RECONSIDERING THE PRIVATE

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Introduction

The following paper explores the relationship between identity and the public and private. The line of attack I adopt extends a form of argumentation expressed most forcefully by William Connolly in *Identity\Difference: Democratic Negotiations of Political Paradox.* "Responsibility," Connolly argues, "is not a simple universal."[1] It's meaning has shifted with time and place. Practices "in which judgments of self-responsibility, merit, and blameworthiness were prominent have been evacuated or converted into fields of contestation."[2] However, even "[if] responsibility is not a simple universal, it does nonetheless seem to be something like a porous universal or a primordial element in human life." In short, "[not] only does no known culture completely lack the idea of responsibility; it stretches the idea of human life to the breaking point to imagine a way of life that does not include some idea bearing a familial resemblance to familiar conceptions of responsibility."[3] Herein I argue that the public/private split is likewise a porous universal.

The bulk of my paper is devoted to examining some political consequences prompted by conceptualizing the public/private split as a porous universal. I begin, however,

with two brief sections designed to theoretically situate my analysis. The first extends and further substantiates the argument that the public/private split is a porous universal. The second positions this conceptualization in a broader context by showing how it expands our understanding of the relationship between the public and private in comparison to traditional liberal understandings of the split. From here, my argument proceeds in two parts. First, I posit individual/collective self-development as the good that the private sphere protects. Second, I investigate how the political should be structured so that opportunities for individual/collective self-development are widely available. I conclude by suggesting that the concept of 'status equality' developed by Debra Satz may offer a useful way to measure social progress through its sensitivity to non-economic inequalities.

Preliminary Considerations

Understanding the public/private split as a porous universal is not unusual. Cross-cultural studies exist that make a similar point.[4] A particularly striking account of this is provided by Barrington Moore. He, as Susan Moller Okin points out, shows that although "what is private and the extent to which privacy is valued differ considerably from one society to another, 'it seems highly likely that all

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[1] William E. Connolly *Identity\Difference.* (Ithaca and London: Cornell University Press, 1991), p. 95.

[2] Ibid., p. 97.

[3] Ibid., p. 96.

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[4] See: Jurgen Habermas , *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans., Thomas Burger and Frederick Lawrence (Cambridge: The MIT Press, 1995) and Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1958).

civilised societies display some awareness of the conflict between public and private interests.'" In essence, "he finds no culture which does not value privacy of some sort."[5] Okin herself maintains that there is a "need for a sphere of privacy" while rejecting the common liberal "assumption that a clear and simple distinction can be drawn between the political and personal, the public and the domestic." Her argument focuses on concrete examples of women's experiences of the private and concludes that "the boundary between the two" has never been "as distinct in fact as in theory" and "will continue to fluctuate."[6]

With respect to a broad theoretical pedigree, the porous universal is reminiscent, in its implications, of Rorty's critique of epistemology, Derrida's understanding of the 'metaphysics of presence', Adorno's conception of the 'logic of identity', and Laclau's take on the significance of 'empty signifiers', to mention but a few. Understood in this way, the porous universal is another way of conceptualizing the problems generated by the "desire to think things together in a unity, to formulate a representation of a whole, a totality."[7] The problem, as Iris Marion Young describes, is that "[any] move to define an identity, a closed totality, always depends on excluding some elements, separating the pure from the impure. Bringing particular things under a universal essence,

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[5] Susan Moller Okin, "Gender, the Public and the Private," in *Political Theory Today*, ed., David Held (Stanford: Stanford University Press, 1991), p. 67, quoting Barrington Moore, Jr., *Privacy: Studies in Social and Cultural History* (Armonk: Sharpe, 1984).

[6] Ibid., p. 90.

[7] Iris Marion Young, "The Ideal of Community and the Politics of Difference," in *Feminism and Community*, eds., Penny A. Weiss and Marilyn Friedman (Philadelphia: Temple University Press, 1995), p. 234.

for example, depends on determining some attribute of particulars as accidental, lying outside the essence." Thus, "[any] definition or category creates an inside/outside distinction, and the logic of identity seeks to keep those borders firmly drawn."[8]

This move, as Young argues, is "doomed to failure" on two grounds. First, as noted above, "the process of totalizing itself expels some aspects of the entities." As a result, the process is never able to bring itself to completion.[9] There is always work to be done to incorporate elements left aside by earlier formulations. Second, it "represses or denies difference." It denies "the irreducible particularity of entities" by assuming that it is possible to "bring them into unity without remainder."[10] This recognition, when applied to the public and private, has implications going beyond understanding the experience of the divide as historically specific and continually contested. In particular, it suggests that it cannot be "readily defined as an unadulterated good," to quote Connolly. Instead, the divide should be understood as "both indispensable to social practice and productive of injustices within it."[11]

On one hand, the idea that the divide produces injustices is familiar. In various guises, it plays a prominent role in much feminist scholarship. The arguments associated with the statement 'the personal is political', for example, challenge the public/private split by contending that "the

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[8] Ibid., p. 235.

[9] See also: Ernesto Laclau, "Why Do Empty Signifiers Matter to Politics?" in *Emancipation(s)* (New York: Verso, 1996) pp. 36-46.

[10] Ibid., p. 236.

[11] Connolly, *Identity\Difference*, p. 96.

apparently natural private domain of intimacy (the family and sexuality) is legally constructed, culturally defined, and the site of power relations."[12] As a consequence of this critique, we have come to see "how the inequalities of men and women in worlds of work and politics are inextricably related, in a two-way causal cycle, with their inequalities within the family."[13] For Okin, this relationship is best illustrated by examining the historical development of formal individual privacy rights, which she contends did not fully incorporate women until very recently. With respect to the family, for example, liberal legal theory and practice recognized the importance of privacy rights as they related to the family unit but did not extend those rights to individual family members. Thus, the idea "that individuals within families have privacy rights that sometimes need protection against the family unit," was all but foreign until recently, and has been only reluctantly admitted since then. As a stark example, she points out that "forced sexual relations within marriage are still not recognized as rape in English law [and] they have become so recognized in fewer than half of the states of the USA, and there only since the late 1970s."[14]

However, the idea that the public and private are indispensable to social practice is much more likely to face vigorous challenge, as it assumes that while the boundary will shift over time it cannot be eliminated. To be sure, this

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[12] Jean L. Cohen, "Democracy, Difference, and the Right to Privacy," in *Democracy and Difference: Contesting the Boundaries of the Political*, ed., Seyla Benhabib (Princeton: Princeton University Press, 1996), p. 191.

