Civic Friendship from an American Feminist Point of View

“Women’s labor is considered a natural resource, freely available like air and water.”
--- Maria Mies

1. Introduction. Since ancient times, citizenship has been conceived in the image of the warrior, and military preparedness in defense of homeland perhaps the citizen’s central obligation. In early Greek city-states full citizenship was often granted simply to those individuals who possessed the heavy armor or a horse. Of course, in the ancient Greek polis there was no separate army, no separate state legal entity apart from the citizens, who themselves did the fighting. And soon enough Aristotle argues against this simple conception by requiring of the full citizen as well (at least in a modified democracy) leisure (scholē) and the capacity to share in common deliberation (bouleusis) on state affairs (Politics, 1275b).

In the modern period, defense and security persist as central functions of the nation-state, and thus also attributes of the full citizen, but importantly one also finds a new criterion operating; in addition to military service (sometimes even in place of it) the full citizen of a representative republic must be “productive”. In the early modern period such “productive activity” (signifying ‘independence’) was often conceived literally -- as the actual production of physical objects -- whereas later it becomes identical to any activity performed for the market.

As I hope to show below – and as reflected in the works of such early theorists as Locke, Kant or

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1 Aristotle, Politics
2 A number of authors have pointed to the importance of a production model in the modern period, most notably Hannah Arendt, The Human Condition and J. Habermas, although the account here differs significantly from theirs. The present work draws upon my earlier “On Civic Friendship” Ethics 1996 where I deal with a number of themes presented here but in greater depth.
Adam Smith – our conception of modern liberal citizenship becomes intimately tied with this production model of labor. I will also try to indicate ways in which this model of activity -- dominant for at least the last few centuries, and at the heart of not only liberal capitalist but of the Marxist socialist tradition as well – may be coming to its end: at least in theory. Hopefully. I say ‘hopefully’ because despite the advances of modern technology and what some perceive as capitalism’s historical role in the production of plenty, the continuation of this reigning model of political personhood – of the producer in times of peace backed by the soldier in less fortunate periods (with a bit of jury duty thrown in here and there) -- is leading us to little more than war and environmental destruction.

How we conceive ourselves, the reigning metaphors and models we use in our self reflection, frame not only many of the questions we ask, but limit the possibilities of the answers we find, as well as the actions we undertake. In the present essay, I aim to propose a third model of citizenship, what I will call an “ethical reproductive praxis” model. In contrast to the activities of the warrior or soldier (including comrades storming the barricades, etc.), in contrast also to the builder, artist and producer, this model points to a quieter activity, which often leaves little trace or visible impact on the earth behind it. In particular this third model draws on what appears to be widespread (if not universal) characteristics of women’s historical labor and activity; as such, it focuses on much of the underpinnings, the necessary background psychological, social and material conditions, which sustain or surround the former two types of action. In so focusing our attention, moreover, this alternative also illuminates many of those human attributes and passions lodged deep in the heart of the producer or citizen-soldier, but too often hidden from view.

Finally, as a sub-theme of this meditation on citizenship, I will also argue for the necessary transformation of our notions of patriotism – indeed I will reject the term “patriot” as filled with far too much ideological baggage– and propose instead the notion of political or civic friend.
2. The Modern Production Model

In contrast to the activity of the ancient warrior or modern soldier, which (as we all know) entails the individual’s willingness to risk his life for the ‘common good’, to confront mutilation or death and submerge individual goals for the “enacted narrative of their country” (MacIntyre’s phrase),³ traits of productive activity are far less dramatic. By the production model of labor, I here intend that model of labor, which ascends to prominence in the 17th century with the rise of the modern market. It is best conceived, I believe, by recalling John Locke’s famous metaphor of man in the state of nature who rightfully “owns” that with which he has “mixed his labor”.⁴ In Locke (whose conception of labor is primarily agricultural) such mixing activity is accompanied by a labor theory of value; human productive labor confers nine-tenths, nay ninety-nine hundredths, of the value on things (ST, #39,40). Human labor transforms leaves into cloth, grapes into wine, in contrast to the earth and nature which are now seen according to Locke to furnish ‘only the almost worthless materials” (ST, #43).

Central characteristics of this “mixing” or production model are as follows: i) labor is here characteristically conceived as a technical mastery over the physical world (whether in agricultural, artisan labor or even still technical wage work in a factory, say). More importantly, ii) all such labor is a form of what the ancients called poiesis or techne (production or making); it is a form of activity done primarily for the sake of the product (cf. Aristotle 1984, 11430aff). That is, the activity is not performed for its own sake – what the ancients called praxis -- but for the end result. In the modern period this product or end result is typically considered some form of exclusive private benefit to the self (the crop, wage, capital etc.) or what is known as the

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³ MacIntyre’s phrase in “Is Patriotism a Virtue?” in Freedom and Morality (University of Kansas, 1984); see our discussion in Sec. 7 below.
⁴ Locke, Second Treatise, para. 27 (Henceforth indicated by ST, followed by paragraph number.)
modern institution of private property.\textsuperscript{5} The contrast here with ancient times could not be greater. In the both ancient Greece and Rome, a large portion if not the majority of productive labor was performed by slaves -- precisely those who owned little or no property.\textsuperscript{6}

Finally, iii) it becomes clear that at least from the 18\textsuperscript{th} century onwards the dominant conception of the modern liberal citizen becomes intimately tied with the performance of such (free) productive labor. That is, in addition to military service (a requirement since ancient times), the capacity for productive labor now becomes a criterion for “independence” and hence for “full” or “active” citizenship itself.

Nowhere is the early modern glorification of the production of physical objects more visible than in various passages by Kant where he attempts to account for the distinction between “active” and “passive” citizen. At one point Kant goes so far as to attribute to the wig-maker (he who produces an independent physical object, namely, ‘the wig’) full-fledged active citizenry (with the vote), whereas Kant denies full citizenship to the barber who merely “serves” another and cuts his hair.\textsuperscript{7} But it is not only the Germans who equate independence and creativity with the production of physical objects; Adam Smith also classifies all occupations which approach most closely to what I am calling ethical reproductive praxis -- occupations such as those of churchmen, physicians, men of letters, dancers, opera singers and even the buffoon -- together with that of the “menial servant” which Smith considers the lowest form of “unproductive labor”.\textsuperscript{8} In all these cases, Adam Smith notes, the activity “perishes in the very instance of its performance” and seldom leaves any trace behind it.

\textsuperscript{5} By the institute of private property is here meant not only the right to private use, the right to exclude others, the right to capital (m-c-m’) and rent but, importantly, also alienability or the right of sale -- including of land and the means of production.
\textsuperscript{6} St. de Croix, Class Struggle in the Ancient World
\textsuperscript{7} Kant, Metaphysics of Morals 1991, para. 46. See also, Theory and Practice.
Finally, even the state comes to be viewed according to this model. Whereas for the ancients, the ideal polis was considered the highest expression of man’s communal nature and of human praxis – the highest expression of the best of his social relationships -- in the modern period the state is viewed primarily as a means to other ends: to individual glory, fame, security, the acquisition of property, and so forth. “For by Art [poiesis] is created that great Leviathan called a Common-wealth or State,” writes Hobbes at the beginning of Leviathan (Hobbes, 1977, p. 81). Not only are among the modern state’s central functions now considered the protection of individual freedom, property and the regulation of productive competition, but its very nature is seen as the end product of production as well; the state is viewed as a purely instrumental artifact. And, at least for many of the early modern thinkers, this new emphasis on productive activity was initially meant to displace the parochial and militaristic citizenship of the ancient republics. Thus Montesquieu spoke of a possible moeurs douces (gentle manners) and Hume proclaims commerce to be the new peaceful bond between nations.⁹

It is important to note at this point that the Marxist socialist tradition is hardly exempt from a heavy reliance on the production model. From Marx’s early 1844 Manuscripts (where an artisan conception reigns in which the unalienated individual views his creative powers reflected in the physical world and objects made) through the German Ideology to later Capital (where a now de facto collective “mixing of labor” by workers in capitalist industry will eventually usher in the new form of socialist ownership itself), the original ‘mixing’ metaphor is never fully displaced. Quite to the contrary, one of Marx’s central claims is that capitalism’s historical concentration of the physical means of production – together with the large scale collectivization of scattered labor

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under one roof, and the implementation of science and technology in the production process -- will eventually collectivize property itself.\textsuperscript{10}

In the view presented here, however, continued reliance on the production model presents one of the great stumbling blocks in attempts to conceive (much less bring about) an adequate socialist property. For the burning question remains precisely \textit{how} a work force, long schooled in the ways of the capitalist market, compelled to work endless hours focused on themselves and their own concerns, amidst the constant economic uncertainty of the market and in continuous competition for their jobs, is meant to transform itself freely into other-directed socialist man? Marx himself unwittingly points to this problem when, in describing the future co-operative factory, he claims that the "antithesis between labor and capital" will here finally be overcome, even if at first only "negatively", that is,

\(\ldots\) only by way of making the associated labourers into their own capitalist, i.e., by enabling them to use the means of production for the employment of their own labour (\textit{Capital} Vol. III: 440).

