriate for review in the newsletter, please have your publisher send us a copy of your book. We are always seeking new book reviewers. To volunteer to review books (or some particular book), please send the editor a CV and letter of interest, including mention of your areas of research and teaching.

**3. Where to Send Things:** Please send all articles, comments, suggestions, books, and other communications to the editor: Dr. Serena Parekh, Department of Philosophy and Religion, Northeastern University, [s.parekh@neu.edu](mailto:s.parekh@neu.edu).

**4. Submission Deadlines:** Submissions for spring issues are due by the preceding September 1; submissions for fall issues are due by the preceding February 1.

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## NEWS FROM THE COMMITTEE ON THE STATUS OF WOMEN

### COMMITTEE MEMBERS FOR 2015-16

As of July 1, 2015, the CSW comprises Hilde Lindemann (chair), Charlotte Witt (associate chair), Peggy DesAutels (*ex officio*), Serena Parekh (*ex officio*), Ruth Chang, Anne Jacobson, Nancy Snow, Karen Detlefsen, Colleen Murphy, Sheryl Ross, Peter Railton, Lisa Shapiro, and Yolanda Wilson.

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## NEW CSW POSTERS

The CSW is delighted to announce that two new posters are in preparation. Each is a large photo montage of a different design, but both bear the title "Women of Philosophy." The designs by Chad Robinson have been approved by the CSW, and the posters are expected to be ready for sale on the CSW website by May 2016.

## CSW WEBSITE

The CSW website, at <http://www.apaonlinecsw.org>, continues to offer posters featuring contemporary women in philosophy as well as news about women philosophers. Links to excellent resources include one to a database on teaching, with articles and readings; another to the crowd-sourced directory of women philosophers; and one to the APA ombudsperson for nondiscrimination, who will receive complaints of discrimination and, where possible, serve as a resource to APA members regarding such complaints.

## SITE VISIT PROGRAM

The director and associate directors of the program led a day-long site visit training workshop on May 31, 2015, at Villanova University, in conjunction with the diversity conference. There were twenty-one participants in the workshop. Adding these participants to those who participated in the first site visit training workshop in 2013, there are now a total of forty-five philosophers trained to be site visit team members.

The Site Visit Program conducted one site visit in the fall of 2015 and another in spring of 2015. One additional visit is scheduled for the fall of 2016.

## CSW SESSIONS AT APA MEETINGS

The Eastern Division session sponsored by CSW was "Women Do History of Philosophy: Recent Scholarship," with talks by Lorraine Besser-Jones, Elizabeth Robinson, and Julie Walsh. The Central Division session focuses on women and Aristotle, featuring Paula Gottlieb, Lubomira Radoilska, and Mary Krizan, and the Pacific Division session, "Women and Propaganda," consists of panelists Rachel McKinnon, Tom Digby, and Sheryl Tuttle Ross.

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## ARTICLE

### Busted!! A Pictorial History of Women Philosophers *DVD Series: Pedagogical Tool to Improve Inclusiveness and Diversity?*

Mary Ellen Waithe  
CLEVELAND STATE UNIVERSITY

Dorothy Rogers  
MONTCLAIR STATE UNIVERSITY

## INTRODUCTION

In 1969 when one of the authors of this essay was an undergraduate, women probably constituted less than 10 percent of professional philosophers in the United States.<sup>1</sup> Completing undergraduate preparation at a liberal, East Coast university's recently integrated women's college, she was required to receive a signature from the chair of the philosophy department attesting to her completion of the degree requirements. Transcript in hand, she arrived for her appointment with the department chairman. After confirming that she had completed the required 40 credits with the requisite GPA, he handed the form to her, unsigned. Asked why he had not signed the approval for the degree, he looked at her and stated: "Because you'll just get married, have babies, and waste it." Six weeks later, he died. The new chairman was more supportive, and she became the college's first woman philosophy baccalaureate. In contrast, twenty years later, the other author of this paper was told by a non-feminist, British, male professor to read about Anne Conway whom he had learned of in "this set of blue books, right about 'there' on the shelf in the libr'y."<sup>2</sup> But neither author of this paper could take a course that included the study of women philosophers.

Not only were there few women in the profession then, but there were also few persons of color or who were mobility-challenged, blind, deaf, gay, or otherly-gendered. In recent years, the APA has turned its attention to the paucity of such underrepresented philosophy faculty and students. Notable amongst such efforts was the 2014 Diversity Conference in Dayton, Ohio, sponsored by the APA's Committee on the Status of Women, and the creation of grants to encourage diversity. In this essay we describe a pedagogical tool created by the Society for the Study of Women Philosophers ([SSWP.org](http://SSWP.org)) intended to help promote inclusiveness in the profession, particularly, the inclusion of women. We then consider the multiple desiderata that this tool might contribute towards realizing a more gender-equal approach to undergraduate education in philosophy. We describe how we hope to assess whether or not this DVD series is valuable towards achieving our stated goals. Lastly, we offer some brief suggestions for implementing this tool in a wide variety of undergraduate courses in philosophy.

## 1. HISTORY AND DESCRIPTION OF THE BUSTED!! DVD SERIES

In 2009, one of the authors created a two-hour narrated PowerPoint presentation for Women's History Month. It included portraiture of women philosophers, titles of their works, and a description of their teachings, narrated by a woman who had the same natural accent that the subject philosophers would have had (had they spoken English). It included eighteen women from antiquity, twelve from the Middle Ages, eleven from the early modern period, and twenty who lived between the 1800s and the mid-twentieth century. That DVD was later presented at a joint meeting of the Society for the Study of Women Philosophers (SSWP) and the Committee on the Status of Women of the APA, resulting in a decision by the former to expand and improve upon the original by greatly increasing the number of women philosophers represented, quadrupling the visual materials presented (additional portraiture of women, portraits of male philosophers with whom they were associated or whom they influenced, photographs of title pages of their works, etc.) and supplementing the audio with background music composed by women of the same period covered by each DVD.

Mimicking the organization of the above-referenced *A History of Women Philosophers*, it was decided to produce a series of four DVDs.<sup>3</sup> In order to make this resource useful for professors' classroom teaching, each is divided into forty-five-minute class-length segments. Segments are introduced by contextualizing the women philosophers in terms of the philosophical schools and movements of their time and geographic location. Reflecting the current Euro-centrism of academic philosophy today, most of our subjects are women of European descent who work within the Western philosophical tradition. A few are Indian, Chinese, Japanese, African American, Native American, or Latina, and/or work within other traditions. Information is also presented characterizing the opportunities for women's literacy and advanced education during each historical period under consideration.

The DVDs present visual *indicia* of the esteem with which many of these women were held: commemorative coins, postal stamps, public plaques and statuary, colleges and schools named for them, and, in one case, the Nobel Prize for Peace. Such personal details bring our philosophers to life, make their work more interesting, and make these philosophical foremothers more vivid to students. We describe challenges faced by many women philosophers, and—with the exception of Hypatia of Alexandria and Olympe de Gouges, who were put to death for their views—largely overcome by them.

Our criterion for including a woman in this series is that there is historical evidence that she taught and/or wrote works (including correspondence) that were considered in her era to be philosophical. Only four philosophers are included who some might argue do not belong in the series. Julia Domna failed this criterion, but is included because she was a famous patroness of philosophers. Anna Komnena, Kristina of Sweden, and Marguerite de Navarre were patronesses of philosophers or founded

philosophical academies, but they also wrote works that include some philosophical content.

The twenty-six women philosophers in Volume 1 date from 2250 BCE through 485 CE. They are from countries whose modern names include Iraq, Turkey, Greece, Egypt, China, Libya, Italy, and India. They wrote or taught about cosmology, ethics, feminism, metaphysics, philosophy of religion, and political philosophy. Three (Asclepigenia of Athens, Arete of Cyrene, and Hypatia of Alexandria) headed schools of philosophy.

Biographical information and a brief description of each philosopher's works and teachings are narrated, insofar as is possible, by a woman with the same natural accent as that philosopher. Because there are few instrumental music recordings of compositions by ancient women, some of the musical background we supply was composed by medieval women, including the philosopher Hildegard von Bingen.

Segments on the ancient philosopher Aesara of Lucania and on the medieval philosopher-polyglot Hildegard von Bingen may be previewed at <http://www.sswp.org>.

