

Michigan Law Review

Volume 89 | Issue 6

1991

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Recommended Citation

Marion Smiley, *Gender Justice Without Foundations*, 89 MICH. L. REV. 1574 (1991).

Available at: <https://repository.law.umich.edu/mlr/vol89/iss6/22>

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GENDER JUSTICE WITHOUT FOUNDATIONS

*Marion Smiley**

FEMINISM/POSTMODERNISM. Edited by *Linda J. Nicholson*. New York: Routledge. 1990. Pp. ix, 348. Cloth, \$45; paper, \$14.95.

JUSTICE AND THE POLITICS OF DIFFERENCE. By *Iris Marion Young*. Princeton: Princeton University Press. 1990. Pp. viii, 286. Cloth, \$39.50; paper, \$12.95.

The term postmodernism was once used very carefully to refer to the rejection of modernist sensibilities in the field of architecture. Today, however, a variety of academics employ the term more loosely to signal their own movement beyond accepted doctrine in whatever discipline they happen to represent. Hence, we should not be surprised to discover that many of the books that now call themselves postmodernist do not teach us anything new about either modernism or what might come after it. Two important exceptions are Linda Nicholson's *Feminism/Postmodernism* and Iris Young's *Justice and the Politics of Difference*.

Both books are valuable in their own right and go beyond most other works on postmodernism in two important respects. First, unlike those studies that use the term postmodernism to connote mere newness or liberation from accepted doctrine, these books explore the nature of postmodernism in depth and articulate its relationship to modernism. Second, instead of treating postmodernism as a mere academic exercise, they take its practical aspects seriously and ask, "What sorts of consequences might we expect to follow from the incorporation of postmodernism into social and political practice?"

Feminism/Postmodernism is a collection of intelligent and lively essays organized around the potential value of postmodernism to the women's movement. Many of the essays are by prominent feminist philosophers and were originally published in different contexts. But they all focus in their own way on what would happen to the women's movement if it were to leave behind its universal principles of justice and focus on the cultural differences that exist among particular women. Unlike more purely partisan efforts, the volume does not speak in one voice or put forth one feminist political vision. Instead, it brings together conflicting opinions about what feminists might gain

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— or lose — from replacing universal principles of justice with a more pluralistic account of women in contemporary society.

Justice and the Politics of Difference is an original theory of justice based loosely on postmodernism and its insistence on taking various cultural, racial, and gender differences seriously. The first part of the book focuses on what is wrong with modern theories of justice that assume universal principles of truth and a neutral point of view. The second part of the book develops a group-based theory of justice and draws out its policy implications in areas as diverse as urban planning, law, national representation, feminist politics, and distributive justice.

Since both books purport to be concerned about the practical implications of postmodernism, they are ideally suited to a discussion of how postmodernism might be incorporated into political theory and practice. I suggest below that while both works go far in sketching the contours of a postmodern politics, each in its own way is held back by the philosophical tendencies of earlier postmodernists. Hence, they together constitute an important starting point for those who want to talk about postmodernism as a radical political theory, but they do not fully develop the political aspects of postmodernism itself.

Not surprisingly, their definition of postmodernism turns out to be of utmost importance in this context. Since both Nicholson and Young clearly wish to incorporate postmodernism into social and political practice, they might have developed a political definition of postmodernism itself by, say, including a set of distinctly postmodernist institutions or political points of view. Likewise, since they are both critical of the status quo, they might have included in their definition of postmodernism the sorts of values that would enable them to criticize the status quo as postmodernists. But they do not do so. Instead, they fall back on the standard philosophical definition of postmodernism as the rejection of universal truths, transcendental values, and neutral conceptions of justice.

Nicholson and her coauthor, Nancy Fraser, as feminists, want to go beyond other postmodernists in combining their rejection of foundationalism with the “robust conceptions of social criticism” that feminists offer (p. 20). But they do not develop a “robust conception” of postmodernism itself. Young identifies herself as a postmodernist and draws out the implications of postmodernism for various public policies. But she chooses not to involve herself in metatheoretical questions because, she says, “[w]hen social theorists and social critics focus on such epistemological questions, they often abstract from the social issues [about which they were originally concerned]” (p. 8). Hence, although she, like Nicholson and Fraser, takes postmodernism into the realm of politics, she does not alter the understanding of postmodernism that she inherits from her philosophical mentors. Rather, she retains a sense of postmodernism as the rejection of those

claims to universality and neutrality associated with Enlightenment thinking.