Here, the motive of private acquisition developed under capitalism can, for the first time, be realized by all – but only ‘negatively’: that is by each becoming “their own capitalist” and by employing their own labor now on collective means. But, again, the question remains as to \textit{how} an altered, other-directed, \textit{positively} cooperative socialist motivation is meant to emerge (and on a large scale) once this private, capitalist self has become primary in the realm of labor. To my knowledge, Marx nowhere adequately deals with this question; he simply assumes it will happen. At precisely the critical point in his thought the question is obscured by the presumed necessity of "violent revolution". The Marxist theory of the transition to socialism, however, thereby takes on the form of a mystical leap.

\textsuperscript{10} See Marx's \textit{Theories of Surplus Value} (the so-called fourth book of \textit{Capital}) (1969): Vol. III, pp.426ff and below. Add note on Marx's use of term "reproduction" also (as either biologically reductionist or referring to whole social systems, e.g. ‘reproduction of capital’).
What has not been given sufficient consideration is the origin and nature of this new form of "social labor"; an ambiguity adheres to the very notion. That is, even if in the future labor with and directed towards other human beings grows in importance -- say, with the growth of the service industry -- such labor may well continue to operate on an acquisitive production model. That is, my services for another -- perhaps increasingly and of necessity demanding of me an "understanding of human associations" -- may nevertheless still be performed merely for the sake of the product, and for no other motive than my own exclusive, private gain. (In fact, this is what has happened with such other-directed forms of labor as doctor, lawyer, nurse, surrogate mother, etc.) In such cases the activity hardly even in part approaches free praxis: that activity which satisfies human need and furthers human individual and social abilities for their own sake. If this is the case, however, there is no reason to believe that with greater collective control over the means of production brought about by revolution, together with a growing service sector of the economy, a free but other-directed "socialist individual" is in the making (Gr. ). If anything, the various experiments with socialism in the last hundred years or so tend to prove the opposite; all have been cursed by the notion of a forced social labor.

This is not to claim, of course, that a free democratic socialism is impossible, but only that Marx (and much of the ensuing socialist tradition) was not sufficiently clear on the notion of "social labor" considering the critical role it is meant to play in the argument for the future society. In Capital, social labor and production remain tied to the model of a now collective, "mixing" of labor on external nature (in a factory, say.) and initially still for individual gain. Marx is unable to break with Locke's original metaphor.

At this point an objection will surely be raised. OK, production of physical objects and things was emphasized in the early days of the market (and even still in Marx’s thought) as well as linked with independence and full citizenship, but we have long since passed that point. Today
the doctor and the lawyer are both considered “productive” (although they produce no physical objects) and it was not long until both the wig-maker and the barber were considered full citizens. Indeed citizenship has little to do with performing any activity at all today; most are simply born citizens of some state.

In response, I want to say that this is only partly correct. The doctor and the lawyer still produce a “product” on the market *qua service*: the goal is still private gain (and the product’s value is still theoretically measured in hours and minutes worked, etc.). The production model has not been discarded so much as refined. So too, the assumption linking the production of objects and services together with “independence” (citizenship, autonomy and even sovereignty) continues to riddle our economic system, both internally and now globally as well. Subsistence farmers of the third world or welfare mothers taking care of their children are ‘unproductive,’ unemployed and dependent, whereas our accounting practices calculate the clean up efforts of the Exxon *Valdez* oil spill as part of the US Gross National Product.\(^\text{11}\) Or consider the recent *product-process debate* bedeviling the World Trade Organization (and one cause of the 1999 Seattle riots). In the early 1990s, when the European Union tried to ban the import of all fur caught in steel leg traps (on animal cruelty grounds), the major fur-producing countries (US, Canada and Russia) lodged complaints before an international GATT panel. In the face of accusations such as that the EU’s restrictions violated free and fair trade practices, that its attempts to regulate the *process* of fur production impinged on the internal national sovereignty of the fur producing countries, and that the latter’s fur *products* were identical to and as good as any other, the European Union was forced to relent.\(^\text{12}\)

\(^\text{11}\) Cf. Herman Daly, “The Steady-State Economy” pp. .

\(^\text{12}\) A similar outcome was the result of the US attempt (in accordance with the US Mammal Protection Act) to ban tuna imports from Mexico, because the latter could not prove that it used specific tuna nets, which do not simultaneously drown dolphins. The one success story (and likely the direct result of the Seattle demonstrations) was the later right of nations to ban import of fish caught in nets which simultaneously kill sea turtles, a right recognized in Doha 2001. See Peter Singer, *One World*, pp. ff.
If I am correct and the production model of labor indeed plays such a deep and powerful role in the modern period -- and continues to pervade our thought -- it is hardly surprising that conceiving a free and democratic socialist ownership remains somewhat of a mystery, or that the many actual attempts to bring it about have been practically derailed. Certainly in the United States today, the far more modest idea of simply guaranteeing a basic welfare or income to all citizens -- independently of their role in production -- causes deep consternation. For, on this model, the incentive for people to perform the holy mandate – the production of things and services - is private or monetary reward. Granting them such a reward (namely property or income) prior to any “mixing of their labor” puts the cart before the horse; it violates what appears to be a most basic axiom of natural law.

3. Ethical Reproductive Praxis

Locke’s mixing metaphor and its concomitant rights to private use and exclusive private ownership were not always so self-evident. As noted above, in the ancient world a vast portion of labor “mixing” was done by slaves, illiterate artisans or foreigners, - precisely those who owned no significant property and who were considered non-citizens. One needs not travel back so far in time, however, to reach the limits of Locke’s famous metaphor. Women have been “mixing their labor” for centuries, after all, with their children, families, in their households, neighborhoods, etc. but never with the goal of private property (until rather recently perhaps). On the contrary, what property women traditionally possessed was typically shared with their husband and children (at least in our tradition and under Blackstone’s ‘community of persons’) and this well into the nineteenth century (in many parts of the world, still today). But rather than dismissing (as has the whole modern tradition of political theory) such activity and refusing to call it ‘labor’ in the first place – for it is surely a production of use values as well as absolutely necessary -- it
appears we are dealing with a different model of activity, characteristics of which I will next try to delineate.

First, whereas the production model of craft (farm, technological or factory) labor involves a working subject confronting a given material object, the model of what I am calling ethical “reproductive” labor and activity (always in a non-biological sense) is one in which a subject essentially confronts another subject: the child, the aged, the sick, etc. Such activity is thus not merely ‘indirectly’ social or other-directed, but directly so; its proper end is the direct need satisfaction of the other, as well as the encouragement of their abilities. Please do not misunderstand me. I am not claiming that women’s traditional labor is necessarily any less greedy, self-seeking, etc. then men’s; my point is structural, not psychological. Unless the mother, women or caretaker in deed looks after the child (the aged, etc.) the latter will not flourish. Moreover, at least in the case of the mother (or personal friend) such work is often not pure self-sacrifice; the mother can receive great personal satisfaction. This can be explained, I believe, by viewing ‘the reward’ in such instances as the establishment (maintenance, furtherance) of a relationship. As Aristotle wrote, philia (a broad term covering the friendship between parents and children, siblings, lovers and even fellow citizens) is -- in its genuine form -- an end-in-itself. And already he noticed that women perform much of what may be called the friendship-labor in a society.

The category of ethical reproductive activity that I am elaborating emerges as a form of praxis (moral action); it is not limited to child care strictly speaking, but includes all those reasoned

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13 So too I am not claiming that men have not, to varying degrees, performed ethical reproductive labor, nor that women have not been farmers, artisans, etc.; both clearly have. I am only here stressing the significant fact that, in the known societies both past and present -- and but for the rarest exceptions -- men as a group have not been the primary care-takers of young children. This fact appears to be a significant discovery of twentieth century anthropology. See, e.g. the collection Toward an Anthropology of Women, ed. R. Reiter, (London & New York, 1975).
activities -- taking care of others, thinking about them, feeding and playing with them, delighting in their presence, arguing, dancing, etc.-- which go towards furthering relations of philia as end in itself. Of course, where the same or similar activity is performed for essentially other reasons - say the case of the day-care worker whose primary aim is her wage or the mother who is burdened with her cares - I will call such activity ethical reproductive labor.

Finally, I wish to note various implications of this alternative model of labor and activity for the question of ownership. Although long denied the rights of private property, a woman’s children have traditionally been considered “hers” in some sense -- as has the household, its items, etc. Her historical labor and activity thus point to important aspects of shared, communal property maintained in the modern period. That is, unlike the paradigm of property qua commodity (which may be acquired and disposed of at will), the children and home of women have traditionally been ‘hers’ in an ascriptive and not an acquisitive sense; they are primarily her responsibility. This form of “owning” emerges as fully consistent with the traditional, legal sense of ‘possession’ whereby things are considered “highly restricted objects of the will”. Ownership emerges on this model of activity as a form of guardian or stewardship of shared goods.