*Busted!! A Pictorial History of Women Philosophers, Volume 2, From the Late Renaissance through the Enlightenment 1500-1799* presents thirty-seven philosophers. In order to keep segments to forty-five minutes, we were obliged to omit philosophers like Maria Agnesi, who also was renowned as a mathematician. Such decisions are difficult, but a result of the abundant representation of women in the discipline. The philosophers represented in this volume hail from Spain, France, Germany, England, Scotland, Sweden, India, Italy, Ireland, Mexico, and the United States. Our subjects' contributions to philosophy run the gamut from epistemology to ethics, feminism, metaphysics, philosophy of law, philosophy of medicine, philosophy of religion, and political philosophy. Some like Laura Bassi (seventeenth century) and Elena Cornaro Piscopia (eighteenth century) were laureates in philosophy—the first women to earn the doctorate in philosophy at their institutions, and, for many centuries thereafter, the only women to have been professor of philosophy at their *alma maters*.

The introductory narrative discusses changing opportunities for women of this period to learn philosophy in convents, at royal courts, in the *salons* of French society, in the philosophical clubs in the New World, and by personal association with male philosophers whom they supported, hosted, or hired as tutors. This volume includes the first openly gay woman philosopher, Kristina of Sweden.

The third DVD includes forty women philosophers who wrote and/or taught philosophy during the nineteenth century (although many continued actively in philosophy into the twentieth century). They originated from the United States, England, France, Germany, Russia, and Italy. Again, so that entire segments can be viewed in a typical forty-five-minute class period, we were forced to omit some philosophers. The Grimke sisters, whose writings blend political philosophy with political activism, are not included. Neither is George Eliot, whose work on Feuerbach, Spinoza, and Auguste Comte would qualify her for inclusion. We

do include philosophers of language Victoria Lady Welby and EEC Jones. Jones's intention/denotation distinction preceded that of Frege's independent *sinn und bedeutung*, but was flagrantly plagiarized by Bertrand Russell, who renamed it the sense/reference distinction. Logicians Mary Everest Boole and Christine Ladd Franklin are included, as are feminist political philosophers Margaret Fuller and Elizabeth Cady Stanton. Our research into this period turned up only one non-white woman who wrote philosophy proper: Anna Julia Cooper. But the spiritualist Maria Stewart, and the social/political thinkers Frances Watkins Harper and Katherine Davis Tillman deserve mention as critical race theorists. There is only one woman known to be hearing-impaired: Harriet Martineau. The volume wouldn't be complete without discussing Mary Whiton Calkins, the first woman president of the American Philosophical Association. Finally, to spur student research, the bibliography for this DVD includes more than two hundred resources.

The fourth volume includes narratives about forty women of the twentieth century. Their countries of origin include Austria, Canada, Cuba, England, France, Germany, Russia, Spain, Switzerland, and the United States. Besides the often-cited Simone de Beauvoir, Edith Stein, and Simone Weil, this volume also includes lesser-known philosophers Camila Enríquez Ureña of Cuba, Princess Wynnogene of the Iroquois nation, and Zitkala-sa of the Dakota Sioux nation.

Our subject philosophers' works span the gamut of twentieth-century philosophical thought. They include aesthetics, ethics, feminism, logic, philosophy of biology, philosophy of law, philosophy of religion, philosophy of psychology, philosophy of science, political philosophy, and more. The bibliography for this volume contains more than five hundred entries.

## 2. WHAT *DESIDERATA* MIGHT THE *BUSTED!!* SERIES HELP REALIZE?

Nancy Tuana's series *Feminist Interpretations of Philosophy* (Pennsylvania State University Press) has opened the eyes of the profession to new ways to understand "the great white males" (and a few women) philosophers' works. It consists of formal works of philosophy, designed to be read by scholars. The *Busted!!* DVD series addresses another need—instruction in the undergraduate college classroom. Recent discussions of the need for diversity have focused on undergraduate students who might contemplate a philosophy major or pursue an advanced degree in the discipline but seem to feel unwelcome or out of place. The paucity of women now in the field may function as a stereotype threat to discourage them from becoming majors.<sup>4</sup> Women philosophers' writings are scant or altogether absent in students' history of philosophy course sequence. This discourages women from pursuing advanced degrees in our field. The summer institutes for underrepresented students in philosophy sponsored by Rutgers and Penn State are one attempt to address this problem. But a multidimensional approach is needed. Therefore, an important project *desideratum* is to eliminate stereotype threat to women students.

Unfortunately, there is a second *desideratum*: that professional philosophers who design or teach courses in the history of philosophy (finally) learn not to skew that history. This will take a commitment to some professorial re-education. Certainly courses need to be selective in the works they include. But most courses in the history of philosophy inadvertently suggest that they cover works of the discipline's "important" authors. The typical history of philosophy course thereby silently sends women students discouraging messages. One message is that prior to the twentieth century, women contributed nothing of importance to the field. By implication, women of earlier ages were "just not up to" the rigors of philosophical thought. A second message is that those women who were "up to it" were the exception to the norm and, thus, "normal" women probably *aren't* "up to it." A third *sub rassa* message is that the "great white males," whose works philosophy programs teach, bounced their ideas off each other in some male philosophers' gathering place (or in correspondence with other male philosophers), rather than in conversations while sitting around some woman philosopher's dining table (or in correspondence with female philosophers). This message flies in the face of the fact that almost all of the 144 women presented in this series actively participated in the same philosophical circles as those "great males." Lastly, courses that omit women silently shout that the inclusion of women in the profession is a recent phenomenon. As these DVDs show, the profession has *never* completely excluded women—it has denied credentials and professional employment to them. Christine Ladd Franklin was awarded her doctorate from Johns Hopkins University many decades after the successful defense of her thesis; Mary Whiton Calkins still awaits the posthumous award of her degree from Harvard University. Yet, despite their exclusion from academia, throughout our entire history, women contributed to the philosophical *corpus* and were active participants in philosophical circles of their day.

If it is a *desideratum* that undergraduate students in an introductory course "see" philosophy as something they themselves have potential to learn, then the *Busted!!* series depicts women who once demographically resembled those students: they vary by national origin, culture, social class, religious persuasion, and sexual orientation. If it is a *desideratum* that undergraduate philosophy majors feel themselves sufficiently reflected in and welcomed to the profession to the extent that they pursue an advanced degree in philosophy, then the *Busted!!* series provides that rearview mirror by introducing students to their philosophical foremothers. If we professors believe that teaching a truthful history of our profession is a *desideratum*, then the *Busted!!* DVD series may bring classroom instruction one step closer to that truth.

## 3. ASSESSING WHETHER THE *BUSTED!!* DVDS MIGHT HELP ACHIEVE THE STATED *DESIDERATA*

We cannot claim to know how to assess the impact of individual DVDs or of the *Busted!!* series as a whole. We can collect anecdotal information regarding the types of courses in which they were used. We can ask whether they were used with supplemental lectures, reading, or writing

assignments related to women's role in philosophy. We can ask professors who show them in class to solicit students' reaction to/reception of this pedagogical tool. We can ask whether there has been an increased number of women students enrolling in philosophy courses, becoming majors, going on to master's or doctoral programs in philosophy, etc.

However, external factors may also contribute to increasing the representation of women in the field, and increasing knowledge among students and professors about women's contributions throughout the history of philosophy. Among such external forces, the APA's own initiatives will surely have a positive effect on the recruitment of women as students and, eventually, as professional philosophers. Other external factors such as Duke University's new website that—as of this writing—provides information about four early modern women philosophers will surely attract the attention of women students. So will the Paderborn University Facebook page History of Women Philosophers and its (tuition-free!) Erasmus certificate Master's in Women Philosophers and Scientists—a joint project with Turkey's Yeditepe University.

In addition to the production of this pedagogical tool, the Society for the Study of Women Philosophers has other initiatives that may contribute to increasing women's representation in the discipline. Its website enables scholars to identify colleagues with similar recovery, restoration, and translation interests. It promotes members' publications about women philosophers of the past. Significantly for students, it has now undertaken the stewardship of Kate Lindemann's <http://www.women-philosophers.com> website where biographical and bibliographical information about more than one hundred women philosophers is available. This site is often students' first source of information about women's contributions to the discipline. With these multiple initiatives already underway, it is not likely that we could attribute any increase of women in the profession to the *Busted!!* series alone.

#### 4. HOW TO USE THE *BUSTED!!* TOOLS

In order to make the series useful for student research projects, each DVD has information for linking to a downloadable bibliography of works by and about the featured women philosophers. Bibliographies can also be downloaded to a Braille printer. And, to make classroom presentation of the DVDs accessible to the deaf and hard of hearing, full-print narratives also can be downloaded. Each DVD provides links to the SSWP website page that organizes these women philosophers by their specialty area(s) of philosophy.