Since these theorists do not develop a political definition of postmodernism, they find it necessary to combine postmodernism with other critical social and political theories. Nicholson and Fraser develop what they call a "postmodernist feminism" (p. 34) by merging their postmodernist rejection of foundationalism with the critical perspectives of the women's movement. Young tries to establish a series of public policies that avoid the universal principles of modernism and capture the postmodern respect for cultural differences by developing a theory of justice based on the expression of group perspectives. The ultimate question for these authors becomes how they can possibly merge their rejections of philosophical foundationalism with a more positive theory of social and political change. The answer, I suggest below, lies in their ability to replace universal principles of justice with the practical criteria of their own radical politics, or, in other words, to develop generalizations about women and other oppressed groups on the basis of their own experiences, rather than on the basis of universal truths.

Nicholson, in her introduction, claims to take the practical criteria of her own radical politics very seriously and admonishes other scholars for not recognizing the politics behind their own analytic categories. "[C]onceptual distinctions, criteria of legitimation, cognitive procedural rules, and so forth are all political and therefore represent moves of power . . ." (p. 11). But she does not, as her admonishments might lead us to expect, begin her analysis by revealing where she stands politically as a feminist. Instead, she begins by exploring two beliefs which, she argues, guide all modern Western scholars in their pursuit of truth. One of these beliefs is that the sort of knowledge worth pursuing is that which reveals the universal truths of natural and social reality. The other is that true knowledge is that which replicates a "God's eye view" of the world, rather than the perspectives of a particular individual or group (p. 2).

Both beliefs persist, according to Nicholson, throughout the academy. But they are especially important to the discipline of philosophy, because philosophers not only assume, but depend for their very academic existence on, the possibility of a truth that transcends history. Not surprisingly, the search for such a truth takes on different forms, depending on the subject matter in question. If the subject matter is art, Nicholson notes, philosophers ask, "What is the beautiful?" If it is ethics, the discussion centers on "the good" or "the right." If it is jurisprudence, we will be cajoled into asking, "What is law?"; and if it is politics, we will be presented with a number of possible projects that require us either to discover human nature or to establish universal principles of justice.

Nicholson argues, along with a variety of other postmodernists,¹ that principles such as these, which try to locate essences, are unacceptable for three general reasons. First, they presuppose an objectivity which, according to Nicholson, is simply impossible. Second, universal principles of truth are not only nonneutral, but also reflect the perspectives of particular groups who are, in most cases, able to exercise more power than others in society. Third, such principles privilege powerful groups over others because the ostensibly universal truths on which they are based are determined by the culture of the powerful. In sum, modern philosophy is, according to Nicholson, both philosophically naive and a form of political domination (pp. 2-4).

Nicholson's view of modern philosophy as political domination might appear to elevate philosophy beyond its actual importance in contemporary society. But philosophical conceptions and assertions are frequently incorporated into more purely social and political arguments in ways that lead to the exclusion of the least powerful in society. Nicholson does not identify particular arguments herself, but she could easily have focused on the recent efforts by liberal political theorists to discern the principles of justice that purely rational individuals would choose.² Because these efforts construe rationality as a transcendental, ahistorical quality characteristic of all human beings, they are able to present their principles of justice as universal. But the notion of a transcendental self is itself historically determined, and not even shared by all members of our own community. Hence, those who invoke it not only impose a particular cultural identity on individuals, but exclude from consideration the experiences of those whose identities are self-consciously culturally specific.

Liberal political theory's explicit reliance on principles of neutrality and universality makes it the frequent target of postmodern critiques. But liberal theory is not alone in its imposition of false essences on individuals, nor is it the most oppressive. Marxist theory purports to take history seriously, but it assumes, *a priori*, the universal primacy of economics; it identifies individuals solely with reference to a univer-

1. The two most prominent postmodernists writing today are Jean-François Lyotard and Richard Rorty. Lyotard articulates the contours of his theory in J. LYOTARD, *THE POSTMODERN CONDITION* (1984), and J. LYOTARD & J. THÉBAUD, *JUST GAMING* (1985). Rorty develops his postmodernism in both R. RORTY, *PHILOSOPHY AND THE MIRROR OF NATURE* (1979), and R. RORTY, *CONSEQUENCES OF PRAGMATISM* (1982). Rorty draws out the political implications of postmodernism in R. RORTY, *CONTINGENCY, IRONY AND SOLIDARITY* (1989); Rorty, *Habermas and Lyotard on Post-modernity*, 4 *PRAXIS INTL.* 32 (1984); Rorty, *Postmodernist Bourgeois Liberalism*, 80 *J. PHIL.* 583 (1983); Rorty, *The Priority of Democracy to Philosophy*, in *THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM* 257 (M. Peterson & R. Vaughan eds. 1988); Rorty, *Solidarity or Objectivity?* in *POST-ANALYTIC PHILOSOPHY* 3 (J. Rajchman & C. West eds. 1985).