Perhaps I should still mention one glaring difference in my account of friendship from that of Aristotle’s, whose ideal friendship relationship (as is well know) is that between two similar (and similarly situated) autonomous adult males (a relationship I call ‘fraternity’). Since I am focusing on the reproductive praxis of women, by contrast, and since a good mother-child relationship is necessarily considered an instance of philia, one notices a change in conception. In my view, genuine friendship need not presuppose equality between the parties, but must only reciprocally aim at it. That is, whereas the mother cares for and seeks the autonomy of her child, the good child will often in later years reciprocate (care for the aging parent, help maintain their mobility, see to their needs, etc.). Although hardly identical, a reciprocity of aim at the other’s
autonomy and equality reveals itself in the best relationships over a complete life. But this means that genuine friendship may incorporate and even explore vast difference (in age, wealth, realized abilities, intelligence, vulnerabilities, etc.) contrary to the received model.

Now the question becomes: why should not this activity (labor as a form of taking care, encouraging the other and as investment in the relationship itself) as well as ownership qua guardian or stewardship of public goods, also be embodied in political, institutional form and reflected in our modern conception of the state? Elsewhere I have argued that I believe it has been incorporated to some extent, not just for the ancients or in the thought of Karl Marx, but even in Locke (where, contra MacPherson, there are strict natural and civic limits on property acquisition, including the recognition of other’s rights, etc.) and certainly in the more recent theory of John Rawls (with his famous difference principle whereby legitimate differences in ownership are conditional on bettering the position of the worst off). The problem (as I see it) is that this second model remains submerged, only vaguely intuited, as well as totally under theoritized; the paradigm of production and of private property clearly dominates in both theory and practice. It is for this reason that I believe clarifying women’s traditional activity and historical labor --and stressing that nearly half of us (at least) continue to perform such labor in the midst of the most advanced industrial capitalist societies – may just help loosen up our 400-year old obsession.

4. The Argument for Civic Friendship

I have argued that historically the modern liberal state is wedded to a production model of labor (as is even the socialism of Karl Marx). So what might a state look like that gives -- not exclusive -- but let us say equal weight to reproductive praxis or at least to ethical reproductive labor in its public political institutions? I wish to claim, first, that such a state would have the

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central function (in addition to its traditional ones of protecting its citizenry, of regulating trade and productive competition) of creating and maintaining a civic friendship (*politike philia*) between its citizens. Moreover, I believe it just might be possible that the present historical movement of women entering the state *en masse*, is poised to help bring this about. Why?

The argument here is not merely that ethical reproductive labor and *praxis* is just as necessary and important as productive labor (despite what capitalist ideology might proclaim); producing objects and services is presumably for the good of people and the satisfaction of their needs and relationships, and not *vice versa*. Nor is my claim simply that women (and the best of their historical activities) deserve recognition in the public institutions of the democratic state as much as does any traditionally male pursuit. Again, I believe they do, but the persuasive force of why this *must be* remains limited (at least for many non-feminists). But there is yet a third reason why aspects of reproductive *praxis* and labor must be reflected at the political state level and here the argument I wish to make reaches back once again to Aristotle: relations of political or civic friendship between citizens are a *necessary condition* for genuine justice. How does this third argument go?

In the Aristotelian spirit, all genuine friendship (whether personal or civic) has three necessary ingredients.¹⁶ Friends must reciprocally i) be *aware of each other* as some form of *moral equal* (and seek to maintain such equality as far as possible); ii) they must *wish each other well* for the other’s sake (and not merely for their own), and iii) friends must *practically do* things for one another. Importantly, all three of these criteria -- characteristics of genuine personal friendship -- may also be exhibited in a political or civic form. In the civic version of

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¹⁶ Cf. Aristotle’s *Rhetoric*, 1380b ff, as well as his *Nicomachean Ethics*, VI, 11430a-11430b6, both in *The Complete Works of Aristotle* 2 Vol., ed. J. Barnes (Princeton, NJ: Princeton University Press). Here, again, I should note that *unlike* Aristotle himself, who emphasizes that true friends must already presuppose much similarity or equality (in intelligence, virtue, wealth, age, etc.), I argue they need only *reciprocally aim* at the equality of the other and thus can be friends in the midst of great diversity (in age, culture, wealth, race, etc.).
philia, however, the traits of reciprocal recognition, wishing each other well and practical doing operate not personally, but by way of the constitution, the public laws and the social practices of the citizenry. That is, these traits work via institutionally recognized norms concerning the proper treatment of persons in society, in what is concretely due them, in the content of their legal duties, etc., together with the knowledge and willingness of the citizenry to uphold these same norms in practice. Political friendship just is the general and public concern citizens reveal for one another by way of both the form and content of a society's laws, public institutions and customs; such regard can range anywhere from not begrudging the taxes one pays, to supporting public meals for the poor (a favorite of Aristotle’s), to fighting for the rights of fellow citizen’s or performing one’s military duty, etc. It is thus a mistake to believe that civic friendship must entail what is known as “face-to-face assembly” between all citizens; such a belief confuses personal friendship with the political form.17

But the question remains why Aristotle believes a civic friendship is a necessary condition for genuine justice, and why he considers the cultivation by the legislator of a civic friendship in a population to be even more important than justice itself.18 Aristotle writes “for when men are friends they have no need of justice, while when they are just they need friendship as well, and the truest form of justice is thought to be a friendly quality.”19 On my reading Aristotle’s point is that in a general atmosphere of distrust, ill will or even simple indifference, justice becomes impossible because citizens in this case will continue to perceive themselves as unjustly treated even if they are not so -- even if some narrower notion of justice is strictly being adhered to. That is, justice by means of force (a fair distribution imposed on parties unwillingly) is an inferior sort

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17 Jane Mansbridge’s influential work Beyond Adversary Democracy (Chicago: University of Chicago Press, 1983) tends to conflate these two phenomena (p.10). Civic friendship need not entail that all citizens gather “under one roof” as it were, nor that they all know each other, and it certainly does not entail that they all personally like each other.

18 (NE, 1155a22).

19 Ibid.
of justice to an arrangement willingly acknowledged (the former breeds resentment in turn, is less stable, etc.) Given our natural and often unreasonable propensities to favor ourselves, true justice can only result if a flexible ‘give and take’ or friendly background (quality) exists to make us yield.

Thus, if any of the three necessary traits (reciprocal recognition of equality, good will and practical doing) are absent from the background social institutions and practices– say great inequalities in property reign, or ill-will and suspicion is widespread, or general indifference is the norm – too many citizens will be unable to recognize and accept in practice the burdens of justice in any particular case. The rich will refuse to give up their undeserved privilege and the humiliated will be moved only by resentment and revenge. In this case, what is called justice reveals itself to be nothing more than the imposition of the will of the stronger. A high degree of civic friendship thus becomes a necessary constituent of true justice.

Elsewhere I have argued that Aristotle’s basic thesis holds as much today for the modern state as it did for the ancient polis, despite differences in scale, the disappearance of the language of friendship in politics, and other novel developments. For instance, I argue that a doctrine of universal individual rights must be viewed as a necessary expression of a modern form of civic friendship under conditions of pluralism, that is, under modern conditions where individuals inevitably possess differing and conflicting conceptions of the good life. For, some such doctrine embodies an impartial and nonpartisan regard and concern – at least in principle -- for the special interests of every human being. Universal rights, if realized in practice, will thus educate against partiality and favoritism.


21 By requiring that a modern civic friendship (in the face of pluralism and difference) operate through the rule of law and institutions of right, I am thus clearly rejecting the “us and them” vision of a friendship politics advocated by, say, Polemarchus (of Plato) in the ancient world or by Carl Schmidt in the modern.
In the language of Kant, individual rights (and even more so human rights) rest on a general recognition of the dignity of sensuous, reasoning natures to set their own ends, and thus on the awareness that it is wrong to impose on any such creature a conception of happiness “from without”. A lesser known theme of Kant’s work, however, is that the recognition of the universal rights of man (as well as their realization in practice) rests on a deep and abiding concern for human beings in general – on what Kant himself calls philanthropic love (Menschenliebe). Indeed, Kant lists the sensitive capacity for such Menschenliebe among the necessary conditions for the possibility of an agent’s responding to moral notions in the first place.

So what might this new state – one which now explicitly acknowledges the public institutional importance of ethical reproductive labor and praxis equally with productive – look like? First, it would still have the duty of military defense, regulation of commerce, etc., but such functions would now take up a far smaller portion of the revenues it draws and the obligations it exercises, for now the importance of the market (and of production) would be diminished. If the new model were taken seriously enough, emphasis on the producing and wasteful consumption of things and services could recede, and the rewards of satisfying human relationships (the life of the mind, art, education, play, etc.) and activity enjoyed for its own sake officially supported and furthered (at least to the extent that they are compatible with the reproduction of flourishing relations). And such a new conception of the state, one genuinely committed to furthering friendly civic relations (always via laws, system of rights, etc.) would clearly effect the state’s external

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23 This is, of course, not the same as claiming that relations or feelings of friendship ground our obligations to others. On my (Kantian) view, civic friendship is a necessary condition for the recognition and execution of our duties, rather than their foundation (which lies in the dignity of reasoning, sensuous beings).
affairs as well; a bloated military could give way, for instance, to a civil service (see below) or to foreign aid and a variety of international programs.  

