
Introduction

WHAT are the implications for political philosophy of the claims of new group-based social movements associated with left politics—such movements as feminism, Black liberation, American Indian movements, and gay and lesbian liberation? What are the implications for political philosophy of postmodern philosophy's challenge to the tradition of Western reason? How can traditional socialist appeals to equality and democracy be deepened and broadened as a result of these developments in late twentieth-century politics and theory? Justice is the primary subject of political philosophy. These questions are thus inseparable from questions about justice. What conceptions of social justice do these new social movements implicitly appeal to, and how do they confront or modify traditional conceptions of justice?

These are some of the questions that propel the inquiry in this book. In addressing them I explore some problems of positivism and reductionism in political theory. The positivism of political theory consists in too often assuming as given institutional structures that ought to be brought under normative evaluation. The reductionism I expose is modern political theory's tendency to reduce political subjects to a unity and to value commonness or sameness over specificity and difference.

I argue that instead of focusing on distribution, a conception of justice should begin with the concepts of domination and oppression. Such a shift brings out issues of decisionmaking, division of labor, and culture that bear on social justice but are often ignored in philosophical discussions. It also exhibits the importance of social group differences in structuring social relations and oppression; typically, philosophical theories of justice have operated with a social ontology that has no room for a concept of social groups. I argue that where social group differences exist and some groups are privileged while others are oppressed, social justice requires explicitly acknowledging and attending to those group differences in order to undermine oppression.

Although I discuss and argue about justice, I do not construct a theory of justice. A theory of justice typically derives fundamental principles of justice that apply to all or most societies, whatever their concrete configuration and social relations, from a few general premises about the nature of human beings, the nature of societies, and the nature of reason. True to the meaning of *theoria*, it wants to see justice. It assumes a point of view

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outside the social context where issues of justice arise, in order to gain a comprehensive view. The theory of justice is intended to be self-standing, since it exhibits its own foundations. As a discourse it aims to be whole, and to show justice in its unity. It is detemporalized, in that nothing comes before it and future events will not affect its truth or relevance to social life.

Theorists of justice have a good reason for abstracting from the particular circumstances of social life that give rise to concrete claims of justice, to take a position outside social life that rests on reason. Such a self-standing rational theory would be independent of actual social institutions and relations, and for that reason could serve as a reliable and objective normative standard for evaluating those institutions and relations. Without a universal normative theory of justice grounded independently of the experience of a particular society, it is often assumed, philosophers and social actors cannot distinguish legitimate claims of justice from socially specific prejudices or self-interested claims to power.

The attempt to develop a theory of justice that both stands independent of a given social context and yet measures its justice, however, fails in one of two ways. If the theory is truly universal and independent, presupposing no particular social situations, institutions, or practices, then it is simply too abstract to be useful in evaluating actual institutions and practices. In order to be a useful measure of actual justice and injustice, it must contain some substantive premises about social life, which are usually derived, explicitly or implicitly, from the actual social context in which the theorizing takes place. Many have argued that Rawls's theory of justice, for example, must have some substantive premises if it is to ground substantive conclusions, and these premises implicitly derive from experience of people in modern liberal capitalist societies (see Young, 1981; Simpson, 1980; Wolff, 1977, pt. IV).

A theory of justice that claims universality, comprehensiveness, and necessity implicitly conflates moral reflection with scientific knowledge (Williams, 1985, chap. 6). Reflective discourse about justice, however, should not pose as knowledge in the mode of seeing or observing, where the knower is initiator and master of the known. Discourse about justice is not motivated originally by curiosity, a sense of wonder, or the desire to figure out how something works. The sense of justice arises not from looking, but as Jean-François Lyotard says, from listening:

For us, a language is first and foremost someone talking. But there are language games in which the important thing is to listen, in which the rule deals with audition. Such a game is the game of the just. And in this game, one speaks only inasmuch as one listens, that is, one speaks as a listener, and not as an author. (Lyotard, 1985, pp. 71–72)

While everyday discourse about justice certainly makes claims, these are not theorems to be demonstrated in a self-enclosed system. They are instead calls, pleas, claims *upon* some people by others. Rational reflection on justice begins in a hearing, in heeding a call, rather than in asserting and mastering a state of affairs, however ideal. The call to “be just” is always situated in concrete social and political practices that precede and exceed the philosopher. The traditional effort to transcend that finitude toward a universal theory yields only finite constructs which escape the appearance of contingency usually by recasting the given as necessary.