2. The most influential of these theories is that of John Rawls. See J. RAWLS, *A THEORY OF JUSTICE* (1971).

sal system of class conflict; and it couches the political aims of a particular revolutionary party in terms of universal, objective, scientific laws of history. Such laws are not, according to Nicholson, really objective, but the reflection of a particular point of view in history, and they cannot possibly be imposed on individuals without domination. Nor can they be reformulated in a more universalist vein without re-producing such domination in practice.³

Much of contemporary feminist thought fares no better. Nicholson (writing with coauthor Nancy Fraser in "Social Criticism Without Philosophy: An Encounter Between Feminism and Postmodernism" (pp. 19-38)) argues that although contemporary feminist theories are generally more sensitive than are other theories to the particular contexts in which individuals find themselves, they frequently fall back on essentialist claims about the nature of women or the universal oppression that women experience as women. Examples of such feminist essentialism are not difficult to locate. As Nicholson herself points out, they can be found in liberal feminist claims about the equal abilities of men and women,⁴ in the radical feminist categories of sex-class,⁵ and in the cultural feminist's focus on "woman's culture."⁶

Each of these feminist theories attempts to be all-inclusive, but they all necessarily exclude particular women by virtue of the universalist claims that they make. Liberal feminists may have good political reasons to push for gender equality under law, but by doing so, they obscure important differences between and among men and women — differences that need to be addressed before any talk of real equality is possible. Radical feminists may see a practical need to talk about women together as a "sex class," but by relying on such a classification and locating the source of all women's oppression in patriarchy, they necessarily distort the experiences of those women who, for example, take their racial or cultural identity as primary. Cultural feminists fall into the same trap by virtue of their universal talk about womanhood.

Nicholson and Fraser's remedy to the universalism trap is to bring feminism and postmodernism together into a "postmodernist feminism." "[T]he ultimate stake of an encounter between feminism and postmodernism is the prospect of a perspective which integrates their

3. Nicholson develops her arguments about Marxism more fully in L. NICHOLSON, *GENDER AND HISTORY: THE LIMITS OF SOCIAL THEORY IN THE AGE OF THE FAMILY* (1986).

4. The range of liberal feminism is of course vast. For an excellent discussion of liberal feminism as a distinct category, see Jaggar, *Political Philosophies of Women's Liberation*, in *FEMINISM AND PHILOSOPHY* 5 (M. Vetterling-Braggin, F. Elliston & J. English eds. 1977).

5. The sex-class analysis mentioned here is not infrequently associated with S. FIRESTONE, *THE DIALECTIC OF SEX* (1970). In recent years, it has been appropriated by a variety of radical feminist historians. See, e.g., G. LERNER, *THE CREATION OF PATRIARCHY* (1986).

6. Such a focus is most pronounced in the works of Mary Daly. In particular, see M. DALY *GYN/ECOLOGY: THE METAETHICS OF RADICAL FEMINISM* (1978). For an excellent discussion of the women-centered analysis in general, see H. EISENSTEIN, *CONTEMPORARY FEMINIST THOUGHT* 139-45 (1983).

respective strengths while eliminating their respective weaknesses. It is the prospect of a postmodernist feminism" (p. 20).

In their essay, Nicholson and Fraser begin with the "respective strengths" of both postmodernism and feminism, rather than with the needs of the women's movement itself. Presumably they feel comfortable in doing so because they view postmodernist feminism not as a set of political practices but as a methodological antidote to modern social and political theory. Postmodernist feminism breaks down the legitimacy of universal truth claims and the interpretative criteria on which these claims are based. Unlike modern social and political theory, postmodernism rejects essentialist claims about human nature and transhistorical ideals of justice. Unlike earlier historicist claims about the inevitable "situatedness" of human thought — claims which, according to Nicholson and Fraser, provide a very weak counter to the norm of objectivity — postmodernism challenges the objectivity of truth itself and claims that the very weak criteria dividing the true and false, science and myth, fact and superstition, are internal to the traditions of modernity and represent the growth and development of specific "regimes of power."

Postmodernism, construed as such, focuses on the forms of power that exist in our methodological standards, extends the fields in which power is thought to operate, and critically analyzes in terms of domination the various universal identities now associated with modernism. Nicholson and Fraser contend that postmodernism, construed as such, is important to feminism both because it breaks down male epistemological privilege in political discourse and because it ensures that a plurality of women's voices — and not just those of upper middle-class white women — will be heard within the feminist movement itself.⁷

But, they worry, postmodernism as now construed does not enable social and political change, since, in the hands of postmodernists such as Francois Lyotard, Richard Rorty, and others, it rejects large scale narratives about both injustice and the oppression of individuals who are oppressed by virtue of their group membership. Both Nicholson and Fraser assume that if postmodernism is to be incorporated into a critical social and political theory, it will have to develop large scale narratives about oppression and become capable of sustaining a focus on economic and political institutions. Although they do not specify the particular narratives and institutional foci that they have in mind, they do make two more general points. First, if postmodern feminists do not develop large scale narratives about oppression, they will be unable to talk about women together as an oppressed group. Second,

7. Bell hooks develops a series of arguments throughout her works about how black women have been excluded from much of mainstream feminism as a result of the stamp that white upper middle-class women have placed on their feminist analyses. See her arguments in *B. HOOKS, AIN'T I A WOMAN?* (1981); *B. HOOKS, FEMINIST THEORY: FROM MARGIN TO CENTER* (1984); and *B. HOOKS, YEARNING: RACE, GENDER, AND CULTURAL POLITICS* (1990).

if feminists do not incorporate an institutional analysis into their antifoundationalist world view, they will not be able to assist social and political movements whose goals are practical.