But perhaps the central difference would be that a necessary and weighty part of government’s function would now be conceived as an extension, not merely of male productive or military activity, but of the affirmative obligations typical of women’s historical mixing of their labor: a concern with the satisfaction of need (food, housing, clothing, basic education) and with the quality of civic relations (a maintenance of rough equality, satisfying activity for all, a healthy environment, etc.). So too, numerous institutions now considered on the fringe of practicality (simply impossible or ‘against human nature’) acquire a feasibility on this altered conception of practical activity.

For example, all claims such that hard work requires or deserves reimbursements in terms of private property only (to the point of citing millions of dollars as necessary to draw top CEOs to a firm) become laughable, and take on an added grotesqueness when considering the alternative form of labor, motivation and satisfaction entailed by a reproductive praxis model of activity. Or consider an institution such as a guaranteed basic income for all, which clearly reveals itself as superior to any previous welfare programs, in terms of all three criteria of genuine civic friendship cited above (p.11). That is, the institution of basic income expresses a moral awareness of equality

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24 One objection which frequently arises here is: will not advocating a civic friendship between citizens lead to a mere “taking care of one’s own” and a neglect of our obligations to humans in other nations? Since in the position proffered here, the practice of friendship does not ground our obligations, but is critical to our awareness as well as execution of them, than by the rational extension of this general attitude, we soon come to realize our important international obligations. As one committed, for instance, on the civic front to a version of Rawls’ difference principle, I am likewise sympathetic to attempts (by Pogge, Beitz) to institutionalize a world-wide version (although here the devil dwells in the details). So too, since in my view friendship does not presuppose or require extensive commonality or likeness in order to function properly, an institutionalized good will and practice projected beyond the nation state and outward into difference becomes far less incomprehensible. Finally, those special and particular obligations we have to our fellow citizens (in contrast to those we have to foreigners) derive more from practical, historical considerations (proximity, better understanding due to a common language and set of laws, long-term intertwined practices, and de facto established organizations, etc.) than from “liking them better” or from considering them in any way more “valuable”.

25 See my “Rawls and Ownership; the Forgotten Category of Reproductive Labor” (1986) where I argue that social ownership of productive means seems far more ‘natural’ on this alternative model.
in that benefits are universally granted to all (with no groveling or bureaucratic nightmare for the poorer segments). So too, the income is unconditional: an expression of a minimal civic friendship, which exists for its own sake, analogous to the personal case where one would help a friend if one could, automatically, unquestioningly and without having to reflect (or calculate). In fact, one hypothetical test for the duties of this new government might even be formulated thus: *would you allow this to happen to a friend?* (let him go hungry, live without a home, be jobless or lied to, etc.) If not, then perhaps you should *not let your democratic government* and its laws and institutions allow any of your fellow citizens to be treated thus.

5. The State of Feminist Theory

Scepticism regarding the feasibility of the above suggestions will surely remain, and yet we must remember that theorizing the nature of the political state from a feminist point of view is still in its earliest stages. Despite the major transformation of consciousness that has been occasioned by the modern women’s movement (and on a scale that suggests powerful, historical forces are at work) the state is among the last and certainly among the most powerful of institutions that needs not only to be transformed but in the first instance reconceived. In recent years, however, feminist political theorists have tended far more towards exploring the realm of “civil society” and the many private associations, social movements and forms of public communication which constitute it: whether in terms of the many “forgotten voices” of women of color (e.g. Kimberle Crenshaw, Maria Lugones, Uma Narayan), of “identity/ difference movements” more generally (Iris Young, Anne Phillips, Chandra Mohanty), in terms of the “struggles for recognition” (Nancy Fraser, Jean Cohen) or the “claims of culture” (Seyla Benhabib), etc. But this tendency to focus primarily on civil society (and the propensity to view civil society as the primary locus of liberation) runs the risk of leaving the powerful state largely unattended by feminists, and its nature only marginally placed into question.
The modern state has the dubious distinction of being among the most “male” of all our institutions. Particularly in the US, it persists today in signifying raw physical power and the monopoly of organized force (Weber’s definition) as it continues to possess the power to legislate laws with the penalty of death (Locke’s 17th C. formulation). Its primary functions – as we have seen and as even enshrined in the US Constitution – are still conceived in terms of the traditional male roles of ‘protection’ against both external and internal foes (a powerful military and preparedness for war, police force, prison system, etc.) coupled with the interstate regulation and policing of economic competition (production). These crucial and central functions, moreover, are reflected (as we have also seen) in the individual duties expected of the citizen: the duties of soldier in times of war and of producer (and taxpayer) in times of peace (with occasional voting and jury duty). Finally, the modern liberal political state is still justified in terms of the values of the freedom and equality of citizens – a freedom and equality originally granted to men in their fraternal capacity only. None of these roles was historically women’s and thus (not surprisingly) for the vast majority of the history of the state (both ancient and modern) women have remained ‘passive’ citizens residing outside the political state narrowly conceived.26

At the dawn of the new millennium, however, and together with the large-scale entry of women into the various public spheres, we find not only the centuries long demand that the traditional liberal values of freedom and equality finally apply to women too (the “catching-up” phenomenon), but more recently we hear in addition the call for the politicization of certain formerly insular “female” values. Numerous voices, for instance, have begun calling for a political articulation of the value of “care”, for a public theory of the emotions such as “compassion” or

26 By the political state “narrowly conceived” I refer to a society’s explicit laws and its political constitution, including the arrangement of its political offices (legislature, executive, judiciary), courtroom procedures, jails, etc.; these have all historically for the most part been created and run by men. The political state can be distinguished from the ‘state or nation proper’, however, which includes as well the underlying ethical principles and the social customs of a particular historical people (Sittlichkeit). This distinction goes back to Hegel (cf. PR, ch.1) who also views the former, narrower notion of the state as the legal and political ‘expression’ of the latter. Women, of course, were always considered a part of the state in the larger sense of being a part of the customs and practices of a particular historical people.
“sympathy”, and I have argued for the importance of a political conception of friendship (philia). It has even been suggested that the magnitude of the transformation ushered in by this recent turn of the women’s movement may be comparable to such historic developments as the emergence of the idea of personal freedom among a bonded European peasantry, or the spread of the idea of democratic rights among the small farmers of the American colonies. Whatever the ultimate significance of this transformation -- and I believe it is very great -- the question for us now becomes how best to conceive it, as well as what further practical guidelines (if any) we may draw. In this and the following section, I attempt briefly to clarify and distinguish my position on the nature of the political state from various other contemporary feminist positions.

5.1 Earlier Feminist Positions

I believe it is fair to claim that for much of the nineteenth and twentieth centuries, the women’s movement (at least in America and England) focused on what ruling men historically possessed that women lacked: individual freedom from slavery and bondage, a right to property, public recognition and a voice, the suffrage, protection from violence and decision making rights in family affairs, a profession or career, equal pay, etc. In general women sought equal political rights as briefly summed up in the (failed) Equal Rights Amendment of 1972, as well as the social respect and individual dignity they perceived granted to the full-fledged citizen. Not surprisingly, therefore, when mid 20th century feminist theorists first turned to an analysis of the distinctive nature of women’s “reproductive labor” in the home, the value and importance of the male productive model of labor remained a pervasive underlying assumption.


Socialist feminists of the 1960s and after, for instance, spent a good deal of time and
effort showing that the work traditionally performed by women in child and family care (contrary
to Karl Marx’s own claims) is actually economically “productive”: of great worth, a creator of
use value and wealth, and thus also a central contributor to the exchange value and surplus profits
of capitalists.29 Even such thinkers as Ann Ferguson and Nancy Folbre, who explicitly criticize
the exclusive focus on the exploited economic role of women’s labor in the home in order to
stress its sexual and affective side, continue to call such labor “sex/affective production”; this
they define as the “labor devoted to bearing and rearing children and nurturing adult men”.30
Ferguson and Folbre explicitly “mean to emphasize that the term production – purposeful human
behavior which creates use values – encompasses far more than the production of tangible goods
such as food and clothing.”31 But although these thinkers broaden the category of “production” to
include non-material goods and services, they do not see that women’s traditional activity is often
of an entirely different order. In their view, reproductive activity is not conceived as a form of
praxis (moral or purposive action done for its own sake), but still as poiesis (production or
making). As such, the issue then becomes whether women should receive a wage for such sex-
affective productive housework from a transitional socialist state or whether – consistent with
radical Marxism – all work should in the end be non-waged and organized by councils of
“associated producers” as Marx had ultimately envisioned (a debate known as ‘the domestic labor
dispute’).

Even Catherine MacKinnon’s ‘radical feminist’ rejection of orthodox Marxism tends to leave
the category of productive labor untouched (including, in her case, the larger question of how the

29 See, for example, Heidi Hartmann’s “The Unhappy Marriage of Marxism and Feminism: Towards a More
See also, Paddy Quick, “The Class Nature of Women’s Oppression,” Review of Radical Political Economics,
30 Anne Ferguson and Nancy Folbre, “The Unhappy Marriage of Patriarchy and Capitalism,” both in Women
economic realm should be organized) for MacKinnon claims that “sexuality is to feminism what work is to Marxism”. In MacKinnon’s analysis, sexuality becomes the central category of women’s exploitation; our system is not simply one of capitalist exploitation, but of systematic sexual subordination as well. MacKinnon importantly (along with many others) directed our attention to the issue of male violence and control over women, whether in the area of rape, incest, birth control, abortion, sterilization, domestic battery, lesbianism, sexual harassment, prostitution, female sexual slavery or pornography. Women are revealed to be subject to “a double exploitation”: exploited by capitalists insofar as they are wage workers, on the one hand, but also subordinated by men simply in virtue of their being women, on the other. In so shifting our attention to the realm of sexuality and violence, however, we must note that MacKinnon leaves the original socialist account of productive labor and its value largely undisturbed.