If your course is organized historically, show segments corresponding to the historical period it covers. If your course is a readings course or requires a research paper, consider providing students with links to works in public domain by women philosophers, or assign a print or e-book, and present as introduction the DVD segment about those philosophers. In courses on a male philosopher, show segments about women who were part of his circle. For example, in a Plato course, present Diotima, Aspasia, Aesara of Lucania, Perictione, Phytis of Sparta, Theano II,

and the segments on Axiothea and Lasthenia. In courses introducing cognate areas in the discipline, select from all four DVDs segments on philosophers who worked in that area. And if you must miss a class, a graduate assistant can present a DVD segment or two, or it can be posted to your course's Blackboard, Canvas, or similar site with discussion questions.

#### 5. CONCLUSIONS

There are inferences to be drawn from this series. Women students will understand that their foremothers paved the way for them to become full participants in our profession. All students will understand that women have always "been up to" doing philosophy. And certain philosophy professors will realize that they don't know half of the history of philosophy—the female half.<sup>5</sup>

#### ACKNOWLEDGEMENTS

We thank Cleveland State University, Montclair State University, and the American Philosophical Association for their financial support of various stages of this project, and Dr. Kate Lindemann for her helpful comments on an earlier draft of this essay.

#### NOTES

1. To our knowledge, the American Philosophical Association kept no records of the gender of Ph.D.-prepared philosophy professors in the 1970s. This figure is a guesstimate based on APA membership from its founding in 1901 when women constituted 8 percent of the membership and their numbers grew very little until the mid-1970s.
2. His reference was to Mary Ellen Waithe, *A History of Women Philosophers*, 4 vols. (Dordrecht, Kluwer: 1987–1994).
3. This medium is becoming increasingly outdated. We plan in the near future to make them downloadable as gifts to those who become SSWP members at the Philosopher-Queen (individual) and Salon (Departmental) levels.
4. See Lauren Freeman, "Creating Safe Spaces: Strategies for Confronting Implicit and Explicit Bias and Stereotype Threat in the Classroom," *APA Newsletter on Feminism and Philosophy* 13, no. 2 (Spring 2014): 3–9.
5. Each DVD will be available separately as a premium with an annual membership (at the level of Philosopher Queen or Salon) in the Society for the Study of Women Philosophers. The society does not offer them for sale. For details and production schedule, please visit our website at [www.sswp.org](http://www.sswp.org).

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## BOOK REVIEWS

### *Our Faithfulness to the Past: The Ethics and Politics of Memory*

Sue Campbell, edited by Christine M. Koggel and Rockney Jacobsen (Oxford University Press. New York, 2014). 248 pages. Hardcover, \$105 ISBN: 9780199376933, paperback \$36.95. ISBN 9780199376940

Marianne Janack

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I never met Sue Campbell, though I have read several things she's written over the years. The volume of her writings put together by Koggel and Jacobsen exemplifies one of the central claims of her book—that remembering is

an activity, often mediated through material objects which are not simply aids to memory, and so it is not something that goes on in the private space of the head. As she puts it, “the material preservation of traces of the past, as personal or collective remembering, is a ubiquitous and complex human activity” (29). And in this book we have an excellent example of one such material trace that allows us to remember and engage with a lively mind at work.

Think of all the different things that we collect under the category of “remembering”: 1) My colleague makes a claim about something that he remembers another colleague doing and accuses her of a lack of integrity, citing that event. I disagree with him about whether she did what he says she did, but I cannot get him to give up his moral evaluation of her. Is he misremembering? Am I? 2) I drive by my childhood home, now occupied by a new family and almost unrecognizable to me. I think about growing up there and all the people in the neighborhood who have left, or grown old, or died over the last thirty years; 3) I try to remember where I put my car keys; 4) a student comes up to me and I introduce myself. Sheepishly, she tells me that she already knows me, since she took a class with me two years ago. I try to bring up a vision of that class and of her face among the students to save myself from more embarrassment; 5) I tell a group of students about my first week of classes at Hamilton, where I teach, which coincided with the September 11 attacks; 6) I am reminded by the book review editor that this review was due in November, and I realize that I’d forgotten that. These constitute just a small sample of common examples of remembering (and forgetting). *Our Faithfulness to the Past* tries to do justice to this wide variety by drawing on political philosophy, social psychology, performance theory, philosophy of mind, feminist theory, and theories of emotion to give an account of this complex activity of making sense of our past experiences.

Campbell’s essays focus on taking stock of what it means to remember the past faithfully; she prefers this term to terms like “true” and “accurate” because it evokes both the epistemic character of the rememberer and the value-laden aspect of the activity. The essays all, to some extent, are structured according to one or more of the following larger themes: how the narrative aspects of memory influence its reception by those who are an audience for the recollection; how rememberers are characterized; how memory practices are ways of building or transforming relationships, solidarity, and communities; how the processes of recollection are materialized; and how we participate in the memories and recollections of others. In order to give texture and depth to her account of remembering or recollecting as practice, she uses a variety of contexts and activities of remembering, including drama, the Indian Residential Schools Truth and Reconciliation Commission, and the “memory wars” of the 1990s, in which recalled memories of child abuse were subjected to critical scrutiny by theorists who doubted the reliability of memories elicited in therapeutic settings.

Part of what Campbell wants from these discussions is to show us that the archival model of memory—in which a memory is taken to be accurate if and only if it faithfully

reproduces a past experience which is the memory trace’s primary causal source. This view of memory is based on an idea of fidelity that’s static, the way that a photo might faithfully reproduce an image or a computer file might be stored. Campbell argues that the archival model is overly restrictive and fails to get at the social nature of memory practices. For adherents of the archival model of memory, the fact that we come to re-evaluate some of our memories, or interpret them differently as a result of subsequent experiences, or narrate them differently for different audiences, is taken to be evidence of the distorted nature of memory. When the ubiquity of narrative, interpretation, and re-evaluation becomes clear, the archival model leads us to the conclusion that all memory is unreliable since it is all interpretive—the result of a process of reconstruction.

But Campbell points out that nostalgic memory, for instance, can be accurate in the sense of being an accurate “snapshot” of a past experience, while still being distorted, since the nostalgic impulse might lead the rememberer to misunderstand the significance of the memory. Good remembering is more complicated. Human remembering is the basis for self-reflection and self-constitution as well as for personal and group identification. It is often inherently social, Campbell argues, and it is an embodied and material activity. So trying to understand memory by examining what happens in individual brains is misguided. In the first essay in the volume, Campbell sets up the frame for the rest of the essays, saying that

claims to remember are complex moral/epistemological assertions. . . . Questions of memory accuracy . . . are often much more than questions about whether someone got the details of the past right. They are questions about perspective, about the significance of the past to the present; and we are responsible because we share a past that we witness differently. (26)

This essay, like the author’s introduction and the other essays in sections I and II, were previously published in a variety of places. The essays in section III, which draw on the theoretical frames of the previous essays, are different in format from the essays in sections I and II. The essays in section III apply the lessons of the essays in the earlier sections of the volume to the discussion of the value and aims of the Truth and Reconciliation Commission set up in Canada to address the history of the Indian Residential Schools. The title for this section is “Remembering for the Future,” and the essays included here were written with funding from the Indian Residential Schools Resolution Canada Truth and Reconciliation Commission. They were influenced by a training session that Campbell attended that was facilitated by the International Center for Transitional Justice.

In these essays, we re-encounter the central themes of the earlier essays—that memory is not just about the past, but about the present and the future; that it is an essential element in building solidarity, in transforming relationships, and in taking responsibility for harms done by groups of people with whom we might not want to ally ourselves, but with whom we are often grouped nonetheless. This

section shows the importance of looking at actual contexts of remembering, particularly in contexts where there are competing narratives and social imaginaries at work, for thinking about what it is we do when we remember, and why we value memory in the ways that we do. These contexts make quite clear the embodied and social nature of recollection and show the poverty of archival models of memory.