Nicholson and Fraser specify that the theory they envision would be explicitly historical and attuned to the cultural specificity of different societies, periods, and groups. Likewise, it would be "inflected by temporality, with historically specific institutional categories like the modern, restricted, male-headed nuclear family taking precedence over ahistorical, functionalist categories like reproduction and mothering" (p. 34). And finally, such a theory would dispense with the idea of a subject in history — a move which would replace unitary notions of woman and feminine gender identity with "plural and complexly constructed conceptions of social identity, treating gender as one relevant strand among others, attending also to class, race, ethnicity, age, and sexual orientation" (pp. 34-35).

Nicholson and Fraser present their prescriptions clearly and straightforwardly. But they omit several important steps in their effort to present postmodernism as a critical social and political theory. In particular, they do not detail how an insistence on historical specificity will enable feminists to develop large scale narratives or talk about the oppression of groups in society. Both theorists clearly want to rely on the group orientation and critical perspectives of feminist theory to provide a basis for these large-scale narratives and institutional analyses. But they do not say how such large-scale narratives and institutional analyses are possible within the confines of postmodernist theory, which construes both its evaluative criteria and its understanding of identity historically. Instead, they simply assume that they can "integrate[] [the] respective strengths [of both theories] while eliminating their respective weaknesses" (p. 20).

Such a merger simply may not be possible if, as critics suggest, feminism derives its critical strength from universal principles of justice or human nature.⁸ Clearly, there are many theorists who contend that the category of oppression requires a transhistorical conception of human nature both to identify oppression in particular cases and to construe such oppression as wrong.⁹ While such a contention is not necessarily correct, it does suggest that postmodern feminists such as Nicholson and Fraser will have to do more than simply tack the virtues of feminism onto postmodernism.

In particular, they will have to accomplish two much more difficult tasks. First, they will have to develop a method for discussing gender relations as oppressive without invoking universal principles of justice

8. For an excellent analysis of these arguments, see A. JAGGAR, *FEMINIST POLITICS AND HUMAN NATURE* (1983).

9. A vibrant debate surrounds this issue among Marxists and their critics. For an analysis of the debate itself, see J. ELSTER, *MAKING SENSE OF MARX* 220-41 (1985).

or human nature. Second, they will have to show how they can talk about women as a group without falling back on universal claims about a woman's identity. Because they do not do either of these things, they leave unanswered a variety of questions that skeptics might pose about the practical implications of postmodernism for political movements such as feminism. How, skeptics might ask, can postmodernists view women as a group once they replace the universal identities of modernism with a focus on the particular? How can they characterize particular institutions as unjust once they ground the concept of justice itself in social and political practice, rather than in a set of external evaluative criteria? How, finally, can they expect women to exercise control over their own lives — a stated goal of feminism — once they relinquish the concept of subjectivity and treat women as constructions of history?

Christine Di Stefano suggests in her contribution to the volume — “Dilemmas of Difference: Feminism, Modernity, and Postmodernism” (pp. 63-82) — that postmodernism is a theory whose time may have come for men, but not for women. Since men have had their Enlightenment, she argues, they can afford a decentered self and humility regarding the coherence and truth of their claims. But if women were to decenter their selves, they might weaken what is not yet strong. Likewise, if they were to forgo universals, they might jeopardize alliances, a politics which is not only crucial to feminism, but which itself depends on a relatively unified notion of the social subject “woman.”

Seyla Benhabib focuses in “Epistemologies of Postmodernism: A Rejoinder to Jean-François Lyotard” (pp. 107-30) on the relativism of postmodernism and its implications for feminism and other critical social and political theories. While she agrees with the postmodern critique of essentialism, she can be read as arguing that the sort of relativism embraced by Lyotard, among others, leaves only a choice between two undesirable alternatives. On the one hand, if we accept a “polytheism of values” (p. 113), we cannot talk about justice or coherently criticize the status quo. On the other hand, if we do not accept such a “polytheism of values,” we are forced to “privilege[] one domain of discourse and knowledge over others as a hidden criterion” (p.113).