Of course, it is not just socialist feminists (such as Ferguson, Folbre or MacKinnon) who begin from within the Marxist tradition that tend to assume this model as the standard of valuable laboring activity; liberal feminist theorists characteristically do so also. In her influential and widely read work Justice, Gender and the Family, for instance, the late Susan Okin argues for the value of what she now calls “reproductive labor” (the labor of caring for children, the household and home) but she continues to model such labor on production: that is, on labor worthy of a market wage. Okin’s solution to a fairer distribution between productive and reproductive labor is to propose a redistribution which now neither demands an end to the general system of wage-labor or the market (as for classical Marxists), nor does it require wage support for such labor by a transitional socialist state (the solution for many socialist feminists). On the contrary, Okin accepts the present market system with one proviso: she proffers the novel suggestion that the wife as caregiver in the home should receive a “co-pay check” from her husband’s firm or

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employer for her efforts. 33 Although noting specific differences between traditional women’s work and other market oriented activity, Okin argues that the simplest way for the value of reproductive labor in the home to be recognized -- in our society today where value and prestige are connected with monetary income -- would be to require the husband’s employer to “split” their employee’s pay check, sending half the monies in a separate check directly to the wife.

The difficulties with Okin’s suggestion are numerous. For one, as Nancy Frazer points out, this scheme continues to make the wife’s income depend directly on the individual husband’s and would hardly seem to promote her safety and independence from him. 34 Worse, it affords no aid to those women who do not have husbands or male partners, nor for those whose husbands or male partners are unemployed, even though these solo (or lesbian) women may have numerous children and often perform a great deal of care-work. Further, the suggestion does very little if anything to alter the perception that care-giving in the home is “woman’s work”; it is just as likely that few men will stay at home under Okin’s scheme and choose care-giving work (and half a pay check) as do so today. Finally, and perhaps most importantly of all, the split-paycheck suggestion leaves the market place and our present class and race structure pretty much as it is. The women of minority or working-class background, even if she is lucky enough to have an employed husband, might well receive a relatively small paycheck from her partner’s employer for what could be a great deal of work, whereas the upper-class woman would characteristically receive a bonanza as her half of her executive husband’s salary. In this latter case, the woman (typically white) might do almost no care work herself and simply hires other women (frequently women of color and from the third world, who in turn are compelled to leave their own children behind thrust onto relatives, etc.) to do the nursing, housework and child-care. The mistress of the household could then even go, say, play tennis.

33 Susan Okin, Justice, Gender and the Family Ch. 34 Nancy Frazer ( ) (p.240ff) .
Such a new ‘redistribution’ of the rewards for care-work, although perhaps helpful to certain middle or upper class women, would hardly be a fairer and more just distribution in general. The plan only tends to reinforce the position of traditional housewife and mother, of those who associate and depend on high market producers, while continuing to track and reduplicate injustices of class, race as well as of heterosexual orientation. What these early Marxist, radical as well as liberal feminists seem to have in common – despite very different analyses and conclusions -- is a continuing awe of productive labor (and often of the wages it generates) and the need to justify the value of reproductive labor in terms of it.

By contrast with these earlier attempts, the recent turn of the last decades known as “care theory” does seem to make some headway towards the de-fetishizing of production, and I believe it contains genuinely new and radical elements as well. For, with this turn, the question has finally emerged as to why caring activity is so devalued in our society.35 Similarly, the awareness has emerged that the vast amount of our society’s concrete, ‘hands on’ caring jobs (attending to children, the elderly, the sick, even our gardens, etc.) not only go to women and men of color, but are lowly paid; the \textit{de facto} distribution of who cares and who gets cared for society wide simply tracks gender, class, racial and imperial structures of power and privilege. The deeper answer of why care is so devalued, of course, is that there is great ideological advantage to be gained – particularly by the so-called ‘self made man’ – from keeping the care that has raised, nurtured and continues to support them, from coming into focus.

As I shall argue in the following section, however, new dangers have emerged with this ‘care revolution’ in turn. The vast majority of care theorists still tend to focus on “women’s work” far too narrowly conceived. Care is characteristically still modeled on the activities surrounding

\footnote{Joan Tronto, \textit{Moral Boundaries}, pp. 111ff.}
biological motherhood: i.e. pregnancy, parturition, nursing and infant care, it is far too often still conceived as highly particular and culturally and class specific (for instance, as taking place in the private home). The danger in such cases is that normative discussions of women’s ethical reproductive praxis and labor become marginalized and relegated to the realm of childcare or nursing or special “women’s issues”, and thereby soon lose their larger critical social and political potential.

5.2 Political Care or Civic Friendship.

In this section (omitted here for reasons of space) I distinguish my position on ethical reproductive praxis and civic friendship, from that of various contemporary care theorists who attempt to develop a political conception. I argue that what remains lacking in each case is an adequate (for political purposes) normative theory of caring activity and women’s labor. That is, the concept of care remains either i) far too narrow and bound to actual practices (e.g. by either glorifying bourgeois, biological mothering, or presupposing specific cultural practices, as in Kittay or Held) such that it merely perpetuates and reproduces existing prejudices, or ii) the category of care is so expanded as to become amorphous and ill defined, similarly losing its critical, political bite (as in the case of Tronto 1993). By contrast, I propose the normative category of civic friendship qua philia discussed above, as one solution to this difficulty.

5.3. Three Models of Public Care

Let us be very clear why the political state must today directly concern itself with (support, oversee, fund) a fairer distribution of caring and reproductive labor and praxis. In the previous section, I argued that, for reasons of both individual fairness and of civic reciprocity, care for the

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36 See, for instance, the recent discussions by Elizabeth Anderson, Debra Satz, etc.
37 For instance, Tronto (1993, 2001) continues to cite her and Bernice Fisher’s definition of care as “a species activity that includes everything we do to maintain, continue and repair our “world” so that we can live in it as well as possible. That world includes our bodies, our selves and our environment, all of which we seek to interweave in a complex, life-sustaining web.” P.102 But this definition is clearly too broad for it excludes nothing (neither the master who cares for his slaves, Nazi death camps, nor any of America’s military escapades).
next generation of citizens must become a public concern -- at least in part. While all reap the advantages of the good care of their fellow citizens (in terms of law abidingness, educated fellow citizens, etc.), the burden of concrete physical and emotional caring tends to fall unfairly on individual women alone, and disproportionately on woman of color and of the working class. It must be granted, however, that the attribution to the political state of a new function of ‘caring’ strikes many as deeply suspect; images of Plato’s guardian state (where children are removed at birth from their parents) or of dark and gloomy, state-run orphanages immediately come to mind. But the central reason, I believe, so many people still today are afraid to link the notion of the political state with that of “care” is because the business of care has been considered -- for many of the last centuries in our political tradition -- as the sole duty not simply of women, but of the “private family”. (By contrast, Aristotle repeatedly speaks of “care” in political contexts and he urges his legislators to maintain “a common care” (koinon epimeleian) not merely for the young, but for all citizens throughout their lives. NE. 1180a2). Let us thus pause for a moment to reflect on the nature of this modern institution of the private family.

Despite first appearances, the “family” is actually one of the most highly constructed legal and political entities. In the American tradition, for example, both common law and the political state in the narrow sense (our particular political institutions, constitution, and explicit laws) determine not only the family’s contours -- who can enter into its coveted status, when, by what means, under what circumstances, etc.—but they define the various social benefits and privileges, as well as the aspirations and duties, placed on the unit and its members (e.g. legitimacy, parental responsibility, care of infants, etc.). State and federal income tax advantages (deductions, exemptions, credits, etc.), property rights and inheritance, spousal support, award of child custody

38 Of course the Greek epimeleia is never translated as “care” (its first and primary meaning); in the many English and German translations of Aristotle’s Ethics that I checked, the term was translated as “attention”, “discipline” and even as “control”(!) in the hands of 19th and 20th century translators.