[13] Okin, "Gender, the Public and the Private," p. 77.

[14] Ibid., p. 85

is not the same as arguing that the division between the public and the private *should* be maintained in any currently recognizable sense. Adopting the language of the porous universal thus should not be read as an apology for liberal understandings of the public and private dressed up in fashionable postmodern discourse. It is with this in mind, that my analysis focuses on the normative institutional implications of conceiving the public/private split in this manner. In doing so, I follow Jean L. Cohen in arguing that it is time to "move beyond the hermeneutics of suspicion, and attempt to redescribe the good that privacy rights protect."[15]

Clearing the Air

In order to demonstrate why conceiving of the public and private as a porous universal does not reinforce the power relations critiqued by the 'personal is political' argument, it is necessary to understand the liberal conception of the public/private. David Held provides a good initial description of the issue and its significance for early liberal theory:

> ... 'Liberalism' sought to restrict the powers of the state and to define a uniquely private sphere independent of state action. At the centre of this project was the goal of freeing civil society (personal, family and business life) from political interference and the

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[15] Jean L. Cohen, "Democracy, Difference, and the Right to Privacy," p. 187.

simultaneous delimitation of the state's authority.[16]

The adoption of this doctrine had important ramifications, as a dilemma fast became apparent: in order to function properly, a balance must be struck:

> ...Between might and right, power and law, duties and rights. For while the state must have the monopoly of coercive power to provide a secure basis upon which 'free trade', business and family life can prosper, its coercive and regulatory capability must be contained so that its agents do not interfere with the political and social freedoms of individual citizens, with the pursuit by them of their particular interests in competitive relations with one another.[17]

In other words, the authority of the state must be limited in order to protect individual liberty, but it should not be so weak as to threaten social order. The difficulty lies in where and how to draw the line.

This understanding of the place of the state and the role it plays, as Held points out, has an important impact on the way in which the political is identified:

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[16] David Held, *Models of Democracy* (Stanford: Stanford University Press, 1987), p. 42.
[17] Ibid., p. 42.

> ...The political is equated with the world of government or governments and with the activities of individuals, factions or interest groups who press their claims upon it. Politics is regarded as a distinct and separate sphere in society, a sphere set apart from the economy, culture and family life. In the liberal tradition, politics means, above all governmental activity and institutions. A stark consequence of this is that issues concerning, for instance, the organization of the economy or violence against women in marriage (rape) are thought of as non-political, an outcome of 'free' private contracts in civil society, not a public issue or a matter for the state...[18]

This conception not only equates the political with the public, it links them with the exercise of coercive force (or power) as it is manifested through and legitimized by state institutions. As a result, the private, if the formula is to be consistent, must be neither political nor characterized by the exercise of coercive force (or power).

In the end, this formula fails because the association of the public with the state—and especially its relation to the exercise of power—leaves the impression that a lack of state presence is or should be characteristic of the private. However, this strict delineations simply confused. Even understood on their own terms, liberal understandings do not argue that the state should be absent from the private, but that its activities should be governed by 'non-political'

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[18] Ibid., p. 69.

considerations. With respect to economic life, for example, the state has a role to play. Its activities, however, should be limited to those that contribute to the smooth functioning of the market. In other words, liberal understandings do not exclude the state from the private sphere so much as they contend that it consists of elements "not subject to the laws of the state, but, on the contrary, subject the state to its own laws."[19]

Although by no means definitive, such considerations bring some of the contradictions inherent in the liberal account to light. To reiterate, feminist theory plays a crucial role in overturning the validity of the liberal thesis by showing, for example, that any understanding of the family that posits the nuclear variation as natural is not only historically problematic, but ethnocentric.[20] In with respect to the market, although the proponents of neoliberalism certainly attempt to reassert its pre-eminence, their arguments often, despite claims to the contrary, strengthen and reinforce the state's presence in the ostensibly private.[21]

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[19] Karl Polanyi, *The Great Transformation: the political and economic origins of our time* (Boston: Beacon Hill Press, 1944), p. 111.

[20] See, for example, Mina Davis Caulfield, "Imperialism, the Family, and Cultures of Resistance," in *Feminist Frameworks: Alternative Theoretical Accounts of the Relations Between Women and Men*, eds., Alison M. Jaggar and Paula S. Rothenberg (Toronto: McGraw-Hill, 1993) pp. 442-447 and Scott Walker (ed.), *The New Family* (St. Paul: Graywolf, 1991).

[21] The contrast is succinctly described by Stephen McBride and John Shields: "While classical liberal economics calls for a minimalist state presence, it requires a state strong enough to protect and promote market liberalism." Property roots are the crucial axis, in this context. Aggressive state action is permitted, if the powers are utilized for the defence of property rights. Part of this argument's force depends on the

However, if the public private split is, in fact, a porous universal, these critiques tend to invalidate the liberal account, not the split itself. Two tasks are thus necessary if the critiques presented are to be reconciled. First, again, the good(s) that the private protects must be described in a different manner that avoids naturalizing its contents. Second, a new vision of the political must be offered that follows from and is relevant to the new description of the private.

A New Private?

With respect to the first task, I turn my attention, first, to Richard Rorty, one of the strongest proponents of a reinvigorated private, as he illustrates at one and the same time what should be saved and what must be jettisoned.