Rejecting a theory of justice does not entail eschewing rational discourse about justice. Some modes of reflection, analysis, and argument aim not at building a systematic theory, but at clarifying the meaning of concepts and issues, describing and explaining social relations, and articulating and defending ideals and principles. Reflective discourse about justice makes arguments, but these are not intended as definitive demonstrations. They are addressed to others and await their response, in a situated political dialogue. In this book I engage in such situated analysis and argument in the mode of critical theory.

As I understand it, critical theory is a normative reflection that is historically and socially contextualized. Critical theory rejects as illusory the effort to construct a universal normative system insulated from a particular society. Normative reflection must begin from historically specific circumstances because there is nothing but what is, the given, the situated interest in justice, from which to start. Reflecting from within a particular social context, good normative theorizing cannot avoid social and political description and explanation. Without social theory, normative reflection is abstract, empty, and unable to guide criticism with a practical interest in emancipation. Unlike positivist social theory, however, which separates social facts from values, and claims to be value-neutral, critical theory denies that social theory must accede to the given. Social description and explanation must be critical, that is, aim to evaluate the given in normative terms. Without such a critical stance, many questions about what occurs in a society and why, who benefits and who is harmed, will not be asked, and social theory is liable to reaffirm and reify the given social reality.

Critical theory presumes that the normative ideals used to criticize a society are rooted in experience of and reflection on that very society, and that norms can come from nowhere else. But what does this mean, and how is it possible for norms to be both socially based and measures of society? Normative reflection arises from hearing a cry of suffering or distress, or feeling distress oneself. The philosopher is always socially situated, and if the society is divided by oppressions, she either reinforces or struggles against them. With an emancipatory interest, the philosopher

apprehends given social circumstances not merely in contemplation but with passion: the given is experienced in relation to desire. Desire, the desire to be happy, creates the distance, the negation, that opens the space for criticism of what is. This critical distance does not occur on the basis of some previously discovered rational ideas of the good and the just. On the contrary, the ideas of the good and the just arise from the desiring negation that action brings to what is given.

Critical theory is a mode of discourse which projects normative possibilities unrealized but felt in a particular given social reality. Each social reality presents its own unrealized possibilities, experienced as lacks and desires. Norms and ideals arise from the yearning that is an expression of freedom: it does not have to be this way, it could be otherwise. Imagination is the faculty of transforming the experience of what is into a projection of what could be, the faculty that frees thought to form ideals and norms.

Herbert Marcuse describes this genesis of ideals from an experience of the possibilities desired but unrealized in the given:

There are a large class of concepts—we dare say, philosophically relevant concepts—where the quantitative relation between the universal and the particular assumes a qualitative aspect, where the abstract, universal seems to designate potentialities in a concrete, historical sense. However “man,” “nature,” “justice,” “beauty,” or “freedom” may be defined, they synthesize experiential contents into ideas which transcend their particular realizations as something to be surpassed, overcome. Thus the concept of beauty comprehends all the beauty not *yet* realized; the conception of freedom all the liberty not *yet* attained. . . .

Such universals thus appear as conceptual instruments for understanding the particular conditions of things in light of their potentialities. They are historical and supra-historical; they conceptualize the stuff of which the experienced world consists, and they conceptualize it with a view of its possibilities, in the light of their actual limitation, suppression, and denial. Neither the experience nor judgment is private. The philosophic concepts are formed and developed in the consciousness of a general condition in a historical continuum; they are elaborated from an individual position within a specific society. The stuff of thought is historical stuff—no matter how abstract, general, or pure it may become in philosophic or scientific theory. (Marcuse, 1964, pp. 214–15)

In his notion of interpretation as social criticism, Michael Walzer endorses a similar approach to moral reflection. The social critic is engaged in and committed to the society he or she criticizes. She does not take a detached point of view toward the society and its institutions, though she does stand apart from its ruling powers. The normative basis for her criticism comes from the ideals and tensions of the society itself, ideals already there in some form, in espoused principles that are violated, for example,

or in social movements that challenge hegemonic ideas. The criticism of the social critic “does not require either detachment or enmity, because he finds a warrant for critical engagement in the idealism, even if it is a hypothetical idealism, of the actually existing moral world” (Walzer, 1987, p. 61).