While Benhabib worries that postmodernism will lead us down a relativist path, Nancy Hartsock (pp. 157-75) and Susan Bordo (pp. 133-56) worry that it will destroy the category of gender itself, a category that is absolutely crucial to feminism. If postmodernism requires abandoning cross-cultural categories, they ask, how can feminists generalize about women? And if feminists cannot generalize about women, are the only alternatives powerlessness or the politics of individual action? Both Hartsock and Bordo argue that all social the-

orizing needs a stopping point and that the stopping point for feminists can only be gender (pp. 133-45, 157-60, 170-73). Likewise, each makes clear that if feminism invokes the ideal of endless difference, either self-destruction or meaningless abstract individualism will result.

While the ideal of endless difference threatens all feminists, it especially threatens feminists who take law seriously, since law necessarily imposes on individuals a set of universal prescriptions. To be sure, some feminist legal scholars focus on difference per se in an effort to replace universalist claims in law with pluralist perspectives. But even these scholars acknowledge that without a universal adherence to law in general, differentiated legal treatment makes no sense in either theory or practice.¹⁰

Are postmodernists obliged to embrace an ideal of endless difference? Can they establish a stopping point in gender and acknowledge that any society which takes law seriously will have to accept generalizations about the situations in which particular individuals find themselves? Presumably, if postmodernists want to establish such a stopping point and allow for generalizations about identity, they must forgo the security of philosophy and embrace the much messier world of politics, where social generalizations are already made unconsciously on the basis of practical goals and structural limitations and where the stopping points about which Hartsock and Bordo worry are already the starting points of political argument.

Are Nicholson and Fraser willing to replace philosophy with the practical criteria of their own political movement as a way of justifying their generalizations about women? Nicholson and Fraser perceive the dangers associated with a purely philosophical postmodernism. As Nicholson writes in her introduction to the book (pp. 1-16): "The clear danger here is in viewing postmodernism as merely an invocation of certain abstract ideals, such as 'difference' rather than viewing the postmodern invocation of difference as following from and being limited to the demands of specific political contexts" (p. 10). Likewise both theorists, in their contribution, attempt to develop a postmodern analysis feminists can use to pursue political empowerment. But because they define postmodernism philosophically (p. 19), rather than politically, they are not able to demonstrate on purely political grounds how feminists might develop generalizations about women which are liberating rather than oppressive.

Presumably, if they were to begin with the practical concerns of the women's movement itself, they might be able to generalize from the situations of particular women and maintain a category of gender

10. For one of the most comprehensive discussions of "difference" in the legal context, see M. MINOW, *MAKING ALL THE DIFFERENCE: INCLUSION, EXCLUSION, AND AMERICAN LAW* (1990) (reviewed in this issue by Professor Allan C. Hutchinson — Ed.)

identity without invoking universal principles of human nature. Likewise, if they were to glean principles of justice not from philosophy, but from the claims that oppressed persons themselves make, they might be able to criticize the status quo as postmodernists. What might both projects entail? Iris Young provides a possible example in *Justice and the Politics of Difference* by placing the claims of various group-based social movements at the center of her prescriptions for justice.

Young wants to develop a new way of thinking about justice in American society by shifting our attention away from considerations of neutrality to how various oppressed groups in society can be empowered. But she does not want to “construct a theory of justice” (p. 3), since she believes that to do so would reintroduce the universal claims that she as a postmodernist eschews. Young’s project is contextualist and focused on the particular. She begins not with an idea of justice, but with a set of experiences shared by those who have been excluded from power in the United States — women, blacks, American Indians, gays, lesbians, and the poor. Likewise, instead of imposing external moral standards on these experiences, she sets out “to express rigorously and reflectively some of the claims about justice and injustice implicit in the politics of these movements, and to explore their meaning and implications” (p. 7).

Since most of the claims about justice and injustice that she explores involve domination and oppression, she focuses on domination and oppression in her conceptualization of justice itself. “[S]ocial justice means the elimination of institutionalized domination and oppression. Any aspect of social organization and practice relevant to domination and oppression is in principle subject to evaluation by ideals of justice” (p. 15). Presumably, her “ideals of justice” have something to do with freedom and self-expression, since freedom and self-expression generally are considered the opposites of domination and oppression. But Young does not make such a claim herself. Instead, she explores the ideals of justice in terms of their “political” manifestations and contrasts them with more purely distributive models of justice.

Young’s understanding of “the political” includes virtually every form of behavior that we now recognize as political. “As I understand it,” she writes, “the concept of justice coincides with the concept of the political. Politics . . . includes all aspects of institutional organization, public action, social practices and habits, and cultural meanings insofar as they potentially subject to collective evaluation and decision-making” (p. 34).

Since her general concern is with the dominated and oppressed members of our community, she focuses on those forms of politics that empower “outsiders.” Likewise, she concentrates on shifting our at-

tention away from questions of material distribution to procedural issues of participation in deliberation and decisionmaking. Justice ultimately becomes a matter of political voice.