Rorty, following Judith Shklar, defines a liberal as someone "who think[s] that cruelty is the worst thing we do."[22] According to Rorty, the ultimate act of cruelty is humiliation. Combining thoughts from George Orwell and Elaine Scarry, Rorty contends

> That the worst thing you can do to somebody
> is not to make her scream in agony but to use

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validity of the assumption that the expansion in the scope of government activity since World War II comes at the expense of property right protection, resulting in the paradoxical formula that "[a] reduction in the scope of the state's activities would restrict its role but enhance its power." See: *Dismantling a Nation: The Transition to Corporate Rule in Canada*, Second Edition (Halifax: Fernwood Publishing, 1998), pp. 31-2.

[22] Richard Rorty, *Contingency, irony, and solidarity*, (Cambridge: Cambridge University Press, 1989), p. xv.

that agony in such a way that even when the agony is over, she cannot reconstitute herself. The idea is to get her to do or say things—and, if possible believe and desire things, think thoughts—which she will later be unable to cope with having done or thought.[23]

The purpose of humiliating someone in this way, he argues, is not so much to cause them physical pain but "[getting] somebody to deny a belief for no reason is a first step toward making her incapable of having a self because she becomes incapable of weaving a coherent web of belief and desire."[24] Should someone succeed in "tearing" another apart in this fashion, the victim "experience[s] the ultimate humiliation of saying to themselves, in retrospect, 'Now that I have believed or desired *this*, I can never be what I hoped to be, what I thought I was.'" Since "each of us stands in the same relations to some sentence, and to some thing,"[25] Rorty understands the primary goal to be the development of institutional arrangements that minimize, if not eliminate, the possibility of "the humiliation of human beings by other human beings."[26]

The positive, 'emancipatory,' aspects of Rorty's vision are 'best' highlighted by his treatment of feminism. Rorty's explicit project in this endeavour is to show "where

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[23] Ibid., pp. 177-8.
[24] Ibid., p. 178.
[25] Ibid., p. 179.
[26] Ibid., p. xv.

pragmatist philosophy might be useful to feminist politics."[27] To this end, he develops a picture of "a pragmatist feminist [who] will see herself as helping to create women rather than attempting to describe them more accurately."[28] Thus, the primary difference between a contemporary feminist and Rorty's pragmatist feminist is a willingness on the part of the latter to "abandon the contrast between superficial appearance and deep reality in favour of the contrast between a painful present and a possibly less painful, dimly-seen future."[29]

With respect to personal identity, for example, Rorty argues, "it was only with the beginning of the feminist movement that it began to become possible for women to find their moral identities in being women."[30] This is not to "deny that some women, in every epoch, had doubts about, and offered alternatives to, the standard, androcentric, descriptions of women," but merely suggests, "women have been [unable] to forget the latter descriptions—the ones which make them seem incapable of being full persons."[31] Any early attempt to create a separate moral identity must have been seen, even by other women, as the work of a 'kook', a crazed and lonely outsider, rather than, as it is today, as the preliminary effort of an intellectually revolutionary genius.

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[27] Richard Rorty, "Feminism and Pragmatism," in *Truth and Progress: Philosophical Papers, Volume 3* (New York: Cambridge University Press, 1998) p. 206.
[28] Ibid., p. 212.
[29] Ibid., p. 214.
[30] Ibid., p. 219.
[31] Ibid., p. 220.

Current feminists are traveling a path made possible by these earlier, unsuccessful efforts. These efforts made it possible for other, later, women to find their moral identity in being women. They were the first to suggest that women's experiences are not only worthy of respect, but unique as well. Thus, they made it easier for women to separate their own self from the identity created for them by men. As a result, women like Adrienne Rich now show how "the language-games men have arranged that young women should play force them to treat the men in their lives (or, the absence of men in their lives) as the independent variable and everything else—even their poems—as dependent variables."[32] With this recognition, however, comes hope. Hope that it is now becoming possible for women to claim their existence for themselves. Hope that while women will continue to be poets, writers, wives, and lovers, they will be able to claim, first and foremost, that they are women.

Rorty cites the success of lesbian separatism as primary among the evidence indicating that the situation of women is changing. While acknowledging, first, that, lesbian separatism is a useful "arrangement by which those with a certain sexual preference can escape stigma until such time as the laws have been extended to protect lesbian's rights and the mores have caught up with the laws,"[33] Rorty suggests separatism also serves a second, perhaps, more important function. On our own, we are virtually powerless to persuade society to adopt a self-created moral identity:

[32] Ibid., p. 221.
[33] Ibid., p. 222.

> ...Individuals even individuals of great courage and imagination—cannot achieve semantic authority, even semantic authority over themselves, on their own. To get such authority you have to hear your own statements as part of a shared practice. Otherwise you yourself will never know whether they are more than ravings, never know whether you are a heroine or a maniac.[34]

This is not to say that societal recognition is necessary to validate one's moral identity but that a lone individual faces enormous social pressure to speak and behave according to accepted mores. Women, prior to feminism were unable to avoid "being torn, split, between the men's descriptions of them and whatever alternate descriptions they have given themselves."[35] How could a woman be expected to maintain a self-chosen alternate description when a dominant, widely accepted, and, likely, well-articulated description exists in opposition?

Women, thus, needed help in limiting the deleterious effects of continuing to live under a description not of their choosing. This, Rorty asserts, illustrates separatism's appeal:

> For if you want to work out a story about who you are—put together a moral identity—which decreases the importance of your relationships to one set of people and increases the

[34] Ibid.
[35] Ibid., p. 220.

importance of your relationships to another set, the physical absence of the first set of people may be just what you need.[36]

Through isolation women gain the social space necessary to experiment with, coordinate, and, ultimately, create a separate moral identity. Separatism enables women "to gather the moral strength to go out and change the world." Isolation, thus, may give women hope that the description they develop will "gradually get woven into the language taught in the schools" and, as a result, may also "gradually begin to think of the options open to their own children as including membership in the group in question."[37] Thus, in a way, female separatism is not just an arrangement of convenience, necessary only until such time as women are able to break away from the description imposed on them by men, but a fundamental component of that new moral identity. In other words, the moral identity separatism makes possible, by creating the social space necessary for women to escape the description assigned to them by men, will

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[36] Ibid., p. 223.