39 See, e.g. the discussion by Martha Minow, “All in the family and In All Families: Membership, Loving and Owing,” in Estlund and Nussbaum (1997), 249-76.
in case of divorce, right to bring wrongful death action, etc. are just some of the cluster of privileges and benefits afforded to family units. The family is thus not only not a pre-political natural institution, it is actually constituted by law in a deeper sense than are most social institutions (for instance, many religious institutions). The family’s very definition is legal or political.\(^{40}\)

This fact of political regulation -- in fact outright state *constitution* of what is a legitimate family -- has largely been obscured by the endless proclamations of the ‘naturalness’ of the modern nuclear family unit. But these proclamations are due largely to the fact that since the 18\(^{th}\) century the relationship between family and state was historically cast as one of “separate spheres;” the family (the private sphere) and the state (the public) were perceived as largely independent of one another. State intervention was considered the exception rather than the rule, and thus it came to provide assistance only in the case of “default”. This perception is very much still with us today, although there is nothing more “natural” about the particular form the family unit takes in the 19\(^{th}\) and 20\(^{th}\) century (husband, wife, X average number of children), than about the older feudal household form (a far larger entity consisting of husband, wife, extended family members and in laws, often including apprentices, servants and even slaves). In fact today at the dawn of the 21\(^{st}\) century in the United States, close to 40\(\%\)\(^{41}\) of households with children are headed by women alone. The model of male breadwinner independently supporting a wife and children has become the exception rather than the rule.\(^{41}\)

Let us also recall Hegel’s words. In the modern period the market and

“(…) civil society tears the individual from his family ties, estranges the members of the family from one another, and recognizes them as self-subsistent persons. Further, for the paternal soil and the external inorganic resources of nature from which the individual formerly derived his livelihood, it substitutes its own soil and

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\(^{40}\) The term “family” derives from the Latin *familia*, which originally referred (in Roman Law) to a man’s property: to his wife, children and slaves, or to all those over whom he had the (legal) right of life and death. Maine’s *Ancient Law.*

\(^{41}\) Cf. N. Fraser
subjects the permanent existence of even the entire family to dependence on itself and to contingency. Thus the individual becomes a son of civil society, which has as many claims upon him as he has rights against it. (PR: para.238 Add]

Whereas many male workers were torn from the land already centuries ago – and in response society developed certain supports of minimum wage, workman’s insurance, unemployment compensation, social security, etc. – my claim here is that the social forces tearing masses of women from the bosom of the extended and patriarchal family is far more recent. As a result of industrialized and expanding markets, legal divorce and abortion, Title VII, inventions such as birth control, forces of global immigration, the women’s movement, etc., not only are individual women ever more apt to find themselves on their own -- without the help of relative or other family members, often as the sole provider of children, and with little or no customary support -- but the state and civil society as a whole has not yet responded with the needed structures and institutions. What once appeared as the ‘naturalness’ of the nuclear family unit is clearly revealing itself as but one more historical social form.

Conservatives, of course, wish for women to return to the dependency of the patriarchal, nuclear unit. But feminists note not only the altered (and surely irreversible) social and historical circumstances, but look forward to and prepare for a far more equal set of just family arrangements. So the question becomes: in which direction do we want to take our families? Whereas feminists are united in their claim that a women alone can no longer shoulder the burden of family care-taking – the costs are simply too great – we have seen (Sec. 5.2) that they divide when it comes to proposals for a more equitable distribution. In fact, at least three basic models are currently operating in much of the contemporary feminist literature. I will refer to these as i) the state reimbursed private care model, ii) community based care, and iii) a civil service devoted now, at least in part, to reproductive praxis. Let me turn briefly to each in turn.
a) **Private or state reimbursed private care**: A version of this model we have already discussed above, (Sec.5.2) but considering its present popularity among feminists, I return to it for a further look. On this model, personal care (for children, as well as for the aged, the ill, etc.) continues to be performed primarily in the private home but now is directly supported and/or reimbursed by various agencies: by either a split pay check from the partner’s employee (Okin), reimbursement in the form of a government check (Kittay), or, as in another extremely popular version proposed by Martha Fineman, by subsidizes in the form of generous tax credits and privileges for dependency work. In fact, Fineman seeks legally to have the family unit redefined such that the line of familial privacy and privilege is drawn -- not around heterosexual husband and a wife (the present form of the family) -- but around those who do the actual caretaking and their charges (what she takes to be the family function). Fineman calls these newly reconstituted families “caretaking or dependency units” and they can take on a multitude of possible forms (care of children, of the elderly, care by gay couples, etc.) The unifying idea behind all such new families, in her view, is the significance of the caretaker-dependent relationship; such necessarily requires encouragement by a supportive state, but also a certain autonomy and privacy with respect to it (2004: 374, 391). Fineman is particularly sensitive to the dangers of state intervention and the regulation of intimacy. She stresses that “collective responsibility for dependency labor”, although requiring social subsidies should not entail “collective control” or the imposition of conformity.

I have already indicated (in section 5.2) some of the drawbacks of this first type of scheme, and I believe they apply to Fineman’s version of the reconstructed family as well. In general, the criticisms may be summed up under three headings: doubts with regard to fairness, a return to the cult of domesticity, and finally too questions of feasibility and efficiency. In Fineman’s proposal

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(like for Kittay) there remains the ethical question of why the state should support—or privilege—this dependency form of labor and *not other types* as well. Why should the plumber or the textile worker struggle with the vagaries of the market and with capitalist employers, while some women and her dependents receive a steady state income? This is a difficulty proponents of a basic guaranteed income do not have: the proposed guaranteed income is universal and applies to all.\textsuperscript{43} In the case of a universal guaranteed income, moreover, a women raising young children would be supplemented (in addition to her own income) by the income guaranteed to each of her children or wards as well; she would thus—indirectly via her dependents --- be guaranteed X times more income than that of single persons. Short of this, however, I see unfairness (especially when we consider that having and raising children is meant to be ‘optional’). The state would be privileging, subsidizing or supporting some workers and relations outright while others are left to struggle on the market for their most basic necessities?\textsuperscript{44}

Secondly, much like both Okin’s and Kittay’s proposals, Fineman’s perpetuates and further legitimizes through official state endorsement, the present gendered division of labor: what was earlier referred to as ‘the cult of domesticity’. In these schemes, care for others is kept so private and individualized (and even focused on biology\textsuperscript{45}) that it is doubtful many men (educated for the public realm) will be motivated to perform it, despite any small new privileges it would receive. Similarly, such official recognition and reimbursement only works further to stigmatize those women who do not so conform – those who wish to be physicists, say, or airline pilots. As Joan

\textsuperscript{43}For one of the most comprehensive discussions of guaranteed basic income see Philippe van Parijs, *What’s Wrong with a Free Lunch?* (Boston: Beacon Press, 2000).

\textsuperscript{44}There is the further difficulty in Fineman’s making the caring labor of dependents (‘dependency labor’) the central feature of “the family unit”; why not “intimate” or caring labor per se? That is, considering others as part of my “family” seems to stretch beyond only caring for dependents and includes, say, the labor and intimacies of two adult persons (heterosexual or gay) who wish to spend time together, share responsibility for each other’s lives, with special rights of property ownership, visitation, etc. But such ‘families’ may not have or want children and no one here is “dependent” in Fineman’s sense of the term. This suggestion, of course, would make the “labor of intimacy” and not that of “dependency” central to the family unit – a point I will not pursue here.

\textsuperscript{45}Fineman, p. 384.
Williams has pointed out, the thrust of the 1964(?) Title VII’s anti-discrimination clause was precisely to protect women who want to perform non-traditional work. At best, the above schemes detract from the support and encouragement of women developing other abilities and skills than ‘care taking’: at worst they legitimize women’s traditional oppression.

Even from the single poor mother’s point of view (but for temporary measures) the above proposals hardly seem desirable. (I should stress that none of the above proposals is proffered as a necessary guarantee or as a safety net in times and places of crises, but as what we ideally should move towards.) Private state backed support for care-taking will generally allow a woman – to borrow a phrase from Anita Allen – to care herself into oblivion. There is the danger that (again primarily) women will be facilitated in devoting their entire lives -- supported now not only by custom but by the political state as well -- to perform such intensely private reproductive activity. To be sure, this may be a superior arrangement to being forced to raise children in dire poverty, or to be dependent on a controlling and abusive partner, but it is so only at the cost of developing other skills: for oneself, for civil society or for the larger community. And there are other superior alternatives.

Part of what Allen means, I believe, by “caring oneself into oblivion” is that one’s thoughts are always on concrete particular others, particular things and relations close to home: one becomes encapsulated in a world “of one’s own” (to idion) (or what the Greeks considered simple “idiocy”). Such a citizen not only develops little understanding for the more general and complex demands of the market place (the more general system of needs) but she also need never develop her individual abilities vis a vis total strangers nor confront genuine (cultural, religious, ethnic) difference in others. So too, she can clearly escape any universal claims of the state or of the

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46 Joan Williams, p. 105.
larger global planet. Such parochialism, I believe, remains the weak point of recent care theory. For the real challenge today lies not in advocating and supporting the private caring for one’s own (this comes closer to the historically unavoidable, at least for women) but in advocating and realizing and institutionalizing a more expanded care and concern for all -- including for those well outside the small circle of ‘one’s own’ (Ch.4: iv). But this latter more generalized “care” requires an added effort, an extra training and education, as well as careful public encouragement and institutional embodiment. And we have not even mentioned the benefits that accrue to the children of such widened social arrangements…

Last but not least, such proposals for privatized care-giving reimbursement emerge as prohibitively expensive. Not only has the inefficiency of workers laboring in isolation (each under her own roof, etc.) been recognized since the time of Adam Smith -- there is little or no pooling of hours, of resources or materials, much unnecessary reduplication takes place, the isolation leads to enervation and fatigue, etc. – but so too who is to determine whether a woman is doing real “dependency labor” and not just hanging out with friends? (Does my fifteen-year-old niece who visits for eleven months from San Francisco, become my ‘dependent’ for this amount of time?) A vast bureaucracy would once again be needed to determine the ‘deserving’ from the ‘not so deserving’ dependency laborers. (The lack of bureaucracy is one reason a guaranteed basic income for all is so attractive.)