The Indian Residential Schooling System, which aimed to assimilate First Nations children to Euro-Canadian Christian culture, separated First Nations children from their families and their home communities and thereby disrupted the transmission of Native cultures. In his official apology in 2008, Prime Minister Steven Harper noted that the forced assimilation was aimed at “killing the Indian in the child” in the mistaken belief that the cultures of First Nations people were uncivilized and in the process of dying out. The residential schools were first established in the 1880s; they became mandatory for First Nations children in 1920. But the last residential school did not close until 1986.<sup>1</sup>

Sue Campbell was clearly interested in the Truth and Reconciliation Commission, and its ties to public history, memory narratives, identity construction, and restorative justice make it a perfect crucible for thinking about the larger issues of memory and responsibility that the essays in parts I and II address. The TRC is relevant to her work not only because of its emphasis on allowing those involved with the schools to tell their stories, but also because, as Campbell makes clear, the process of assimilation that the schools had as their goal was also a process of reconstructing and cutting off different kinds of memory and of redrawing boundaries of identification in the process.

These essays also take up the knotty issue of how to evaluate challenges to memory, or how to evaluate specific instances of remembering, when we recognize that memory is an activity carried out as a reconstruction of the past in light of the present. Campbell warns us (and the TRC) that part of what is at stake in those judgments is also the epistemic and moral integrity of those who tell the stories of their experiences. And if memory narratives related in the context of the TRC are taken primarily to be forms of historical documentation, then they will be misjudged and possibly misused.

To address the more practical questions a reader of this review might have, this book would be a good book to use in an advanced undergraduate philosophy of mind course or in a graduate course on memory and philosophy of mind. It would also be a good book to use in conjunction with courses on narrative theory or rhetoric; in a course that addresses theories of personal identity or autobiography; in any course that deals with social justice or feminist theory; or courses that address issues in historiography, museum studies, or the philosophy of history. Campbell draws on a wide array of literature, and the list of courses for which one could use the book reflects this eclecticism.

To read these essays is to go on an engaging and often surprising trip with a guide who has a gift not only for bringing

together eclectic materials, but whose thinking and writing is also very clearly structured and well organized. The first essay, for instance, ranges over work about connectionist models of mind, learning, and the sciences of memory. It then moves to W. G. Sebald’s lectures on memory and memoir, to Mary Warnock’s philosophical work on memory, then through a discussion of what it means to call the kinds of interpretive processes involved in memory distorted, concluding with a discussion of archival practices and the AIDS quilt as a form of collective archive.

Drawing on and discussing such a disparate collection of sources and phenomena could lead to a creative but messy collection of essays. But this collection is very tightly organized, and Campbell manages to interweave these sources seamlessly. She has the intellectual virtues that make reading good philosophy a real pleasure. She does not let her reader get lost; she tells us up front what she’s going to tell us, tells us about it, tells us clearly what it signifies for her argument, and then tells us again in case we’ve gotten distracted. I can only imagine what a lively intelligence she must have displayed when she was alive. It was a real pleasure to read a collection of her essays, which gave me the sense of spending time with a brilliant and interesting person. Many thanks to Christine Koggel and Rockney Jacobsen for giving us that opportunity.

#### NOTES

1. <http://indigenousfoundations.arts.ubc.ca/home/government-policy/the-residential-school-system.html>

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## *Civil Disabilities: Citizenship, Membership, and Belonging*

Nancy J. Hirschmann and Beth Linker, eds. (Philadelphia: University of Pennsylvania Press, 2015). Cloth \$65.00, ISBN 978-0-8122-4667-4; Ebook \$65.00, ISBN 978-0-8122-9053-0.

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Yes, and this is how you are a citizen: Come on.  
Let it go. Move on.

– Claudia Rankine, *Citizen: An American Lyric*

With the unfolding of the “Syrian refugee crisis” (as it is evocatively called), questions and concerns about citizenship, membership, and belonging have been brought to the attention of North American and Western European populations to an extent that and with an urgency that they have not enjoyed since the aftermath of World War II. At the crux of this cluster of questions and concerns is the notion of the citizen, a notion whose genealogy stretches back to the culturally specific origins of the idea of the polis itself, an idea with which the notion of the citizen has, in fact, been co-constitutive. In the tradition of Western political philosophy and theory, a citizen is generally defined as a member of a given political community who both enjoys the rights of and assumes the duties of the given society. Although in the past this rudimentary definition of the

citizen seemed to have a neutral ring to it, the seemingly upstanding notion of the citizen is increasingly regarded as an essentially contested concept; that is, the concepts of the citizen and of citizenship have come to be regarded as fraught and contestable, underpinning a set of values and beliefs that are more and more perceived to be parochial, isolationist, racist, sexist, and xenophobic.<sup>1</sup> For example, feminist political philosophers and theorists have asserted that traditional Western conceptions of citizenship promote an atomistic construction of the citizen/self that relies upon a rigid distinction between the private and public realms which, historically, has disenfranchised women and obscured elements of human existence and the natural world that have been associated with women and the feminine.<sup>2</sup> Philosophers of race and of African-American philosophy have argued, furthermore, that in the U.S. and other nation states of the North and West the persona of the fully-fledged citizen is racialized as white, in addition to its masculinized gendering. Black people in the U.S. and other nation states of the North and West must engage in ongoing negotiation of their citizenship, as the fragment from Rankine's lyric suggests.<sup>3</sup> For, although black people in these nation states may be citizens in "formal" terms, full recognition and membership in the polity is continually abrogated from them in an endless variety of "informal" ways: unwarranted traffic stops; suspicious department store security guards; repeated credit card checks at the supermarket; and so on. This grievous state of affairs should compel us to ask the question that Paul Gilroy suggests: *What does it take to belong?*<sup>4</sup>

The eleven essays and introduction that comprise *Civil Disabilities: Citizenship, Membership, and Belonging*, a recent interdisciplinary anthology edited by Nancy J. Hirschmann and Beth Linker, add another dimension to these critical discussions about citizenship, its privileges, its requirements, its constraints, and its exclusions. The authors who contributed to this unprecedented collection are well-known disability theorists in history (Baynton, Kudlick, Joyner, Linker), anthropology (Ginsberg, Rapp), English literature and disability studies (Schweik, Siebers), political science (Hirschmann), public health (Abel), American studies and race and ethnic studies (Burch), sociology (Carey), music and Jewish studies (Lubet), and philosophy of education (Terzi). Taken together, their contributions to the collection motivate us to consider a range of topics and issues related to the ways in which disability conditions understandings of and conceptions of citizenship, membership, and belonging, including the ways in which citizenship is formally (e.g., through immigration restrictions that refuse entry to disabled people) and informally (e.g., by exclusion of disabled people from public view in media outlets) withheld from disabled people, especially, though by no means exclusively, cognitively disabled people; how the institutional, discursive, and structural inaccessibility of the modern polis compromises the degree to which disabled people can exercise the rights and duties of which other citizens avail themselves; and how the persona of the citizen is always already marked as nondisabled (as well as male, white, and cisgender).

Whereas the hallmark of feminist work on citizenship has been recognition and analysis of how both the atomistic

citizen and public-private distinction of traditional political theory contribute to the reproduction of two binary genders and the oppression of women, the distinctive innovation for scholarship on citizenship that the disability theorists in *Civil Disabilities* offer is identification of the presumed and requisite (i.e., "compulsory") able-bodiedness of the citizen and the ways that the ideal of the able-bodied citizen is manufactured. The disability theorists in the collection show, furthermore, how this construct of the (idealized) able-bodied citizen contributes to the constitution of the category of disability in broader terms, as well as to the constitution of other social categories with which disability is inextricably intertwined. In order to engage in these critical endeavors, these theorists consider: narratives about disabled war veterans (Schweik); the historical confluence of race and disability in American immigration policies (Baynton); remembering and historicizing disability (Burch and Joyner); tuberculosis disease categories and public policy (Linker and Abel); visualizing and reframing neurodiversity (Ginsberg and Rapp); virtuosity, normality, and musical citizens (Lubet); the making of blind people (Kudlick); the relations between notions of citizenship, privatization of the family, and state-of-the-art eugenics (Carey); cognitive disability and theories of justice (Terzi); epistemic invisibility and invisibly disabled people (Hirschmann); and disability and identity politics (Siebers).