[37] Catherine Wilson is heavily critical of this point: Rorty, she claims, "is not interested at all in the question why young women do not become strong poets, and this ultimately makes his theory about how they can become so spurious." Within Rorty's conception, she continues, "If, as a power-movement, liberation is, under the circumstances which obtain, viable, it will win; if not, there is nothing to regret." In short, Wilson is not quite as convinced that imagination, hope, and liberal institutions are enough. See: Catherine Wilson, "How Did the Dinosaurs Die Out? How Did the Poets Survive," *Radical Philosophy* 62, Autumn 1992, pp. 21-22.

continue to exist only insofar as "it is self-sustaining and self-reproducing."[38] Thus, even if society were to reach a point where "the male-female distinction is no longer of much interest,"[39] the need for female separatism would not disappear.

Rorty's interest thus lies in ensuring that both individuals and groups are granted the opportunity to become "self-sustaining and self-reproducing." He is concerned, however, that those who currently control society's political, legal, and cultural institutions may use them, not to expand, but to deny individuals or groups this opportunity:

> When such a group forms itself in conscious opposition to those who control the life-chances of its members, and succeeds in achieving semantic authority over its members, the result may be its ruthless suppression—the sort of thing that happened to the Albigensians, and which Margaret Atwood has imagined happening to the feminists.[40]

Force, rather than persuasion, often rules the day. One of the consequences of this approach is an emphasis on the importance of "the private club [as] a *crucial* feature of an ideal world order." According to Rorty, this will only be a problem for those "who yearned for a world polity whose

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[38] Rorty, "Feminism and Pragmatism," p. 226.

[39] Ibid., p. 227.

[40] Ibid., p. 223.

citizens share common aspirations and a common culture."[41] And while, as we have seen with the case of feminism, the 'private club' can be an effective tool of social progress, part of its logic involves a moral commitment to simply let others be—even those whose values we find morally abhorrent—as long as they "[cause] no harm to others and [use] no resources needed by those less advantaged." Essentially, Rorty promotes a vision of society where virtually all potential sources of social conflict, real or anticipated, are treated in the same way as Thomas Jefferson treated religion: they are to be 'privatized'.[42] This system, in Rorty's view, is to be recommended both because it limits the social space of those holding moral doctrines with potentially universalist pretensions to that which is necessary for 'private self-creation', and because it cultivates innovation by doing the same for those interested in pursuing alternatives.

There are two obvious weaknesses in Rorty's account. First, he appears to argue that the private is important because it helps to incubate social movements of political/public significance. If this is the case, however, it is hard to see what is private about the private sphere. In fact, Rorty's private looks suspiciously similar to Habermas's "political public sphere."[43] Second, although Rorty purports to be concerned with eliminating cruelty, he offers little

[41] Richard Rorty, "On Ethnocentrism: A Reply to Clifford Geertz," in *Objectivity, Relativism, and Truth: Philosophical Papers*, Volume 1 (New York: Cambridge University Press, 1991), p. 210.

[42] Richard Rorty, "The Priority of Democracy to Philosophy," in Objectivity, Relativism, and Truth, p. 175

[43] See: Jurgen Habermas, "The Public Sphere," in *Jurgen Habermas on Society and Politics: A Reader* (Boston: Beacon Press, ed. Steven Seidman (Boston: Beacon Press, 1989), p. 231.

more than vague reassurances of the capacity of liberal institutions—the public and private in particular—to buttress his "invisible-hand" theory of "cultural innovation."[44] In short, Rorty simply does not provide an effective account of how to overcome existing structural conditions in the private sphere, implicitly sanctioned by the state, that limit one's ability to enact a self-created identity. As a result he ultimately fails, despite the connections he draws between feminist activism and political progress, to develop a more subtle understanding of the public and private.

A Tentative Connection

For my purposes the latter critique is more important, and, potentially, more devastating. If opportunities for self-development are not widely available, it is hard to see the value of a private sphere prioritizing their protection. Again, we risk reinforcing, rather than transforming, existing power relations and their differential impacts. Rorty is not unaware of this complication. However, like many liberal thinkers, he tends to underplay its political/public significance, choosing, instead, to build up a vision of social development that takes political/public struggle to be, almost, beside the point and, in any case, after the fact.[45] As a result, Rorty fails to pay

[44] Nancy Fraser, "Solidarity or Singularity? Richard between Romanticism and Technocracy," in *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989), pp. 96-98.

[45] To clarify, Rorty understands the development of social movements (at least within liberal democratic states) to be primarily the product of forces within the private sphere rather than the effect of political/ public decisions. As a result, he tends to understand public recognition as one of

proper attention to the role public/political negotiation and struggle plays in both determining and changing the social conditions of the private sphere. Interestingly, an alternative, if somewhat incomplete, account is found in the work John Rawls, the main protagonist in much of Rorty's work.

In *A Theory of Justice* Rawls argues that primary goods "are things which it is supposed a rational man wants whatever else he wants."[46] Distributed by the basic structure, they consist in their social incarnation of "rights and liberties, powers and opportunities, income and wealth." Rawls does not insist on absolute distributive equality, only that "a hypothetical initial arrangement in which all the social primary goods are equally distributed... provides a benchmark for judging improvements."[47] Of these, Rawls argues, "[perhaps] the most important primary good is that of self-respect."[48] As such, "the parties in the original position would wish to avoid at almost any cost the social conditions that undermine self-respect."[49] In other words, as Will Kymlicka points out that self-respect for Rawls "isn't so much a part of any rational plan of life, but rather a *precondition* of it."[50]

Self-respect thus provides the framework within which individuals live their lives, and, in particular, pursue their

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the last steps forward in a complex process originating in the private sphere.