For a norm to be just, everyone who follows it must in principle have an effective voice in its consideration and be able to agree to it without coercion. For a social condition to be just, it must enable all to meet their needs and exercise their freedom; thus justice requires that all be able to express their needs. [p. 34]

Three things distinguish Young's conception of justice from other contemporary conceptions. First, it is, according to Young, much "wider" than the typical distributive model in that it "covers everything political" (p. 34). Second, it has its source not in an abstract idea of rationality, but in the politics of a group of individuals who have, according to Young, been systematically excluded from power throughout American history. Third, it is not universalist, but is based on a recognition of difference among individuals and the need for what she calls "democratic cultural pluralism" (p. 163) or the "politics of group assertion" (p. 167).

Since the definition of justice that she relies upon is essentially Hannah Pitkin's understanding of politics — "the activity through which relatively large and permanent groups of people determine what they will collectively do, settle how they will live together, and decide their future"¹¹ — she feels comfortable talking about the contributions that new left social movements have made to an understanding of justice by "their continuing effort to politicize vast areas of institutional, social, and cultural life in the face of forces of welfare state liberalism which operate to depoliticize public life" (p. 10). Many of these contributions concern the nature of disempowerment and how disempowerment has occurred as a consequence of the replacement of democracy with public policy formulation. Other new left contributions highlight the importance of cultural and gender differences to social justice. It is with regard to the latter group of contributions — those pertaining to "difference" — that Young makes her most interesting and original arguments.

While her efforts are generally constructive, her initial discussion of difference is critical. She concentrates on showing how liberal theories of impartiality, which posit a unified and universal point of view, oppress some social groups in practice by allowing the particular experiences and perspectives of privileged groups to parade as universal and by leading bureaucrats and experts to think that they can exercise their decisionmaking power in an impartial manner (pp. 18-33). Her arguments are persuasive and, to the extent that she extends them to

11. P. 9 (quoting Pitkin, *Justice: On Relating Public and Private*, 9 POL. THEORY 327, 343 (1981)).

the idea of a "civic public,"¹² original. She argues that while impartiality is frequently associated with theories of distributive justice, it has its counterpart in the ideal of a "civic public," an ideal which, as universalist, has operated effectively to exclude from citizenship persons identified with the body and feeling rather than with rationality — women, Jews, blacks, American Indians (pp. 96-121).

Young argues that an inclusive conception of justice that takes domination and oppression seriously will do two things. First, it will posit a vision of a heterogeneous public that itself acknowledges and affirms group difference. Second, it will challenge the liberal ideal of liberation as the elimination of group difference and replace it with an ideal that affirms group difference and fosters the inclusion and participation of all groups in public life (pp. 156-91). Young develops such an ideal herself by referring to contemporary legal debates about equality and difference in women's liberation, bilingual education, and American Indian rights. She argues that recognizing group rights is necessary to promote their full participation and that the fear of stigma now associated with differential treatment makes sense only if we understand difference as opposition — or, in other words, identify equality with sameness and difference with deviation or devaluation (pp. 168-72).

How can we avoid identifying equality with sameness and difference with deviation or devaluation? What would it mean to use group rights in the interest of full participation? Young responds to both questions by developing a principle of political decisionmaking that encourages autonomous organization of groups within a public, a principle that entails for her the establishment of procedures for ensuring that each group's voice is heard in the public through institutions of group representation. Since she is concerned about the disempowered groups in American society, she focuses on them in her discussions of group representation. Moreover, she claims that social group representation is for oppressed groups only. Justice "calls for the specific representation only of oppressed or disadvantaged groups. Privileged groups are already represented, in the sense that their voice, experience, values and priorities are already heard and acted upon" (p. 187).

Young makes clear in this context that by "group representation" she does not mean interest group liberalism, which for her rests on the conflation of interests, rather than on a shared identity. By group representation, she means the representation of "social groups," those

12. Young uses as her paradigm of the "civic public" Rousseau's political philosophy, which, according to her, not only posits the sovereign people as embodiments of "a universal point of view" which transcends particular interests and perspectives, but conceives of the "public realm as unified and homogenous." P. 109. Young characterizes the "civic public" in terms of such a transcendent ideal. "The civic public expresses the universal and impartial point of view of reason, standing opposed to and expelling desire, sentiment, and the particularity of needs and interests." P. 108.

“collective[s] of people who have affinity with one another because of a set of practices or way of life” (p. 186). How are these social groups to be represented? Young argues that the democratic public should provide mechanisms for the effective recognition and representation of those constituent groups that are oppressed or disadvantaged.

Such group representation itself requires (i) institutional support for the organization of group members so that they can achieve “collective empowerment” and a “reflective understanding” (p. 184) of their collective experiences and interests; (ii) “group analysis and group generation of policy proposals in institutionalized contexts where decisionmakers are obliged to show that their deliberations have taken group perspectives into consideration” (p. 184); and (iii) “group veto power regarding specific policies that affect a group directly, such as reproductive rights policy for women, or land use policy for Indian reservations” (p.184).