Hirschmann and Linker's introduction to the collection provides a far-reaching overview of many of the conceptual and philosophical issues that revolve around disability and citizenship, including a host of citations and references to pertinent work in both of these heretofore disparate areas of scholarship, as well as to relevant work in (for instance) feminist theory, critical race theory, anthropology, political science, and sociology. In doing so, this editors' introduction draws links between disability studies and work done in other areas of the university, suggesting avenues for future research on disability and citizenship in a variety of disciplines beyond disability studies and cognate sub-fields (HL, 1–21). Furthermore, the cursory explanations that Hirschmann and Linker give of some of the precepts of disability theory will be quite instructive for philosophers whose familiarity with analytical and theoretical work on disability and disabled people is limited to the claims and arguments that mainstream bioethicists, ethicists, political philosophers, and philosophers of mind (among others) advance. Indeed, the editors' introduction and the contributions to this collection as a whole rely upon assumptions about disability and disabled people that directly counter many of the presuppositions about these phenomena on which dominant discourses of philosophy depend. In mainstream philosophical discourses, that is, disability is usually taken for granted as a natural (i.e., prediscursive) disadvantage that ought to be prevented, corrected, or eliminated, a natural disadvantage that inevitably leads to the social disadvantages that accrue to disabled people. In the terminology of philosophy and theory of disability in particular and disability studies in general, the aforementioned conception of disability is generally referred to as "the medical model of disability." The authors in this collection on disability and citizenship aim to show, by contrast, that the disadvantageous social circumstances that accrue to disabled people are the

products of contingent social, economic, and political arrangements. By so doing, these authors offer theoretical and empirical support for the claims and arguments of philosophers who work in the emerging subfield of philosophy of disability.

Although Hirschmann and Linker aptly distinguish the contributions to the collection and, indeed, the wider field of disability studies from conventional or mainstream approaches to disability, their discussion of the concept of disability and, in particular, the treatment of the concept in disability theory nevertheless relies upon a conflation. Hirschmann and Linker aim to situate the collection theoretically and politically by noting that the claims of its contributors assume the “social model of disability” (HL, 4-5). In order to make this claim, however, these editors conflate two different conceptions of “the social model of disability.” Though both of these conceptions get referred to in the literature of philosophy and theory of disability (and in the discourse of disability studies more generally) as “the social model,” they operate at different levels of generality, rely upon different assumptions about what disability is, recommend different social responses to disability, and represent disability in different ways, not least of all through the language that each of the conceptions promotes.

In the international discussions of disability studies, that is, the term *social model* is used in two senses: (1) broadly and loosely, to refer to just about any counter-hegemonic (i.e., non-“medical model”) understanding of disability; and (2) narrowly, to refer to a specific understanding of disability that originated in the U.K. in the 1970s. On the latter understanding, or conception, the term *disability* refers to a form of social oppression that is imposed upon “people with impairments,” where these impairments are said to be neutral human characteristics (a claim that elsewhere I have worked to undermine<sup>5</sup>). This latter conception of disability has motivated the U.K. social model which is grounded in the assumptions of historical materialism and thereby holds that the improvement of “disabled people’s” circumstances requires systemic social, political, and economic transformation. In the first sense—that is, the broad and loose sense of the social model—the term *disability* may be used (1) as it is used by proponents of the U.K. social model, or it may be used (2) to refer to the ostensible functional limitations of a given individual who has an allegedly natural disadvantage (namely, an impairment), or it may be used (3) in some other, hybrid, way. The medial conception of disability, on which disability is a functional limitation, relies upon an individualized conception of disability whereby minor adjustments to a given environment, such as a workplace, are made that enable a given “person with a disability” to be “accommodated” into an environment which, itself, remains intact overall. Insofar as individual functions and capacities are the focus of this conception, the conception fits well with the tenets of liberal individualism and, as I have argued elsewhere, does not avoid the eugenic impulse of the medical model that it is claimed to counter.<sup>6</sup> In their editors’ introduction, Hirschmann and Linker combine the two senses of the social model, using the language of both the historical materialist and individualist conceptions of

disability, in order to circumvent the excesses that they perceive with the former conception and the shortcomings that they perceive with the latter conception. Although other disability theorists have similarly attempted to combine these disparate conceptions of disability on this basis, the two conceptions are, in fact, incompatible and conflation of them, and of the two senses of the term *social model*, renders an argument or claim incoherent. Since conflation of the two senses of *social model* and of the two conceptions of disability is endemic in disability studies, I am not surprised to see versions of these ambiguities reproduced in Hirschmann and Linker’s introduction to their collection and throughout the collection itself. The ubiquity of the conflation (or, conflations) throughout disability studies does not, however, make its appearance in this book any less disappointing.

Lorella Terzi (HL, 186–203) stands out as the only non-American in *Civil Disabilities*, indicating that the editors may have recognized the ironic character of a book ostensibly designed to question assumptions about citizenship and membership which, nevertheless, confines itself to the concerns and arguments of disability theorists who reside in only one geopolitical context. In addition to the fact that Terzi is the only contributor to *Civil Disabilities* who writes from outside the U.S., she is also the only contributor to the collection who is, strictly speaking, a philosopher. Thus philosophers might be inclined to disregard this anthology, diminishing the import of its content and insights for their own work. I want to point out, however, that such neglect of the book would be grounded in many of the same biases that contribute to the underrepresentation of disabled philosophers in the profession and the marginalization of philosophy of disability in the discipline. Among these biases is the assumption according to which there is a predetermined set of philosophical questions and ways to approach them that constitutes the proper subject matter of philosophy and, therefore, traditional, mainstream bioethics, political philosophy, philosophy of mind, and ethics (among other areas of the discipline) most appropriately define the questions and approaches to disability that philosophers ought to consider. Feminist philosophers ought not to collaborate in the perpetuation and circulation of such oppressive biases.

Terzi’s contribution to the book draws upon and elaborates the body of work on disability that she has produced with the capability approach that Amartya Sen and Martha Nussbaum initiated. The chapter provides a clear explication of the capability approach to equality and offers reasons why, in Terzi’s view, the approach is superior to other candidates of a theory of justice for disabled people. Terzi also responds to criticisms that some philosophers of disability have made according to which (for example) the perfectionism of the capability approach renders it an inadequate and inappropriate tool for disability theorists concerned to develop an egalitarian approach to justice for disabled people, especially cognitively disabled people. The perfectionism of the approach, these critics have variously argued, must inevitably make determinations based on a measurement of proximity to a set of norms about human function, that is, to an idea of normality that implicitly devalues many disabled people, especially

cognitively disabled people. To be sure, such concerns about the appropriateness and adequacy of the capability approach remain vital for philosophers of disability and disability theorists. Nevertheless, for my own part, I would have liked to see Terzi show how her capability approach to disability can (also) respond to recent work on relativism and relativist accounts of disability, as well as Foucauldian and poststructuralist accounts of disability, rather than merely reprise justifications of the capability approach to equality for disabled people that were articulated in response to the aforementioned Rawlsian and post-Rawlsian criticisms of it.

A number of the topics and issues addressed in *Civil Disabilities* have been the subjects of discussion and debate among disability theorists and activists for some time. Until now, however, such discussions and debates about disability and citizenship have largely taken place in disability studies journals and far-flung venues that, for the most part, attract a readership of specialists on disability; until now, that is, these lines of engagement have been largely pursued below the radar of a prominent university press and a broad academic readership. Thus, this collection, which brings these considerations together in one volume, is a valuable addition to the growing fields of disability scholarship and citizenship scholarship and should be put to use by (among others) political theorists, feminist philosophers, legal philosophers, and policy analysts, as well as by philosophers and theorists of disability.

#### NOTES

1. For an illuminating exegesis of these issues, see Leydet 2014; see also Young 1990, and Kymlicka 1995.
2. Young 1990; Berlant 1997; see also Okin 2013.
3. Rankine 2014, 151.
4. Gilroy 2001, ch. 1.
5. See Tremain 2001, 2006, 2010.
6. See Tremain 2010.

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## Willful Subjects

Sara Ahmed (Durham: Duke University Press, 2014). 292 pages. \$24.95. ISBN: 978-0-8223-5783-4.

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Back in my early days of graduate school, several students invited me to join them to see a movie. New to the program, I was glad to get the invitation as well as the opportunity to get to know some of the other students. The film the group planned to see was *Silence of the Lambs* and being a Jodi Foster fan and having heard good things about the movie, I willingly joined the group. Though I admit that I was riveted while watching the film, afterwards during drinks and animated conversation at a local bar, I became uncomfortable listening to others' analyses. While the people in my group made pithy and insightful comments about the film, and even praised it for featuring a strong female lead, I had a different response. It seemed to me that all of Foster's decision-making was based on her need to please the two "father figures" in the film: the evil (but brilliant) Dr. Lecter and the good (but emotionally distant) Agent Crawford. In addition, and though my sense of trans and queer identities was still fledgling, I found the portrayal of the "monster" Buffalo Bill to trade upon very negative stereotypes of non-heteronormative sexuality. Wanting to add to the lively conversation that was going on at the table, I offered my less than laudatory appraisal of these aspects of the film and felt the energy decidedly drop. It was at this point that one of the students at the table turned to me and said, "Wow, you are really one multicultural bore, aren't you?"