[46] John Rawls, *A Theory of Justice,* (Cambridge: The Belknap Press of Harvard University Press, 1971) p. 92.

[47] Ibid., p. 62.

[48] Ibid., p. 440.

[49] Ibid.

[50] Will Kymlicka, *Liberalism, Community, and Culture,* (Oxford: Clarendon Press, 1989) p. 164.

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rational plans of life. It is in relation to this latter idea, as the quote from Kymlicka suggests, that the concept of self-respect derives its substance. Rational plans form, to borrow a term from William Connolly, the "ontopolitical dimension" of Rawls's thought.[51] To elaborate, that people have "their own plans of life" that "lead them to have different ends and purposes, and to make conflicting claims on the natural and social resources available" is, according to Rawls, a fundamental aspect of the "subjective circumstances" of justice.[52] Thus, "[the] main idea is that a person's good is determined by what is for him the most rational long-term plan of life given reasonably favourable circumstances."[53]

As a primary good, self-respect includes both "a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out [and] a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions."[54] The first element, "the sense of our own worth," is fulfilled when one has both "a rational plan of life" and one is in a situation where "our person and deeds [are] appreciated and confirmed by others who are likewise esteemed and their association enjoyed." Without confidence, we would be unable to "continue in our endeavours." Thus, "[it] is clear," Rawls argues, "why self-

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[51] "*Onto*, because every political interpretation invokes a set of fundaments about necessities and possibilities of human being, about, for instance, the forms into which humans may be composed and the possible relations humans can establish with nature." William E. Connolly, *The Ethos of Pluralization, Borderlines*, Volume 1, (Minneapolis and London: University of Minnesota Press, 1995) p. 1.

[52] Rawls, *A Theory of Justice*, p. 127.

[53] Ibid., pp. 92-93.

[54] Rawls, *A Theory of Justice*, p. 440.

respect is a primary good. Without it nothing may seem worth doing, or if some things have value for us, we lack the will to strive for them."[55]

A consequence of making self-respect a pre-condition of this kind, however, is that the effective exercise of liberty is difficult, if not impossible without it. When Rawls argues, for example, that "[the] inability to take advantage of one's rights and opportunities as a result of poverty and ignorance, and a lack of means generally" is not to be "counted among the constraints definitive of liberty" but should be considered "as affecting the worth of liberty, the value to individuals of the rights that the first principle defines," self-respect is conspicuous only by its absence. It must, however, be considered an aspect of the "lack of means" category. Consider, for example, the implications of Rawls's conclusion that deviations from absolute equality are "compensated for" as long as "the difference principle is satisfied." Self-respect, if indeed it is the most important primary good, must form an important element within any investigation. If the less fortunate face a situation where their rights and opportunities are practically worthless as a direct result of a lack of self-respect caused by the existence of certain inequalities, there is good reason to argue that the difference principle is not satisfied even when, by some measure (material means?), "the capacity of the less fortunate members of society to achieve their aims would be even less were they not to accept the existing inequalities".[56]

Rawls is not unaware of this complication. Calling it "excusable envy," he considers it to be of such importance

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[55] Ibid.
[56] Rawls, *A Theory of Justice*, p. 204.

that he worries "whether a basic structure which satisfies the principles of justice is likely to arouse so much excusable envy that the choice of these principles should be reconsidered."[57] In his own defence, Rawls elaborates on the connection between liberty, self-respect, and rational plans. He begins with the assertion that "[until] the basic wants of individuals can be fulfilled, the relative urgency of their interest in liberty cannot be firmly decided in advance." However, "under favourable circumstances," he continues, "the fundamental interest in determining our plan of life eventually assumes a prior place."[58] As Kymlicka describes, Rawls's argument is, essentially, that "[once] material security is ensured, so that the conditions necessary for the effective exercise of liberty exist, it is irrational to trade off liberty for more wealth."[59] In short, material "desires are not so compelling as to make it rational for the persons in the original position to agree to satisfy them by accepting a less than equal freedom." One of the reasons for this, Rawls points out, "is the central place of the primary good of self-respect and the desire of human beings to express their nature in a free social union with others."[60]

In other words, since the effective exercise of liberty does not require, and may, in fact, be hindered by the absolute equalization of material means, the conditions for self-respect are similarly distanced from a need for material equality. To quote Rawls: "The basis for self-esteem in a just society is not then one's income share but the publicly

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[57] Ibid., p. 534.
[58] Ibid., p. 543.
[59] Kymlicka, *Liberalism, Community, and Culture*, p. 164.
[60] Rawls, *A Theory of Justice*, p. 543.

affirmed distribution of fundamental rights and liberties."[61] Thus, "distributive justice as frequently understood, justice in the relative shares of material means, is relegated to a subordinate place." Given this, and the fact that "an equal division of all primary goods is irrational in view of the possibility of bettering everyone's circumstances by accepting certain inequalities," Rawls argues the most logical solution to the problem of excusable envy, "is to support the primary good of self-respect as far as possible by the assignment of the basic liberties that can indeed be made equal, defining the same status for all."[62] In other words, assuming that some deviations from the benchmark actually do better everyone's circumstances, equality should, nevertheless, remain the goal with regard to those elements that affect the primary good of self-respect. Material means, however, are not necessarily among them. Unfortunately, Rawls is not exactly sure what can be done from the perspective of the original position to ensure that the negative effects of 'excusable envy' do not unduly influence the expectations of the worst off. In short, "[whether] some adjustment for self-respect has to be made is best decided from the standpoint of the legislative stage where the parties have more information about social circumstances and the principle of political determination applies."[63]

Rorty is, at best, suspicious of this conclusion. He reasons that those susceptible to cruel treatment would likely be at a disadvantage if their desires were put to political negotiation. Thus, marginalized groups are better off opting for an

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[61] Ibid., p. 544.