This book has its philosophical starting point in claims about social domination and oppression in the United States. Ideas and experience born in the new left social movements of the 1960s and 1970s continue to inform the thoughts and actions of many individuals and organizations in contemporary American political life: democratic socialist, environmentalist, Black, Chicano, Puerto Rican, and American Indian movements; movements against U.S. military intervention in the Third World; gay and lesbian liberation; movements of the disabled, the old, tenants, and the poor; and the feminist movement. These movements all claim in varying ways that American society contains deep institutional injustices. But they find little kinship with contemporary philosophical theories of justice.

My aim is 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. I identify some bases for disparity between contemporary situated claims and theoretical claims about justice in fundamental assumptions of modern Western political philosophy. This project requires both criticism of ideas and institutions and the assertion of positive ideals and principles. I criticize some of the language and principles of justice that dominate in contemporary philosophy and offer alternative principles. I examine a number of policies, institutions, and practices of U.S. society, and show how some of the philosophical principles I criticize are also ideological insofar as they reinforce these institutions and practices. I offer, finally, some alternative visions of ideal social relations.

Though my method is derived from critical theory, I reject some tenets of critical theorists. While I follow Habermas’s account of advanced capitalism and his general notion of communicative ethics, for example, I nevertheless criticize his implicit commitment to a homogeneous public. I am also indebted to several other approaches to philosophy and political theory. I extend some contemporary feminist analyses of the male bias implicit in the ideals of rationality, citizenship, and equality central to modern moral and political theory. My inquiry about a positive sense of group difference and a politics that attends to rather than represses difference owes much to discussions of the meaning of difference in such postmodern writers as Derrida, Lyotard, Foucault, and Kristeva. From this postmodern orientation, in which I also include some of the writings of Adorno and Irigaray, I appropriate a critique of unifying discourse to analyze and criticize such concepts as impartiality, the general good, and community.

From the lessons of these critiques I derive an alternative conception of differentiated social relations. The analyses and arguments in this book also draw on analytic moral and political philosophy, Marxism, participatory democratic theory, and Black philosophy.

Recent years have witnessed much discussion about the virtues and vices of each of these theoretical approaches, and many would find them incompatible. A debate about modernism versus postmodernism has recently raged among critical theorists, for example—a debate which has an analogue among feminist theorists. In this book I do not explicitly treat metatheoretical questions about the criteria for evaluating theoretical approaches to social and normative theorizing. When social theorists and social critics focus on such epistemological questions, they often abstract from the social issues that originally gave rise to the disputes and impart an intrinsic value to the epistemological enterprise. Methodological and epistemological issues do arise in the course of this study, but I treat them always as interruptions of the substantive normative and social issues at hand. I do not regard any of the theoretical approaches which I take up as a totality that must be accepted or rejected in its entirety. Each provides useful tools for the analyses and arguments I wish to make.

I begin in Chapter 1 by distinguishing between an approach to social justice that gives primacy to having and one that gives primacy to doing. Contemporary theories of justice are dominated by a distributive paradigm, which tends to focus on the possession of material goods and social positions. This distributive focus, however, obscures other issues of institutional organization at the same time that it often assumes particular institutions and practices as given.

Some distributive theories of justice explicitly seek to take into account issues of justice beyond the distribution of material goods. They extend the distributive paradigm to cover such goods as self-respect, opportunity, power, and honor. Serious conceptual confusion results, however, from attempting to extend the concept of distribution beyond material goods to phenomena such as power and opportunity. The logic of distribution treats nonmaterial goods as identifiable things or bundles distributed in a static pattern among identifiable, separate individuals. The reification, individualism, and pattern orientation assumed in the distributive paradigm, moreover, often obscure issues of domination and oppression, which require a more process-oriented and relational conceptualization.