In this context, Young argues that present affirmative action policies place too much emphasis on distribution, and not enough on participation. She nevertheless supports these policies on the grounds that they are an important means for undermining oppression, especially oppression that results from unconscious stereotyping and presumptions about the neutrality of the privileged point of view (p. 192-221). Moreover, while she concedes that rights can be dangerous to the spirit of a community, they are necessary — in the form of “group rights” — to empower those individuals whose very existence depends on the assertion of a group identity.

While much of Young’s analysis concerns group rights and group identities, her discussion of the idea of community is one of her most original contributions to the understanding of difference and inequality. Unlike other left political theorists who frequently value the ideal of community above all else,¹³ Young argues that the ideal of community suppresses differences, since the impulse to community often coincides with a desire to preserve identity and, in practice, excludes those who threaten that sense of identity. She develops an alternative ideal of social relations and politics which begins from a “positive experience of city life” (p. 12-13), an experience that ideally embodies four virtues that represent heterogeneity rather than unity: social differentiation without exclusion, variety, eroticism, and publicity. She argues that instead of increasing local autonomy in the way that many democratic theorists now suggest, a move which would only produce more privilege and domination, we should develop a form of metropolitan regional government founded in representative institutions that begin in neighborhood assemblies (pp. 226-56).

Young’s efforts to translate the political principle of difference into

13. The two most widely cited recent communitarian works are B. BARBER, *STRONG DEMOCRACY* (1984), and M. SANDEL, *LIBERALISM AND THE LIMITS OF JUSTICE* (1982).

practical recommendations for city life, like her discussions of affirmative action, bilingual education, and other policies of democratic cultural pluralism, are not only extremely interesting and refreshingly original, but largely successful. They illuminate the concrete conditions under which the postmodernist emphasis on difference can be translated into social and political practice. Although she does not develop a political theory of postmodernism, she goes beyond most other postmodernists by recognizing that our present theory of sameness and difference is itself political and that to transcend universality and to develop a concrete respect for cultural, gender and racial differences, we will have to start with the criteria of partisan politics, rather than with philosophy.

But what about the postmodern principle of difference itself and the conception of justice that Young builds around it? Three questions need to be addressed. First, how can democratic cultural pluralism be sustained without the very differences that Young lauds creating unequal shares of power in society? Second, how can her particular conception of justice avoid reintroducing essentialist conceptions of human nature? Third, what sorts of political arguments, if any, can be made about democratic cultural pluralism to persuade others who do not begin with her own politics?

Young's notion of democratic cultural pluralism is problematic in several respects. First, it is not clear what group representation of the oppressed and not of "the privileged" means. Who are the privileged and who are the oppressed? Young provides an excellent set of arguments in "Five Faces of Oppression" (pp. 39-65) for discerning when oppression has occurred. But the criteria of oppression that she provides — exploitation, marginalization, cultural imperialism, powerlessness, and violence — may not be interpreted similarly by all members of the community. Moreover, without an interpretive consensus, Young's entire system of justice is on shaky ground.

Second, Young does not show how a system of justice can be partially representative without those not represented dismantling the system. Because those not represented in Young's system are "the privileged," we have to wonder about the power base upon which her system of justice will rest. While Young contends that "[p]rivileged groups are already represented, in the sense that their voice, experience, values, and priorities are already heard and acted upon" (p. 187), she does not consider the difficulties that will arise when informal representation of the privileged confronts the more formal mechanisms of her own representative system. Nor does she confront the fact that many of "the privileged" will oppose those in need of formal representation and express their opposition to the system as a whole.

Third, there may not be as much agreement as Young expects within particular oppressed groups, even with regard to the group's

own identity as a group. How much consensus does there need to be about what it means to be a woman or an African-American or a homosexual? If what is needed is a broad consensus and such a consensus cannot be found, then Young's system of justice may not be as straightforwardly practical as she suggests.

Fourth, a system based on difference might end up being based on inequality, given the unequal power bases of different groups. Young tries to resist the notion that difference is necessarily connected to inequality. But she does not identify any safeguards against the devaluation of particular groups on the basis of, for example, the racial or gender identities of their members. While she is correct that difference does not automatically translate into inequality (pp. 168-72), she is overly optimistic in assuming that the devaluation of particular groups will cease in her system of justice.

The difficulties that I cite here are practical and might be overcome within Young's theoretical framework. But what about her theoretical framework itself? Young claims that her system of justice is based not on any foundational set of values or universal schema of justice, but rather on the claims that blacks, women, Hispanics, gays, and lesbians make. While this may be true, Young has organized these claims according to her own categories of domination and oppression. Where, we have to ask, do these categories come from? Do they come from social and political practice or from a more philosophical set of moral principles? Where, moreover, does the political principle of difference itself come from? Does it really derive from the needs that blacks, women, Hispanics, gays, and lesbians express, or does it have its source in a theory of the good life which itself makes particular assumptions about human nature?