[62] Ibid., p. 546.

[63] Ibid., p. 548.

expanded private sphere and a neutralized public sphere. However, as Rawls points out, in order for marginalized groups to obtain resources necessary to exercise their liberty, they must, at some point, obtain public recognition of their plight. Rorty simply avoids this problem by referring to the historical accomplishments of liberal institutions and arguing that no definitive reasons exist to suggest that the mechanisms of procedural justice enhanced by the maintenance of a strong public private divide are fundamentally flawed.

A New Public?

This brings me to the second of the tasks I set previously: a vision of the political relevant to the new private. I begin with William Connolly's critique of procedural liberalism. My purpose in doing so is to show that Rorty's confidence is misplaced. The institutions of procedural liberalism are incapable of fulfilling the task set for them and, as result, risk vitalizing a backlash of exactly the sort they are purportedly structured to prevent. I then, again following Connolly go on to outline an admittedly risky alternative.

Connolly challenges Rorty's optimism regarding the progressive potential of procedural justice by suggesting that 'fundamentalists' have noticed something liberals are unwilling to admit: "… that the root assumptions of liberal dogma are anything but neutral, necessary, or incontestable."[64] "Fundamentalism," Connolly argues,

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[64] William E. Connolly, *The Ethos of Pluralization* (Minneapolis: University of Minnesota Press, 1995) p. 123.

is a general imperative to assert an absolute, singular ground of authority; to ground your own identity and allegiances in this unquestionable source; to define political issues in a vocabulary of God, morality, or nature that invokes such a certain authoritative source; and to condemn tolerance, abortion, pluralism, radicalism, homosexuality, secular humanism, welfarism, and internationalism (among other things) by imputing moral weakness, relavatism, selfishness, or corruption to them.

In short, "[a] fundamentalist is an American dogmatist who is proud of it." And this, Connolly argues, "is what renders fundamentalism so tenacious politically, so capable of converting each objection against it into new energies for its expansion."[65]

Connolly, however, moves beyond this contemporary definition, extending it in order to "open the possibility of touching those (liberals, secularists, modernists rationalists, scientists, moderates) who habitually perceive fundamentalism only in the other."[66] In doing so, Connolly hopes to show that

> While every doctrine, culture, faith, identity, theory, and perspective rests upon fundamentals more or less protected from

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[65] Ibid., p. 105.
[66] Ibid.

internal interrogation, fundamenta*lism* is a set of political strategies to protect these fundaments by defining every carrier of critique or destabilization as an enemy marked by exactly those defects, weaknesses, corruptions, and naiveté's you are under an absolute imperative to eliminate.[67]

In this light, Rorty's, often, 'hyper-sensitive' defence of liberal institutions—and especially his tendency to accuse anybody who disagrees with him with foundationalism—leaves him susceptible to charges of fundamentalism. In fact, when Connolly suggests that fundamentalist strains within the political left "might spawn a critical radicalism that pursues economic equalization while extending cultural space for a variety of cultural self-definitions,"[68] Rorty's project certainly comes to mind. To be fair, Rorty does not explicitly, as do fundamentalists, Connolly argues, "call to impose social discipline on those who cannot or will not discipline themselves."[69] The extent to which this is the case, however, is contestable.[70]

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[67] Ibid., pp. 105-106.
[68] Ibid., p. 106.
[69] Ibid., p. 108.
[70] Although I do not bring Rorty's distinction between persuasion and force into question, others have subjected it to critical scrutiny. Ernesto Laclau, for example, argues that it is not possible to "establish between the two as sharp a distinction as Rorty does." In short, "decisions," Laclau asserts, "inevitably include an element of force." See: Ernesto Laclau, *Emancipations* (New York: Verso, 1996) p. 112.

Connolly's work exposes Rorty's overtly optimistic faith in the potential of persuasion to serious critical scrutiny. Connolly seeks to show how "[the] fundamentalist strain in liberal dogma helps to spawn the redneck fundamentalism it opposes," by pointing out how "liberal strategies against fundamentalism too often track too closely the fundamentalist formula they condemn."[71] Dworkin, for example,

> In an influential effort to devise a liberal way to reduce the divisive effects of fundamental religious and doctrinal conflicts, once argued that a liberal society is one in which differences with respect to the true order of being and the good life are left out of public, political discourse.[72]

Although "Dworkin's recommendation is admirable," Connolly argues, "the solution he proposes misrecognizes the partisanship upon which it rests." In short,

> [Its] presumptions about procedure, reason, and neutrality are highly congenial to secular liberals who endorse individual rights and who believe there is a universal matrix of procedural reason drawing together people

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[71] Ibid., p. 124.
[72] Ibid.

who diverge at other levels in their conceptions of the good life.[73]

These presumptions, however, are not held by everyone. As a result, many "find some of their key convictions consigned to the 'private realm' by secular liberal neutrality." In essence, these individuals "are told to leave their bags of faith at the door when they enter the public realm, while Dworkin and his buddies [Rorty] are allowed to bring several suitcases in with them."[74]

Not surprisingly, Connolly argues, this "misrecognition" on the part of liberals plays a large role in fundamentalist resistance to, and resentment of, liberal dogma. For fundamentalists, "attempts to impose a liberal creed upon others in the name of a universal reason, a natural subject of rights, a neutral state, or a fictive contract [are] conveniently skewed in favour of liberal presumptions and priorities." Thus, "when liberals remain deaf to charges of bias and hypocrisy levelled against them, they deepen and extend this rage." Moreover, it is by proceeding in this manner, Connolly argues, that "some versions of liberalism help to exacerbate the fundamentalist temper they set themselves: they project fundamentalism solely onto the other and fail to recognize its strains in themselves."[75]

In opposition to both "conservative and liberal fundamentalism," Connolly pursues a "cultural movement" that he terms "liberal *post*fundamentalism." Quoting at