I've never forgotten that moment, and the phrase has stayed with me since. I sometimes find myself referencing it as an internal self-critique, "Wow, you really are a multicultural bore, aren't you?" and other times as a badge of honor, "Am I boring you with my 'multicultural' critique?!" When I discovered Sara Ahmed's *Feminist Killjoy* blog several years ago, and her description of feminist killjoys as "those who refuse to laugh at the right points; those who are unwilling to be seated at the table of happiness," (2) I immediately identified. Of course, feminist killjoys are not inherently unfunny nor do they seek out unhappiness as a goal. Rather, for a feminist killjoy, the preservation of other people's happiness at the cost of silencing her own critical lens and personal discomfort is a price she refuses to pay.

I have continued to benefit intellectually and emotionally from reading Sara Ahmed's work. Her 2010 book, *The Promise of Happiness*, rich with insight and analysis about the demands of happiness on oppressed and marginalized people, opens up the space to be unhappy and sees that space as a source for political will and collective freedom. More than once reading *The Promise of Happiness*, I reconsidered the periods of deep depression I've struggled with intermittently over the course of my life as being far more complex and socially relevant than I had considered previously. In her 2012 book, *On Being Included: Racism and Diversity in Institutional Life*, Ahmed carefully weaves

together narratives from diversity professionals with a conceptual and critical analysis of the language and “management” of “diversity” in higher education. Ahmed’s attention to whole persons, to the collective nature of social groups, and the culture and value of organizations and social systems, is reflected in her writing style. It proceeds not so much like standard philosophical argumentation but rather as an unfolding of reasons, impressions, first-hand reports, and poetic reflections. It seeks to capture the cognitive, affective, and somatic experiences of people living within social systems.

The cognitive/affective/somatic richness of Ahmed’s previous work continues in her most recent book, *Willful Subjects*. Here Ahmed seeks to understand the history of the “will” and the notion of “willfulness,” particularly as it is used to shame and coerce the willful into conformity and acceptability. Though it is not until the very last chapter of the book that Ahmed begins to describe the world from the point of view of those judged “willful,” throughout we have the sense of her listening to the cacophony of willful voices from Antigone to Augustine to Hannah Arendt to Rosa Parks to Franz Fanon, to the recent Occupy movements. She writes, “Although some of the stories of willfulness are individual, the project of the book is collective: it is not only about bringing individual stories together, but hearing each as a thread of a shared history. Strays, when heard together, are noisy” (21).

Chapter one, “Willing Subjects,” provides a philosophical overview of nineteenth- and twentieth-century continental analyses of the will including Hegel, Nietzsche, Husserl, Arendt, and Derrida along with literary examples from Eliot’s *Silas Marner* and *Adam Bede*. Chapter two, “The Good Will,” considers how the taming of the will through moral theory, education, and social inculcation becomes a way to create “social harmony: a good will is in agreement with other wills” (95), whereas willfulness is “often understood as a will that is in agreement only with itself” (95). By providing a genealogy of the will, Ahmed seeks to uncover the ways that a “universal will” conceals social agreement under the guise of moral law. Chapter three, “The General Will,” looks at the social nature of the “will,” “willingness,” and “willfulness” and how political systems trade upon the supposed will of the body politic as a means for subduing political dissent, further marginalizing those who are not easily assimilated. Chapter four, “Willfulness as a Style of Politics,” provides some of the most affirmative aspects of “willfulness” including civil disobedience, diversity work (theorized in a very particular and self-reflective way by Ahmed), and even in the efforts of feminist killjoys. Willful subjects reading this chapter may feel, as this once unruly girl did, a real debt of gratitude to Ahmed for linking our individual unruliness with broader willful movements that disrupted unjust and oppressive practices.

For philosophers, and particularly feminist philosophers and critical race theorists, *Willful Subjects* will provide new and important avenues of teaching and research regarding the will, willingness and unwillingness, and the willful. Though there are important metaphysical and epistemic arguments regarding the will throughout the book, a metaphysical defense of the will is not Ahmed’s aim. Even

if we assume the will is an illusion or, as Ryle argued, a “Ghost in the Machine,” Ahmed reminds us that “even ghosts have histories, even objects that are understood as illusions or fancies have a story to tell” (5).

*Willful Subjects* begins and ends with a fable from *Grimm’s Fairy Tales*. “The Willful Child” describes a little girl who would not do as her mother told her and because of her disobedience, God punished her with an incurable illness. The child dies but after being buried, her arm reaches out from beneath the mound of dirt, refusing to be completely submerged. It isn’t until her mother comes to the grave and beats the child’s arm that it retreats back underground and the child finally rests in peace. Ahmed explains that she found this “grim story” in the process of following the figure of the willful subject. What led her to this subject was her earlier interest in the feminist killjoy and “in witnessing the unruly trouble making of feminist killjoys I caught a glimpse of how willfulness can fall, like a shadow on the fallen” (3). As Ahmed follows the willful subject through history, philosophy, literature, and political resistance, she ends up finally back at the grave of the willful child. She writes, “The arm that keeps coming out of the grave signifies persistence as protest. We need to give the arm something to reach for” (203-204).

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## *A Theory of Freedom: Feminism and Social Contract*

Shay Welch (New York: Palgrave MacMillan, 2012). 193 pages. Hardcover \$100. ISBN 978-1-137-03486-1.

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Almost everything about Shay Welch’s *A Theory of Freedom: Feminism and Social Contract* defies conventional categories of philosophical classification. Welch challenges the limited imagination and flawed assumptions inherent in most of modern liberal political philosophy. The conceptual analysis on display in Welch’s beautifully subversive appropriation of the social contract tradition, one that retains valuable aspects of volunteerism while also attacking rather relentlessly the oppressive aspects of the classical canon of liberal political thought, is rigorous yet imaginative. Welch writes quite clearly and crisply, with cadence and style, but the conceptual issues with which she’s working are exceedingly complex. The tools she employs and the weapons she wields are “analytic” in character, more or less, but the resources upon which she draws are “continental,” especially in her examination of Rousseau and Nietzsche on autonomy and agency, in addition to her treatment of Hobbes and Locke, yet the existential orientation and political dimension of Welch’s research is explicitly feminist throughout. Liberal theorists

move too quickly, and mistakenly, claims Welch, when they “move from the justification of political authority and the political obligation to the conclusion that all else is a matter of individual freedom” because “individuals are not isolated and they do not pursue their interests apart from one another” (5). Beyond if not between the political and the individual, “[t]here is yet another space—the sphere of *social freedom*.” Welch demonstrates how both traditional and feminist frameworks tend to get it wrong by prioritizing obligation over consent.

Whereas other scholars have argued that “obligation” is better understood and more representative of real life obligations if it is extricated from liberal theory, Welch makes a similar argument apropos of “consent.” But because she rejects the conventional obligation framework, Welch proposes that we shift to “a commitment schema as the action-guiding feature in social relations” (12). This move would ideally enhance expressions of voluntarism and forms of social cooperation that foster a procedure for social dissent. Welch’s *Theory of Freedom* resembles sustained transcendental argument, in the Kantian sense, such that “supposing that conditions for social freedom obtain, consent signifies the absence of domination in relations” or, elsewhere, e.g., in the final chapter, Welch can write that “an atmosphere of social trust is necessary if the social conditions and arrangements needed for choice, consent, and commitment are to obtain” (13). The traditional models of social contract are ultimately unacceptable on that very basis—that is, because they tend to legitimate rather than eliminate oppressive exercises of authority and exclusionary relations of domination. An adequate account of social freedom must, and Welch’s feminist or emancipatory theory does, address seriously problems of choice engendered by social forms of systemic oppression, whether along lines of gender or race or sexual orientation, and “explain ostensibly uncaused or unidentifiable conditions of unfreedom and propose normative prescriptions for their elimination” (6). Liberal political theory aims, allegedly, at expanding the space of individual freedom by constructing a limited domain of permissible intervention by specified authorities: in short, so runs this line of political thought, writes Welch, “the smaller the area in which legitimate coercion regulate individual action, the greater the space of individual freedom.”