Distributive issues are certainly important, but the scope of justice extends beyond them to include the political as such, that is, all aspects of institutional organization insofar as they are potentially subject to collective decision. Rather than attempting to stretch distribution to cover these, I argue that the concept of distribution should be limited to mate-

rial goods, and that other important aspects of justice include decision-making procedures, the social division of labor, and culture. Oppression and domination, I argue, should be the primary terms for conceptualizing injustice.

The concept of oppression is central to the discourse of the contemporary emancipatory social movements whose perspectives inspire the critical questions of this book. Yet there exists no sustained theoretical analysis of the concept of oppression as understood by these movements. Chapter 2 fills this conspicuous gap in social theory by defining oppression. Actually a family of concepts, oppression has five aspects which I explicate: exploitation, marginalization, powerlessness, cultural imperialism, and violence. Distributive injustices may contribute to or result from these forms of oppression, but none is reducible to distribution and all involve social structures and relations beyond distribution.

Oppression happens to social groups. But philosophy and social theory typically lack a viable concept of the social group. Notably in the context of affirmative action debate, some philosophers and policymakers even refuse to acknowledge the reality of social groups, a denial that often reinforces group oppressions. In Chapter 2 I develop a specific concept of the social group. While groups do not exist apart from individuals, they are socially prior to individuals, because people's identities are partly constituted by their group affinities. Social groups reflect ways that people identify themselves and others, which lead them to associate with some people more than others, and to treat others as different. Groups are identified in relation to one another. Their existence is fluid and often shifting, but nevertheless real.

The concept of justice is coextensive with the political. Politics, in Hannah Pitkin's words is "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, to whatever extent this is within their power" (Pitkin, 1981, p. 343). Roberto Unger defines politics as "struggle over the resources and arrangements that set the basic terms of our practical and passionate relations. Preeminent among these arrangements," he observes, "is the formative institutional and imaginative context of social life" (Unger, 1987a, p. 145). Politics in this sense concerns all aspects of institutional organization, public action, social practices and habits, and cultural meanings insofar as they are potentially subject to collective evaluation and decisionmaking. When people say a rule or practice or cultural meaning is wrong and should be changed, they are usually making a claim about social justice. This is a wider understanding of the meaning of politics than that common among most philosophers and policymakers, who tend to identify politics as the activities of government or formal interest-group organizations. Chapter 3 takes up a

primary contribution of new left social movements, 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.

With many critical theorists and democratic theorists, I criticize welfare capitalist society for depoliticizing the process of public policy formation. Welfare state practices define policy as the province of experts, and confine conflict to bargaining among interest groups about the distribution of social benefits. The distributive paradigm of justice tends to reflect and reinforce this depoliticized public life, by failing to bring issues of decisionmaking power, for example, into explicit public discussion. Democratic decisionmaking processes, I argue, are an important element and condition of social justice.

Some feminist and postmodern writers have suggested that a denial of difference structures Western reason, where difference means particularity, the heterogeneity of the body and affectivity, or the inexhaustibility of linguistic and social relations without a unitary, undifferentiated origin. This book seeks to show how such a denial of difference contributes to social group oppression, and to argue for a politics that recognizes rather than represses difference. Thus Chapter 4 argues that the ideal of impartiality, a keystone of most modern moral theories and theories of justice, denies difference. The ideal of impartiality suggests that all moral situations should be treated according to the same rules. By claiming to provide a standpoint which all subjects can adopt, it denies the difference between subjects. By positing a unified and universal moral point of view, it generates a dichotomy between reason and feeling. Usually expressed in counterfactuals, the ideal of impartiality expresses an impossibility. It serves at least two ideological functions, moreover. First, claims to impartiality feed cultural imperialism by allowing the particular experience and perspective of privileged groups to parade as universal. Second, the conviction that bureaucrats and experts can exercise their decisionmaking power in an impartial manner legitimates authoritarian hierarchy.