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[73] Ibid.
[74] Ibid.
[75] Ibid., p. 125.

length, Connolly describes the elements of this movement as follows:

> Liberal *post*fundamentalism . . . in its contemporary manifestations, strives, first, to expose unconscious and problematic fundaments in alternative doctrines while deploying strategies such as genealogy and deconstruction to display comparatively the content and contestability of its own operational fundaments; second, to cultivate a critical responsiveness to new drives to pluralization so that 'they' have a chance to define themselves and 'we' can work on ourselves to negotiate new terms of coexistence between old identities and new movements; and, third, to open up reflection on how the 'we' and the 'they' in these formulations shift in unexpected ways as issues change.[76]

This movement, according to Connolly, is post-fundamentalist because it works by Challenging the presumptions to universality, inherent rationality, historical necessity, intrinsic identity, common sense, and so on that are installed in several liberal defences of the modern, the secular, the rational, and the moral, doing so to explore

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[76] Ibid.

possible elements of immorality in established codes of morality and justice.[77]

The fundamentalist strain within liberalism becomes apparent, Connolly argues, when one notices that liberals are reluctant to take up this challenge. This leaves liberals without the means to consider why it is the case that "[for] every . . . eternal formula offered in the past to establish the line between the acceptable and the intolerable has had to be changed later in response to new social movements whose successful redefinitions of themselves change the location of the line."[78] Rather than investigate, or interrogate, this issue, liberals, generally speaking, accuse postfundamentalists of falling short of the mark. Simply put, postfundamentalists, according to liberals, fail to provide a means of distinguishing between those developments that might be of benefit to us and those that might not.[79] This criticism, however, is misplaced, according to Connolly. Although the postfundamentalist strategy, exemplified by "[the] Foucauldian ethic of cultivation through genealogical critique" is certainly different, it does not ignore "the importance of drawing lines in specific settings between what is allowable and what is not." In fact, it "both overtly endorses the need for a code and pursues the reformation of existing codes." Thus, "it refines our appreciation of how operational codes of justice, indispensable as Foucault says

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[77] Ibid.

[78] Ibid., p. 126.

[79] I should point out that to this point Rorty would not disagree with Connolly's interpretation. Rorty would, however, disagree with the implications Connolly draws from it.

they are, draw upon a more fundamental, *uncodifiable ethos that exceeds their reach.*"[80]

The essential problem, then, Connolly argues, is that liberalism, in failing to recognize the strains of fundamentalism running through it "holds postfundamentalists responsible for not providing the kind of moral formula liberalism itself remains unable to secure; then it protects this contestable agenda from critical scrutiny by pretending that postfundamentalists eschew the ethical project altogether or reduce it to aesthetics." As a result, liberals fail to see that "the ethical idea [of postfundamentalism] is to maintain critical tension between a congealed code of authority and justice and a more porous fund of critical responsiveness that might be drawn upon to modify it in the light of the contemporary injuries it engenders and positive possibilities it ignores." For Connolly, then, "[a] postfundamentalist liberalism would strive to expose and acknowledge the contestability of the fundaments governing *it*, including its governing conception of morality." And, in doing so, "[it] would struggle to introduce a new generosity into rivalries between alternative perspectives based upon a recognition of their reciprocal contestability."[81]

Elsewhere, Connolly refers to this 'new generosity' as 'agonistic respect'. It, Connolly argues, "differs from its sibling, liberal tolerance, in affirming a more ambiguous relation of interdependence and strife between identities over a passive letting the other be." For Connolly, agonistic respect, as an ideal, holds an advantage over liberal tolerance

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[80] Ibid., p. 127.
[81] Ibid., p. 128.

since it works on the assumption that "it is not sufficient to shed 'prejudice,' because our identities are bound up with each other in a world where pressures to enact general policies always remain active." Thus, by "pressing its debating partner to fold the spirit of genealogy more actively into its characterization of 'the individual'," agonistic respect fights "against the spirit of complacency too often lodged in liberal bifurcations between the private and the public" as a means of "revealing the unnecessary violence done to the other through efforts to secure the self-certainty of a hegemonic cultural identity."[82]

The optimistic hope of agonistic respect, Connolly argues, is that "[we] opponents can become bonded together, partially and contingently, through an enhanced experience of the contestability of the problematic each pursues most fervently and through the anticipation that some of us may well be allies on other occasions for other purposes in the future." Although Connolly acknowledges that "[the] invitation may be refused," he argues that more space for negotiation may be available than is immediately apparent since "we do not demand that the fundamentalist incorporate the sensibility of its opponent as a condition of respect; we merely call on the fundamentalist to acknowledge the contestability of its claim to intrinsic moral order and to affirm self-restrictions in the way it advances its agenda in the light of this admission."[83] This, by no means, Connolly argues, is all that is necessary: "For there are, in addition, numerous times and places where the terms of opposition are likely to remain implacable even after the initial positions

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[82] William Connolly, *The Augustinian Imperative*, p. 156.
[83] Ibid.

have been opened up by reciprocal acknowledgment of the contestability of each stance." However, even though, Connolly argues, we are likely "to encounter obdurate instances of nonnegotiability even between constituencies willing to engage [in agonistic respect]," the belief "is that more extensive cultivation of a political ethos of agonistic care makes a real difference in private and public life, even if it remains a minority stance within that life."[84]

Concluding Thoughts

Throughout my paper equality has been a persistent, if silent, consideration. One way to conceptualize my understanding of Rorty's defence of the private is to take his argument to promote the equal opportunity to pursue a self-created moral identity. My criticisms take issue with the manner in which Rorty operationalizes this vision. In short, I argue that Rorty does not pay close enough attention to Rawls's recognition that decisions about the terms under which this pursuit takes place should be made at the political/public level. However, while the solution Connolly proposes promises to take such issues more seriously, it is also quite risky: it must assume that one's opponents are willing to engage in good faith. The question then is whether any mechanisms exist not thus far examined that might mitigate the risk presented. Although my argument is preliminary, I would like to draw out its components, over these last paragraphs.