Welch’s theory of social freedom extends beyond traditional theories because it stakes out a broader “range of ways to grant consent, accepts fewer possible manifestations of consent, and relies on different criteria for identifying consent” (83)—and then she’s off to the races, as it were. By merging Nietzsche and Rousseau, who are usually positioned in opposition to one another, especially their respective forms of self-legislation, Welch “demonstrates the feasibility of a notion of consent that is conceptually divorced from obligation” (98). On her reading of Nietzsche, which is guided by what is implicit within his criteria of freedom, that is, that only those constraints that are self-imposed are to be valued, and that Rousseau’s theory of freedom requires society “based on association instead of subordination,” i.e., a structure of consensual social relations to be horizontal rather than vertical. Welch somehow manages to appropriate whilst simultaneously

distancing herself from the canon of political philosophy. “If the social contract tradition is to endure as the paramount framework for social and political relations,” argues Welch, “more attention must be given to the specifically social component of the social contract” (52). And then that is what she does. Implicitly, or explicitly, suggests Welch, consent is *always* about relations: social consent is always expressed in “terms of conditions and arrangements, available choice sets, and, of course, other individuals.” The problem has to do with predetermined choice sets, which, claims Welch, “are institutionalized products of the dominant descriptions of reality” (64).

Welch says that she enters the debate between political feminist theorists and liberalism: although the objections of feminists against political liberalism are sound, Welch argues that those same feminist theorists “somehow miss the point of the problems they raise.” The point is not merely to understand how these things work, quipped Marx, but rather to change it. Objecting to a political theory is not the same as extricating oneself from, as Welch turns it, “the political problems related to the basic structures of the state and the institutions enough to fully resolve the social problems that arise as a result of the interactions between people in those settings” (2). Fair enough. What is needed, and what Welch tries to deliver, is a social theory “that attends to conditions of unfreedom that arise because of and through social interactions that comprise of daily life.” Welch attempts to provide a better conceptual vocabulary for constituting, as Carole Pateman describes it, “a form of personal life in which two equals freely agree to create a lasting association together” (9). In this, Welch contributes significantly to the shared project of developing a uniquely feminist theory of (social) freedom. A legitimate theory of social freedom entails a model if not also a strategy for building social trust, which is necessary for social stability and social forms of cooperation. This is a particularly tall order, since socially free relations occur within a climate of civic friendship, which involves mutuality and reciprocity, rather than merely stipulating spaces of tolerance or noninterference, which in many cases is simply a form of dismissal: after all, “sheer toleration is detached and, so, inimical to social freedom” (45).

Welch possesses extraordinary powers of subversive appropriation. Drawing on Isaiah Berlin, for example, Welch blends the choosing subject along the lines of negative and positive freedom qua self-determination, and she shows us why “the path to social freedom requires both authenticity and exercise condition to overcome the oppression that interferes with self-determination” (81). Welch defines the choosing subject which can be distinguished in helpful ways from alternative theories of autonomy, agency, and “the liberal choosing subject,” by which she means the conception of freedom implicit in the liberal political tradition discussed in Rawls. It’s no small achievement, of course, to construct a theory of social consent that does not generate corollary obligations: “Instead, when an individual grants social consent, she develops a commitment to that which she consents that enhances, rather than limits, her freedom” (85). Both in the public and private sphere, Welch helps us think more critically about the socially significant distinction between commitment on the one hand and

obligation on the other. Welch shows us how the conditions for narrative authenticity, which are external as well as internal, are at the very heart of social freedom. For Welch, “the combination of open participation and social critique,” which constitute for her a path to moral progress, “makes express consent feasible in a social framework” (101).

The intensity of Welch’s conceptual analysis and the breadth of her resources make her book demanding, but also quite rewarding. One of the many rewards that the sensitive reader will receive is a treasure trove of conceptual resources or strategies to be applied to geopolitical events that have dominated the headlines over the past several years, apropos of race and gender as well as wealth disparities and disproportionate incarceration rates, since Welch published her *Theory of Social Freedom*. Without attending to the ways that social arrangements delimit and constrain “choice sets” for the oppressed, who, e.g., disproportionately accept unreasonable plea bargains in order to avoid harsh mandatory sentences, or simply because they can’t afford to post bail, which is but the first step requisite to contesting those charges in court, which is a de jure right of citizenry, to “crashing the courts,” as Michelle Alexander put it, appeals to “freedom of opportunity” constitute a pernicious insult upon injury: the proverbial playing field is decidedly not level and the game has been traditionally and egregiously rigged. “The function of social critique,” argues Welch, as a way of “opening up space for self-determination” of social groups and thus enhancing individual freedom, “is to point out which conditions and relations are corrupted by domination and, consequently, distrust so that action may be taken to prompt moral progress” (164). Welch’s *A Theory of Freedom: Feminism and the Social Contract* constitutes a significant and creative contribution to political philosophy.

Welch’s analysis is tough-minded in its relentless critique of those philosophers and philosophical systems that are rigged in favor of the exploiters. Welch’s philosophy of social freedom is progressive in ways that build upon but also extend beyond—in terms of scope and intensity—the earlier insights or waves of feminism. As a professor of philosophy at Spelman College, Welch’s thought is forged in the crucible of issues of race and gender and all that this entails, including identity politics and cultural criticism, these days, still. Ideally, historically black colleges and universities would serve as loci of political criticism and social activism. Welch’s analysis is tenderhearted in its solidarity with those individuals who are trapped in various ways and on multiple fronts within our present system of social un-freedom. As a social critic, Welch challenges the political and philosophical ideology inherent in systems of social oppression and a means of expanding existential choice sets of ordinary folk. Implicit theoretical or ideological biases, suggests Welch, “are nearly as insidious as explicit exclusions since they provide space for un-freedom without needing to formalize it” (42). Unearthing these implicit biases is the task at hand, whether we’re talking about the pernicious prejudices buried within our economic or political system, about racism or materialism or imperialism; this task constitutes both a research agenda and a call to service. Shay Welch is a feminist, to be sure, but she rethinks and reconfigures the conventional models

of what feminism looks like, in practice and in theory, on the surface but also buried deep within the analysis. The tendency of the whole, the forest rather than the trees, is the crucial thing. The invisible is the essential thing, maybe, though the invisible is always embodied. The resources provided here have implications for how we should understand the emerging and intersecting frontiers within feminism broadly construed. Welch discloses throughout the biases and exclusionary practices burrowed deep into the very framework of contemporary political theory, especially modern liberal social theories of freedom. The analytical work is a form of social criticism, which is how public intellectuals like Welch participate in transforming the socio-ethical sphere and creating conceptual spaces that are structurally requisite, necessary yet insufficient, to enhance authentic social freedom.

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## *Nussbaum and Law*

Robin West, ed. (Burlington, VT: Ashgate Publishing Company, 2015). 552 pages. Hardcover \$375. ISBN 978-1-4724-4344-1.

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*Nussbaum and Law* is a recent addition to Ashgate’s “Philosophers and Law” series. This anthology brings together thirteen essays written by legal scholars. With the exception of two 2015 essays and editor Robin West’s introduction, the essays have been published previously in law reviews. Philosophers with an interest in Nussbaum’s work, however, may not regularly consult such sources. West has done an excellent service to academic philosophy by gathering together this legal scholarship.

Martha Nussbaum has published on a wide range of topics that pertain to the study and practice of law, and this anthology is a testament to the influence of her scholarship on the legal academy. West organizes the essays under four headings: the capabilities approach; law and emotions; sexuality, gender, feminism, and law; and law and literature. Each essay stands well on its own, and some readers will likely approach the anthology in light of a particular interest in Nussbaum’s views on disability, human development, feminism, or narrative. Yet West’s introductory essay is not to be missed. Her macro-level observations will help readers understand what distinguishes Nussbaum’s approach to law from the views of fellow liberal political philosophers such as John Rawls and Ronald Dworkin.

In this opening piece, West defends two theses. First, she argues that Nussbaum offers a “humanistic jurisprudence” in which law ought to be understood using the resources and methodologies of disciplines in the humanities. The philosophers of law to whom this book will be of greatest interest will benefit from the reminder that the American legal academy has at times been hostile to the claim that studying the humanities can help scholars and practitioners to understand and apply law. Nussbaum has played a key role in making popular the view that the legal enterprise

alone cannot generate answers to questions about the purposes and merits of laws. Nussbaum's scholarship also demonstrates that the social sciences are not the only relevant fields of inquiry external to law.