Impartiality, I also suggest in Chapter 4, has its political counterpart in the ideal of the civic public. Critical theory and participatory democratic theory share with the liberal theory they challenge a tendency to suppress difference by conceiving the polity as universal and unified. This universalist ideal of the civic public has operated to effectively exclude from citizenship persons identified with the body and feeling—women, Jews, Blacks, American Indians, and so on. A conception of justice which challenges institutionalized domination and oppression should offer a vision of a heterogeneous public that acknowledges and affirms group differences.

One consequence of the ideal of moral reason as impartiality is the theoretical separation of reason from body and feeling. In Chapter 5 I discuss

some implications of modern society's denigration of the body. In its identification of some groups with despised or ugly bodies, rationalistic culture contributes to the oppressions of cultural imperialism and violence. The cultural logic that hierarchizes bodies according to a "normative gaze" locates bodies on a single aesthetic scale that constructs some kinds of bodies as ugly, disgusting, or degenerate. Using Kristeva's theory of the abject, I analyze the political importance of feelings of beauty and ugliness, cleanliness and filth, in the interactive dynamics and cultural stereotyping of racism, sexism, homophobia, ageism, and ableism.

In our society aversive or anxious reactions to the bodily presence of others contribute to oppression. Such cultural reactions are usually unconscious, however, often exhibited by liberal-minded people who intend to treat everyone with equal respect. Because moral theories tend to focus on deliberate action for which they seek means of justification, they usually do not bring unintended social sources of oppression under judgment. A conception of justice that fails to notice and seek institutional remedy for these cultural sources of oppression, however, is inadequate. I discuss some remedies in processes of consciousness raising and cultural decision-making.

Such cultural change occurs partly when despised groups seize the means of cultural expression to redefine a positive image of themselves. In the last twenty years feminists, Black liberation activists, American Indians, disabled people, and other groups oppressed by being marked as fearful bodies have asserted such images of positive difference. Such movements of group pride have come to challenge an ideal of liberation as the elimination of group difference from political and institutional life. In Chapter 6 I argue for principles and practices that instead identify liberation with social equality that affirms group difference and fosters the inclusion and participation of all groups in public life.

The principle of equal treatment originally arose as a formal guarantee of fair inclusive treatment. This mechanical interpretation of fairness, however, also suppresses difference. The politics of difference sometimes implies overriding a principle of equal treatment with the principle that group differences should be acknowledged in public policy and in the policies and procedures of economic institutions, in order to reduce actual or potential oppression. Using examples from contemporary legal debate, including debates about equality and difference in women's liberation, bilingual education, and American Indian rights, I argue that sometimes recognizing particular rights for groups is the only way to promote their full participation. Some fear that such differential treatment again stigmatizes these groups. I show how this is true only if we continue to understand difference as opposition—identifying equality with sameness and difference with deviance or devaluation. Recognition of group difference

also requires a principle of political decisionmaking that encourages autonomous organization of groups within a public. This entails establishing procedures for ensuring that each group's voice is heard in the public, through institutions of group representation.

Within the context of a general principle that promotes attending to group differences in order to undermine oppression, affirmative action programs do not appear so extraordinary as contemporary rhetoric often makes them seem. In Chapter 7 I support affirmative action programs, not on grounds of compensation for past discrimination, but as important means for undermining oppression, especially oppression that results from unconscious aversions and stereotypes and from the assumption that the point of view of the privileged is neutral. Discussion of affirmative action, however, tends to exhibit the distributive paradigm of justice. Concerned only with the distribution of positions of high reward and prestige among groups, this discussion tends to presuppose institutions and practices whose justice it does not question. I examine two such assumptions in particular: the idea that positions can and should be distributed according to merit criteria, and the hierarchical division of labor that makes some scarce positions highly rewarded and most positions less desirable.