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[84] Ibid., p. 157.

The problem, I suggest, stems from a continued implicit reliance on premises inherent to equality of resource arguments. Such arguments, exemplified herein by the references to Rawls understanding of primary goods, take it is sufficient for the purposes of justice when some more or less substantive set of goods or resources are distributed equally either between individuals (and identified groups) either presently or at some, often, hypothetical, but formally important, point in the past. Their weakness, noticed by Rawls, lies with the fact that present social conditions often function in ways that make the initial equal distribution meaningless from the perspective of marginalized individuals and groups. Although procedural liberals like Rorty are not necessarily unsympathetic to this problem, they tend to avoid subjecting it to political negotiation precisely because they fear the relevant inequalities are more likely to be reinforced than transcended in such forums. The answer I contend, following Debra Satz is to exchange material equality for status equality. To quote, although "[there] is undoubtedly an important rationale for focusing on redistributing those goods and opportunities which causally effect the degree of material equality between individuals there are forms of inequality, best characterized in non-material terms, which also have a profound effect on human well-being and quality of life." As a result, "the narrow focus on distributing some metric of material benefits, common among many contemporary egalitarians, is a mistake." Simply stated, "[people] who bear formally equal political

status to each other can also stand, at the same time, in 'non-political' relationships of unequal status."[85]

Such relationships, Satz contends, "are characterized by lack of reciprocity, hierarchy and a lack of accountability." In short, "they are relationships of unequal power."[86] Within these sorts of relationships "people cannot speak up or exercise control over their circumstances because they are dependent upon others who can fire them, demote them, tyrannize them, harass them or abandon them at will." They "can also involve attitudes or norms which marginalize people or degrade them and which shape their self-conceptions in ways which serve the interests of others." However, "redressing those status inequalities based on hierarchy, discounting of interests, and asymmetric and unaccountable power requires more than simply giving people more money (or resources or opportunities for welfare...)." Instead, "[their] relationships must be reshaped to provide them with opportunities for recognition, reciprocal influence and dignity."[87]

The transformative power of status equality, Satz argues, stems from the notion that it, potentially, "can change people's sense of what their fundamental interests are and what they are entitled to,"[88] in a way not possible through achieving material equality alone. For instance, "the cases of

[85] Debra Satz, "Status Inequalities and Models and Market Socialism," in John E. Roemer, editor, *Equal Shares: Making Market Socialism Work, The Real Utopias Project*, Volume II (London and New York: Verso, 1996), p. 72.

[86] Ibid.

[87] Ibid., p. 73.

[88] Ibid., p. 83.

commercial surrogacy and prostitution," Satz argues, "provide us with powerful examples where improving the economic equality of women might actually worsen the gender (status) inequality of women." Such practices, she contends, allow women "to 'capitalize' on their reproductive and sexual 'assets,'" and may, in fact, help improve "the economic position of women." However, "both practices have the potential to reinforce sexist assumptions about women and to place women's sexual and reproductive capacities under the control of others" because they "influence people's preferences and perceptions; in particular, these practices shape men's perceptions of women and women's perceptions of themselves." As a result, merely "giving women more money" will not "redress the problem." It might even promote practices that reinforce or "undermine equality between men and women, by fostering relations of domination, marginalization and status hierarchy, and attitudes of superiority and contempt." Thus, although "pay equity is [certainly] a component of gender equality," Satz contends, "[a] further component would include positive measures to establish and protect a women's right to control her sexual and reproductive capacities and not to give over control of those capacities to others, for example, through access to abortion, contraception and sex education and establishing a minimum age of consent."[89]

The upshot, according to Satz, is that "[status] equality and material equality may thus mutually and beneficially support each other." However, she warns, we must be careful not "to conflate these two kinds of equality, or to think that

[89] Ibid., p. 84.

one kind of equality reduces to the other kind."[90] Rawls, on the interpretation I have given, comes the closest to making the same distinction as Satz when he notes that some sorts of material inequalities, despite their apparent advantages, might produce unacceptable levels of excusable envy. In highlighting the distinction between material and status equality however, I take Satz to be offering, potentially, more than a simple expansion of Rawls's initial characterization of the role of self-respect to include not only "'public' political relations" but "'private' relations in schools, workplaces and families,"[91] as well. In short, status equality may offer a means of separating the public and the private while avoiding the problems associated with traditional liberal conceptions.

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[90] Ibid., pp. 83-4.
[91] Satz, D., "Status Inequalities and Models and Market Socialism," p. 85.

REVIEW: WALTER STEWART, *M.J. THE LIFE AND TIMES OF M.J. COLDWELL.* TORONTO: STODDART, 2000.

Murray Cooke

This book attempts to fill a longstanding hole in the literature on the Cooperative-Commonwealth Federation. Despite leading the CCF/NDP longer than anyone else (1942-1960), M.J. Coldwell has not been the subject of a book-length biography. This stands in sharp contrast with his fellow social democratic leaders, especially J.S. Woodsworth and Tommy Douglas.

Coldwell was the leader for a long and vital period of the party's history including the Second World War and the postwar years that saw the beginning of Canada's liberal welfare state regime. Stewart argues that Coldwell's two main contributions were to make the CCF respectable and organizationally sound. Under his leadership the party moderated its policies and by the 1945 election "was officially embracing the idea that Canada's economy was, and should remain, a 'mixed economy' rather than the state-planned model envisioned by the *Regina Manifesto*" (156). Then in 1950 he began the process that would culminate in the new Winnipeg Declaration of 1956. It was under his leadership that the epic battles against the Communists were fought. Much of this terrain has, of course, been well documented elsewhere in the literature on the CCF.

. Still, an informative and critical biography of Coldwell would be useful. Thus, the appearance of this volume is to be welcomed. The choice of journalist Walter Stewart as author (he was commissioned by the Douglas-Coldwell