West's second thesis about Nussbaumian jurisprudence is that human flourishing is the goal of legal justice. West draws attention to Nussbaum's use of the term "poetic justice" and distinguishes Nussbaum's account from Richard Posner's broadly utilitarian theory of legal justice and Dworkin's broadly Kantian theory of legal justice. Nussbaum understands human flourishing in terms of what human beings can do and be, and her capabilities approach offers a clear theoretical framework for identifying the strengths and the weaknesses of a particular law. West connects Nussbaum's work on narrative and emotion to the project of identifying and facilitating human flourishing. According to West, "humanity itself" is "the moral lodestar of Nussbaum's humanistic jurisprudence" (xiv). Many scholars represented in the volume identify dignity rather than humanity as the value that animates Nussbaum's normative vision. Although West does not discuss the relation of these concepts, her overview prepares readers of the volume to ask questions about how we make sense of well-being and to consider the strengths and the limitations of identifying a distinctive way of living and being as what law ought to make possible.

This anthology is a weighty 506 pages, and I cannot do justice to each of the essays in the space allotted here. The capabilities approach features prominently in many of the contributions. Some essays focus on issues of implementation. In "Capabilities and Constitutions," West takes up Nussbaum's suggestion that citizens ought to view the ten capabilities as constitutional rights. Yet Nussbaum has not suggested how legal actors might reform existing constitutions. Readers who are interested in this project might think that judges are best suited to advocate for interpretations of constitutional law that indicate that the state has positive obligations to promote its citizens' capabilities. West argues that Nussbaum and others should identify political actors such as legislators and the people whom they represent as playing a more important role in debating the meaning of constitutional text. "Capabilities and Constitutions" is a significant contribution to the subfield of democratic or popular constitutionalism.

West is more critical of Nussbaum's recommendation that the capabilities approach inform the constitutions of actual political communities in "Human Capabilities and Human Authorities." West argues that Nussbaum's liberal proposal ignores the reality that people develop and exercise their capabilities within specific cultures and traditions, and that Nussbaum's constitutional vision ought to appeal both to sources of authority that are particular to a given time and place as well as to universal claims about the human condition. In "Feminism as Liberalism," Tracey Higgins examines the promise and challenge of facilitating human flourishing à la Nussbaum in patriarchal families and cultures in sub-Saharan Africa. Higgins ultimately commends Nussbaum for the depth of her theorizing about the background social conditions that facilitate genuinely free choices about what to do and be. Alexander Boni-Saenz

examines the issue of personal delegations within estate law in light of the capabilities approach. He reviews and criticizes existing law that forbids surrogates to make certain decisions that implicate fundamental human capabilities on behalf of people who are decisionally incapacitated. Boni-Saenz's claim that "capabilities are meant to be individual expressions, not paternalistic defaults" resonates whether we are thinking about issues of domestic or global justice (114).

Elizabeth Emens's "Regulatory Fictions: On Marriage and Counter-marriage" is an exemplar of Nussbaumian humanistic jurisprudence. In this piece, Emens defends the thesis that legislators who are sympathetic to creating laws that expand what people are able to do and to be should venture to "places of fantasy and fear," namely, fiction and conservative, anti-gay proposals, for new ideas about the legal treatment of marriage (405). Two of the essays in the anthology—Susan Bandes's "Empathy, Narrative, and Victim Impact Statements" and Kenji Yoshino's "The City and the Poet"—consider how views about emotion and literature bear on the question of whether victim impact statements should be permitted in criminal trials. Too few philosophers who write and teach about law devote their attention to criminal law, and I applaud this anthology for not focusing exclusively on Nussbaum's relation to constitutional theory and constitutional law.

In "Animals as Vulnerable Subjects," Ani Satz considers the basic capabilities of domestic animals. She reminds her readers that domestic animals, like humans, are sentient beings with the capacity to suffer. She draws on the principle of equal protection, namely, the idea that "like beings should be treated alike," to argue that human and nonhuman animals have equal claims to realize certain basic capabilities (135). If human beings wish to use domestic animals for the purpose of realizing human capabilities that are deemed to be nonbasic, they must provide evidence that the activity does not jeopardize the domestic animal's basic capabilities. Satz draws on vulnerability theory, a theoretical framework developed by the feminist legal scholar Martha Fineman, to establish the moral status of animals. She argues that using vulnerability theory to establish the moral status of nonhuman animals "avoids the hierarchy problem of privileging human suffering over animal suffering" (138). The first two essays in this anthology—Michael Ashley Stein's "Disability Human Rights" and Ravi Malhotra's "Martha Nussbaum's Capabilities Approach and Equality Rights for People with Disabilities"—contain discussions of whether Nussbaum's capabilities approach can resolve perceived conflicts of interest between human beings with and without disabilities. Readers may not be persuaded by Satz that animal capacities for suffering are equally morally relevant as human capacities for suffering. Nevertheless, the essays collected in this anthology will prompt readers to think carefully about how we ought to enumerate and value comparatively the relevant capabilities. Because Nussbaum's understanding of flourishing is species-specific, Satz maintains that Nussbaum's capabilities approach cannot avoid ranking creatures in terms of legal importance. Satz ultimately rejects Nussbaum's theoretical framework and adopts instead Amartya Sen's formulation of the capabilities approach. In his essay, Michael Ashley Stein

offers a different suggestion for how to reform Nussbaum's capabilities approach to eliminate considerations of which capabilities are typical within species: focusing "on allowing individuals to achieve their specific talents, rather than focusing on a lack of overall capabilities as measured against a functional baseline" (35).

Philosophers who believe that the strength of a philosophical theory or body of work is borne out in its application to concrete issues will be pleased by this collection even if they take issue with the arguments of particular essays. The contributions to this anthology advance our thinking about particular legal issues as well as the nature of legal justice in the widest sense. It is unfortunate that the cost of this book will be prohibitive for students and scholars who wish to add it to their personal library. Nevertheless, I highly recommend it as a resource to philosophers who wish to deepen their understanding of the legal dimension of Nussbaum's thought.

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## ANNOUNCEMENTS

### *CFP: Conference of the Society for Analytical Feminism*

**Analytical Feminism: Past, Present, and Future**  
**University of Massachusetts Lowell**  
**September 16–18, 2016**

The Society for Analytical Feminism invites submissions of long abstracts or panel proposals for a conference on the theme of Analytical Feminism: Past, Present, and Future.

We seek presentations that examine feminist topics by methods broadly construed as analytic or that discuss the use of analytic philosophical methods as these are applied to feminist issues. We welcome work that explores the relationship between feminist philosophy and intersectional questions of race, class, sexuality, and ability (among others).

Authors of individual papers should submit an extended abstract (750–1,000 words) accompanied by a bibliography, prepared for doubly anonymous review. Panel proposals should be submitted by one author on behalf of all panelists and should include a paragraph proposing the panel that is accompanied by all of the extended abstracts; the panel proposal and all abstracts should be prepared for doubly anonymous review. Reading time should be approximately 20 minutes for individual papers and 80 minutes for panels.

**Please send questions and submit proposals electronically to [SAFconference2016@gmail.com](mailto:SAFconference2016@gmail.com) by May 15.** Include your name and preferred email address in the body of your email. If you are proposing a panel, please include the names and preferred email addresses of all potential participants in the body of the email.

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## CONTRIBUTORS

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**Kipton E. Jensen** is an assistant professor of philosophy at Morehouse College. He is the author of *Parallel Discourses: Religious Identity and HIV Prevention in Botswana* (2012) and *Hegel: Hovering* (2011). Jensen is presently working on the philosophical dimension of Howard Thurman. His most recent article, "Pedagogical Personalism at Morehouse: Benjamin E. Mays, Howard Thurman, and Martin Luther King," in *Studies in Philosophy and Education* (2016), deals with the philosophy of education.

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**Shelley Tremain** specializes in philosophy of disability, feminist philosophy, and social and political philosophy. She has been at the forefront of efforts to both increase the representation of disabled philosophers within the profession of philosophy and incorporate analyses of disability and ableism into the various subfields of philosophy, especially feminist philosophy. She is the editor of *Foucault and the Government of Disability* (Ann Arbor: University of Michigan Press 2005; 2015), and her monograph *Foucault and (A) Feminist Philosophy of Disability* is forthcoming from University of Michigan Press.

**Mary Ellen Waithe** is professor emerita at Cleveland State University and editor of the four-volume series *A History of Women Philosophers* and many other works about women's contributions to philosophy. She is an officer of the Society for the Study of Women Philosophers.