The ideal of merit distribution of positions is an instance of the ideal of impartiality. Criteria of merit assume that there are objective measures and predictors of technical work performance independent of cultural and normative attributes. But I argue that no such measures exist; job allocation is inevitably political in the sense that it involves specific values and norms which cannot be separated from issues of technical competence. If merit distribution of scarce positions is impossible, the legitimacy of those positions themselves is brought into question. A hierarchical division of labor that separates task-defining from task-executing work enacts domination, and produces or reinforces at least three forms of oppression: exploitation, powerlessness, and cultural imperialism. Some of this injustice can be mitigated indirectly by democratizing workplaces. But the division between task-defining and task-executing work must also be attacked directly to eliminate the privileges of specialized training and ensure that all persons have skill-developing work.

Critics of liberalism and welfare bureaucracy often appeal to the ideal of community as an alternative vision of social life. Community represents an ideal of shared public life, of mutual recognition and identification. The concluding chapter argues that the ideal of community also suppresses difference among subjects and groups. The impulse to community often coincides with a desire to preserve identity and in practice excludes others who threaten that sense of identity. I develop another ideal of social relations and politics, which begins from our positive experience of city

life. Ideally city life embodies four virtues that represent heterogeneity rather than unity: social differentiation without exclusion, variety, eroticism, and publicity.

Far short of the ideal, contemporary American cities actually contain many injustices. Capital movement and land use decisions produce and reproduce injustices not well captured by a theory that focuses primarily on patterns of end-state distribution. Additional injustices arise from the separation of functions and segregation of groups produced by zoning and suburbanization. Contrary to many democratic theorists, however, I think that increasing local autonomy would exacerbate these problems. The normative ideal of city life would be better realized through metropolitan regional government founded in representational institutions that begin in neighborhood assemblies. I end the book with a short discussion of how the issues raised in this book may be extended to considerations of international justice.

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 in this writing to be neither impartial nor comprehensive. I claim to speak neither for everyone, to everyone, nor about everything.

My personal political passion begins with feminism, and it is from my participation in the contemporary women's movement that I first learned to identify oppression and develop social and normative theoretical reflection on it. My feminism, however, has always been supplemented by commitment to and participation in movements against military intervention abroad and for systematic restructuring of the social circumstances that keep so many people poor and disadvantaged at home. The interaction of feminism with Marxism and participatory democratic theory and practice accounts for the plural understanding of oppression and domination I present in these pages.

My own reflections on the politics of difference were ignited by discussions in the women's movement of the importance and difficulty of acknowledging differences of class, race, sexuality, age, ability, and culture among women. As women of color, disabled women, old women, and others increasingly voiced their experiences of exclusion, invisibility, or stereotyping by feminist discourse, the assumption that feminism identifies and seeks to change the common position of women became increasingly untenable. I do not at all think this means the end of specifically feminist discourse, because I still experience, as do many other women, the affinity for other women which we have called sisterhood, even across differences. Nevertheless this discussion has compelled me to move out of

a focus specifically on women's oppression, to try to understand as well the social position of other oppressed groups.

As a white, heterosexual, middle-class, able-bodied, not old woman, I cannot claim to speak for radical movements of Blacks, Latinos, American Indians, poor people, lesbians, old people, or the disabled. But the political commitment to social justice which motivates my philosophical reflection tells me that I also cannot speak without them. Thus while my personal passion begins with feminism, and I reflect on the experience and ideas of the peace, environmental, and anti-intervention movements in which I have participated, the positions I develop in this book emerge from reflection on the experience and ideas of movements of other oppressed groups, insofar as I can understand that experience by reading and by talking with people in them. Thus while I do not claim here to speak for all reasonable persons, I do aim to speak from multiple positions and on the basis of the experience of several contemporary social movements.

Philosophers acknowledge the partiality of the audience to which their arguments are addressed, it seems to me, often even less than they acknowledge the particularity of the voice of their writing. In this book I make some assumptions that perhaps not all reasonable persons share: 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; that the groups I have named are oppressed; that structures of domination wrongfully pervade our society. Certainly many intellectuals and policymakers today are sympathetic enough with these assumptions to want to participate in discussion of some of their implications for conceiving and imagining social justice. For those who do not share one or more of these assumptions, I hope the analyses and arguments in this book will nevertheless stimulate a fruitful political dialogue.