Young herself recognizes a potential dilemma here that faces all postmodernists who confront justice and injustice.

Any normative theorist in the postmodern world is faced with a dilemma. On the one hand, we express and justify norms by appealing to certain values derived from a conception of the good human life. In some sense, then, any normative theory implicitly or explicitly relies on a conception of human nature. On the other hand, it would seem that we should reject the very idea of a human nature as misleading or oppressive. [p. 36; citation omitted]

Young tries to get around this dilemma by generating assumptions about human nature and the good life that are shared by all and abstract enough not to be oppressive. In this context, she does not object to abstractness as potentially oppressive, although she did in the context of her discussion of modernism. Instead, she touts abstractness as respectful to difference. "As long as the values we appeal to are abstract enough, however, they will not devalue or exclude any particular culture or way of life" (p. 37).

Young does not explain why her use of abstractness does not pres-

ent us with the difficulties associated with modernism. Nor does she defend her use of the language of commonality. Instead, she spells out the values characterizing the good life, values that include the development and exercise of one's capacities, the expression of one's experiences, and participation in the determination of one's actions. Young concedes that "[t]hese are universalist values, in the sense that they assume the equal moral worth of all persons" (p. 37). She does not, however, seem to think that such universalism is problematic.

But, she has already stipulated that universal values *are* problematic, especially when they define human nature. "Any definition of a human nature is dangerous because it threatens to devalue or exclude some acceptable individual desires, cultural characteristics, or ways of life" (p. 36). Presumably Young thinks that she has captured what all human beings actually experience, as opposed to what other theorists think that they *should* experience. Her categories are nevertheless theoretically loaded. Moreover, such loadedness is not merely academic, since she defines both oppression and domination — the foci of justice — in terms of the values of a good life.

Oppression consists in systematic institutional processes which prevent some people from learning and using satisfying and expansive skills in socially recognized settings, or institutionalized social processes which inhibit people's ability to play and communicate with others or to express their feelings

Domination consists in institutional conditions which inhibit or prevent people from participating in determining their actions or the conditions of their actions. [p. 38]

While Young's definitions of oppression and domination may indeed express the concerns of women, blacks, Hispanics, and other groups excluded from power, they clearly are based on a set of theoretical assumptions, like "equal moral worth," which smack of essentialism. Young does not need to admit that she is being essentialist if she has gleaned her definitions from social and political practice. But she does need to recognize that many of our social and political practices are themselves informed by earlier Enlightenment ideals. Such ideals were at one time construed as essentialist. While they may now be construed as mere "practical norms," we have to ask: Would they make sense in a postmodern world and, if not, how can postmodernists such as Young continue to rely on them?

Because Young does not address the Enlightenment history of her own "political norms," she does not answer this question. Nor does she address the possibility that a postmodern outlook on the world may make it difficult to convince others to accept her system of justice. She concedes at the outset that, as a postmodernist, she cannot hope to generate arguments that all rational individuals should accept, but must rather be content with speaking from her own experiences to the experiences of others.

In pursuit of a systematic theory, much philosophical writing addresses an audience made up abstractly of all reasonable persons from the point of view of any reasonable person. Because I understand critical theory as starting from a specific location in a specific society, I can claim to be neither impartial nor comprehensive. [p. 13]

Instead, she argues, she can claim only to speak about “assumptions that perhaps not all reasonable persons share” (p. 14). Because these assumptions include the assumptions “that basic equality in life situation for all persons is a moral value; that there are deep injustices in our society that can be rectified only by basic institutional changes”; and “that structures of domination wrongfully pervade our society” (p. 14), it is not clear whether Young will be able to convince those not within or sympathetic to the disempowered groups for which she claims to speak.

Although the number of people who are part of or sympathetic to these groups may be large enough to make an important difference, Young cannot assume a universal audience. Nor can she escape the dilemma that faces all postmodernists who want to be politically persuasive. On the one hand, she cannot, as a postmodernist, present her values as fundamental, but must instead construe them as part of her own politics. On the other hand, if she wants to change people’s minds, she needs to be able to persuade those who do not agree with her politics to take them seriously.

While persuasiveness of this sort is not out of the question for postmodernists, they must be able to accomplish two tasks which purely philosophical postmodernists such as Lyotard and Rorty did not themselves have to recognize. The first is to find a way of generalizing about the oppression experienced by members of a particular community that can be shared by others not in the group. The second is to accommodate political judgment within their postmodernism itself. While both tasks are formidable, neither is unrealizable. Moreover, as I have suggested above, by shifting our attention away from philosophy towards politics, Young, Nicholson, Fraser, and other postmodern feminists have already moved us closer to success in their valuable contributions to postmodern political thought.