Finally, there is the issue of from where these vast reimbursement funds will derive? Just as support of private care in the home is today largely dependent on the productive labor of a breadwinner on the market, the various proposed schemes of generalized private reimbursement would be fully dependent on existing market and state arrangements. But if no real inroads are made by women into either of these public areas -- and it is difficult to see how major,
transformative inroads into the state and market could ever be possible without a breakdown of
the cult of domesticity and the gendered division of labor -- we also know that the liberal political
state as constituted today relies largely on the successes of the market. As such, any support for
‘welfare’ programs is typically the first to go in hard financial times. Thus the precariousness of
caregiving labor continues under such privatized schemes, only now in a new guise.

For all these reasons reimbursement by the state for private reproductive labor should be
advocated for women who find themselves de facto alone, with children and without means of
support. Or it should be the minimum guarantee for all those who suddenly must take care of
elderly parents, children or relatives, because there are no viable alternative arrangements. But it
should not be advocated as a general rule -- and certainly not as an ideal – to which we aspire to
in the new state. For, there are alternative and, I believe, far superior arrangements.

**b. Community based care.** On this second model of public care, state or city funding would
go primarily, not to individual private care provision (again, the latter could continue to hold for
temporary or exceptional cases), but to local or community-based care centers. The many
advantages of some form of flexible community-based care over private provision seem to me
overwhelming. In general, such centers are in the position to share both the burdens as well as the
advantages of various forms of child or elderly care. As community based, for instance, they can
utilize the skills and abilities of many individuals, as well as pool materials, resources and local
knowledge; they thus emerge as far more ‘efficient’. So too, and importantly, such centers can
already begin elaborating in practice, not only wider ethical values (granted, often those of a
particular ethnic group) but in addition early education in various political virtues of democracy
as well. Finally, there seems to be no reason why successful experiments and models which
already exist in various educational settings today, could not routinely be extended to the cases of
early child, elderly and even disabled care. Indeed such reproductive *praxis* and organized
caring activities seem natural extensions of a neighborhood’s local public schools, community
and religious centers, and even hospitals.

Let us take as one possible model of such community-based care, the successful Beacons
programs in New York City. In 1991, in response to community concerns that children were
growing up in dangerous neighborhoods and had no place to go after school, the major of New
York City allotted 10 million dollars to establish 10 school-based community centers.48 These
centers – known as Beacons – were geographically located within the neighborhood and soon
came to provide youth as well as adults with a mix of social services: educational, recreational,
and vocational. There are now 41 Beacon schools, operating in 32 school districts and located
throughout the five boroughs of New York City. In fact, the program is so successful that the
cities of Oakland, Savannah, Denver, Minneapolis, and San Francisco are replicating it.

What distinguishes these programs in particular is *community involvement*: a sharing of
resources as well as the break down of a permanent distinction between professional caregivers or
social workers, on the one hand, and informal caregivers and social welfare ‘recipients’ on the
other. Public funds are largely ‘handed over’ to these community-based organizations, local
school buildings have been made available and broad participation in decision making processes
is encouraged; there is a strong sense that the work of care and concern should be done as much
as possible *by* members of the community *for other* members. Although originally developed
predominately for the care of older children (teenagers), some of these programs are being
extended to include extended early child day care, as well as even care for the elderly and the
disabled. The advantages of such a system of community ‘mutual care giving’ – not only over

48 See the careful account of the Beacons Program in Julie Anne White, *Democracy, Justice, and the Welfare State*
private caregiver reimbursement schemes, but over the more traditional bureaucratic and paternalistic welfare services -- are numerous and striking.

i) First, as already noted, in this case local resources and skills are shared and there is a marked efficiency of care giving over privatized models (i.e. one woman in a home taking care of X dependents). Neighborhood schools, for instance, are kept open for extended hours (some up to 14 hours a day, 360 days a year). Perhaps most importantly, the vast and costly bureaucracy needed to determine the ‘deserving’ from the ‘undeserving’, the ‘at risk’ from the ‘not so at risk’ (as we saw above, this is required for any non-universal issuance of government checks to private individuals) becomes pretty much superfluous, as much of the reproductive work is here done by volunteers or by members of the neighborhood themselves. These latter now take on a wide range of roles from assisting with security, tutoring, leading workshops or neighborhood beautification projects, to plans for city budgeting, etc. Again, increasing community involvement in the social roles of child, elderly and disabled care would appear as natural extensions.

ii) Similarly, and as a consequence of the above, the process of needs assessment is far less paternalistic (or ‘maternalistic’). Generally, in care work and in caring relations, a central locus of domination comes about in the course of defining needs (ch.5: iv); “experts” claim knowledge of what the other (community or individual members) ‘truly’ needs. In the Beacons’ programs, by contrast, community members themselves perform much of their own assessment of their needs, tapping a basic trust, loyalty and reserve of local knowledge that community members have for one another. Neither a professional elite coming in from the outside, nor a single ‘mother knows best’ model has the last word in the interpretation of the community’s or even of any single child’s needs. Need-interpretation is here also viewed as a cooperative process between civic friends.
iii) Third, there is a focus on *inclusion in decision-making* and power; authority is widely
distributed and relatively equal. Those who were at first most dependent and needy frequently
become resources for the identification and articulation of -- not only their own needs -- but of the
needs of others as well. In appealing to their own experiences, moreover, they can help formulate
strategies for need alleviation, thus becoming sources of strength, even experts of sorts in turn.
The distinction between those who care, and those who are cared for, in such cases, begins to
crumble. In the vocabulary of this essay, the labor of care and ethical reproduction here becomes
a form of *shared praxis* where people care and are cared for in turn. Personal friendships are sure
to emerge. Moreover, the fact that these caring and educative processes take place in and emerge
out of a local community and in the neighborhood, bodes well for those individuals and children
who come from abusive or especially deprived homes; basic protection as well as mentorship is
just around the corner. Thus the protection, safety and basic freedom of such children, as well as
their possibility of exit from restrictive homes, is far more likely to be guaranteed – before it is
too late.

iv) Further, and particularly important for many women and minority groups, such collective
pooling of community resources often *avoids two destructive poles* of full time private care
giving and early education in the home. The pooling of care can better avoid, i) the early
inculcation of society’s dominant racist, sexist or religious and ethnic societal values that are
often reproduced in the private home (through either ignorance, indoctrination, etc.) and which
often leads in turn to self-hating and disrespectful images of a child’s gender, race or abilities: to
her general *lack of a sense of self worth*. If the child develops connections to numerous caretakers
in the neighborhood, the likelihood of countering intense private conditioning only increases.
Similarly, the opposite extreme might also be avoided, the one whereby (again out of ignorance,
deep prejudice, etc.) parents glorify their own race, religion or ethnicity, leading the child to have
an overly inflated or false sense of self worth. Both extremes tend to be mitigated, if the community takes greater responsibility in the care of all its children, for in this latter case the chances of exposure to opposed views are – not guaranteed – but at least enhanced.

In programs such as the Beacon schools, for instance, children are characteristically exposed to many instances of identification and sympathy with and support for their own particular gender or racial or cultural identity for, in most cases, the child is not the only token of its racial, ethnic or religious type in the neighborhood. At the same time, in interacting with numerous adults or older individuals, these children are typically presented with various models of success by individuals who are often similar to themselves. Such community involvement and care thus speaks not only to their intellectual yearnings but also to their emotional self-perceptions. Much recent literature by minority educators (whether Native American, Black or Chicano/a, etc.) has stressed the two-fold process in the successful education of minority children; for healthy learning as well as successful negotiation and integration into the larger political community, minority children need to be shown both a sympathy with their particular cultural history, at the same time as they are taught how to negotiate the “codes of power” leading to greater understanding and success in the majority culture and larger institutions of power.49 This community programs such as Beacons aim to provide.

Finally, I should perhaps still mention that the likelihood of more men now participating, not just in early child education but in day and even elderly care, would seem to go up if the care is community based -- if only part time. This would likely be the case, for the labor and activity retains in this instance a public and organizational dimension, whereas few men have been trained for the purely private labors of the traditional housewife.

Of course, certain dominant groups (e.g. fundamentalist Christians in the southern US, etc.) are likely to resist these moves towards greater community funding of, and responsibility for, day care and elderly centers (even though making use of such care centers would be voluntary). For just as such groups often resist more funding for public education – favoring some form of private support or voucher system – so too they are likely to resent the diversion of public funds to early care community centers. The exponential growth in the home-schooling trend in the United States (often expressing disappointment with the perceived ‘secular humanism’ of public schools) points to this likely resistance; estimates of home-schooling (education of children within the private home, apart from any campus-based school) pin the number of home-schooled children in the US at 350,000 in 1990, at 750,000 in 1996, and at a whopping 1.9 million children in the year 2000.\(^{50}\)

From the standpoint of furthering a civic friendship between citizens, however, the sheer number of home-schooled children in the US could constitute a serious threat. Not only might such home-schooled children in their isolation lack the personal exposure and social interaction with children of other religions and cultures, but in their (near) full subjection to their parents’ ways of thinking, these children may well actively learn disdain for other groups. The difficulty here is not merely of later re-establishing some commonality with other citizens once it has been ruptured by parents, but of re-establishing a commonality that furthers genuine goodwill in particular (versus merely getting along for instrumental reasons). Genuine goodwill may be near impossible in later life.

In any event, as various educators have warned, public state regulation and oversight -- guaranteeing a minimal core of civic content and a minimal autonomy of children in these home

\(^{50}\) See Rob Reich’s discussion in *Bridging Liberalism and Multiculturalism in American Education* (Chicago: University of Chicago Press, 2002) especially Ch.6.
schools -- appears an absolute necessity.\textsuperscript{51} I would go even further. If we include beyond the values of equality and minimal autonomy, the public value of a civic friendship as well, far greater restrictions may rightly be required in our system of home schooling. That is, if we recognize the critical importance of civic friendship for the possibility of justice (Sec. 3), home schooled children must be granted the right early on to interact, play and be educated (for at least a certain number of hours per day or per week) in public supportive spaces with their fellow citizens of all varieties. With such spontaneous interaction of young citizens amongst themselves, and in free, open and democratic spaces, parents simply have no right to interfere. I will not pursue this argument further here, however, for our concern at the moment is with early infant, child and elderly care (not with formal education properly speaking) and such early care (in the scheme presented here) remains (unlike formal education) purely optional. Nonetheless, I do not wish to gloss over the tension between this scheme and much of the home schooling movement. For whatever the precise configuration of community care, anything resembling the Beacons programs will entail more state funding being channeled into, through and around our public schools -- which in turn will edger closer to the heart and center of neighborhoods.

My general argument (in this essay) has been that the new democratic state has the central function of promoting, not merely the equality and minimal autonomy of all its citizens, but the conditions for the possibility of a civic friendship among them as well, for only thus is genuine justice possible between them (Sec .3). This critical function of the new state in turn entails the obligation to take greater responsibility for, and to distribute more widely, the burdens of the care of its future citizens, as well as of its older generations. I have argued, moreover, that federal or state funding directly to community centers (such as the Beacons Programs) emerges as far superior to private reimbursement, whether it is in terms of social efficiency, in terms of

\textsuperscript{51} See the crucial arguments presented in Reich’s account (ibid); also Galston; Gutmann (1995); Macedo.
greater fairness to women in general, to all children, but also in terms of the cultivation of a
greater democratic understanding and civic friendship between them. This is not to say that
establishing such community-care centers would solve all problems; the possibility of a whole
community or neighborhood being homogeneous, classist, racist etc. is still all too likely.
Nonetheless, it is to suggest that we rethink the present push of those well-intentioned feminists
who argue for a privatized form of reimbursed care (whether as wages for housework, a split pay
check, universal dependency income, or in the form of tax credits and deductions). For if we take
this route we will inevitably at some point find ourselves in the same boat as --or at least
simultaneously be strengthening the position of -- those fundamentalist religious thinkers or
homogeneous cultural groups, who believe that women’s proper place is in the home, and that
parents have a near absolute right to care for and to educate their own children, no matter what
the form or content of that education.

c. A Civil Service. Although far less prevalent than the first two, a third model of how to
conceive of an adequate “public care” has begun to surface in contemporary feminist thought: the
model of a universal civil service now transformed to emphasize the activity of care and
reproductive praxis.\footnote{See my “On Civic Friendship” \textit{Ethics} (1996); also Diemut Bueck, \textit{Care, Justice and Gender} (Oxford: Oxford
University Press, 1995): 259ff} In a future state, for example, a certain amount of care and concern for
fellow citizens (and reproductive praxis more generally) could become part of the obligation of
each citizen across the board -- much as defense of the nation has traditionally been the duty of
the male citizen-soldier since ancient times. So too, a number of the drawbacks that remain with
the model of community care might here be rectified. For instance, the cult of domesticity (where
women continue do the vast majority of direct care work) might well continue to flourish in many
community care centers (as might racism, xenophobia, etc.) whereas a universal care service
would require such work of men as well. In the final position presented here, the idea of a
universal care service cannot replace community-based proposals, but rather supplements and completes them.

Traditional armies (whether the Spartan army of ancient times, the Continental army under George Washington, or the 20th century Swiss case, etc.) have always been more than mere instruments in the defense (or offense) of homeland. They have been important means in the formation of a political or national civic identity as well. Armies have been central in the schooling of certain ‘patriotic’ and communal virtues, for instance, in creating a “brotherhood” between men from different parts of the country and walks of life, even from different races and cultures. In fact, armies are frequently perceived as a training ground for the virtues needed in civilian leadership as well -- as critical for understanding foreign policy, for schooling in the capacity to command large numbers of men, to perceive the limits of democratic government, etc., -- and to this a string of American presidents with distinguished military careers attests (from George Washington, Andrew Jackson and Ulysses S. Grant, up to Dwight D. Eisenhower and John F. Kennedy). It is not coincidental, moreover, that women historically were excluded from such ‘bands of brothers’ and that the virtues and activities learned there have been decidedly ‘male’: a training in physical strength, hardship and deprivation, in discipline, control and command, in the production and use of weapons, in strategic cooperation and planning, etc.

But let us consider a possible alternative scenario. As women increasingly enter the armed forces along with men – indeed, as women enter en masse (and not individually one by one) all the public fields and professions including the hallowed halls of government -- the need for public support and funding of women’s historical care and reproductive work will only grow. Perhaps at this point the demand will grow as well – primarily fueled by the women’s movement -- that we begin to transform the aims and goals of our traditional armed forces also. Why should we not
divert at least a part – indeed at least half -- of our exorbitant military budget and resources towards a universal citizen *caring* service?\(^{53}\)

The idea of a universal national service is one whereby each citizen is required across the board (all classes and genders) to contribute one year or more (or X months) of civil service to public civic work, say, somewhere between their 17\(^{th}\) and 25\(^{th}\) year of life. Unlike other recent proposals for a national service, however, the emphasis here would be on a different set of skills and abilities. For instance, the democratic theorist Benjamin Barber, in his proposal for a citizen service suggests that the first three months of universal basic training should be in

> “applied skills of general utility such as mechanics, agriculture, tools, and ecology, and in civic education, including parliamentary and electoral skills, community structure and organization, some elementary social science and perhaps American history”. \(^{54}\)

Far from condemning any of the above skills, I am nonetheless forced to ask: but who now will help with the children, the sick or poor, the aged or infirm? In fact, under Barber’s strong and universal “participatory democratic” scheme, even *more* of society’s ethical reproductive labor, *praxis* and care burdens would be thrust onto the backs of fewer and fewer individual women, i.e. onto those who must now substitute for the young women performing their civil service.

In the proposal presented here, by contrast, the first months of service would become a new type of training ground -- not in physical and emotional hardship (although it could involve a nutrition and fitness aspect given the growing obesity of Americans) nor in the

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\(^{53}\) At the moment (that is, before the new increases proposed by the Bush administration take effect) the expenditure of the United States military already outstrips the next *eight* largest military powers in the world *combined*. See, Timothy G. Ash, “The Peril of Too Much Power”, *NYT*, 9 April, 2002. When (and if) the increases go through, we will spend more on our military than the rest of the world *combined*. (citation)

use of weapons or strategic planning, nor even in the use of mechanics and agriculture and tools. First and foremost, the basic training would be in the creation and maintenance of what I have been calling the ‘conditions of civic friendship’. That is, citizens must first be educated to an awareness of their fellow citizens and their communities. This would entail not only learning and debating the constitutional essentials of the land and its common problems (a civic education), but getting to know in greater depth its various diverse peoples, their history and particular concerns, the background geography as well as its ecosystems (including the nonhuman inhabitants). Importantly, such growing awareness of fellow citizens (and inhabitants) would include a practical doing for them as well: a large part of the civil service would now be to identify and meet the fundamental needs of others as well as encourage their autonomous capacities (their good). This practical aspect might stress work in poorer neighborhoods or in the environment, in hospitals and drug clinics, but also in the routine care of young children, the elderly and disabled. Such an ‘army’ of young workers could thus help supplement the community care centers and even those individual women with dependents who – for whatever reason – must remain confined to their homes.

Importantly, unlike the present training in the armed forces, where the skills and virtues of the soldier (and war) are learned, or in more traditional versions of civil service (such as Barber’s) where citizens are schooled in the skills of production and management too (both these sets of skills could remain later options) the above conception of a civil service would stress first and foremost the skills and virtues of democratic responsibility and cooperation: of recognizing the needs of others and of caring for them, of respecting their persons and encouraging their autonomy, of being able to provide jointly for and with them, etc. Above all, such service would explicitly now stress the emotional and perceptual competence central to politike philia: the
capacity not only to perceive and to understand, but to respond with goodwill (both abstractly and in the concrete) to other persons who are very different from oneself (ch.4, v). Let us call developing this ability ‘the art of respecting the person’. This art could now be learned, moreover, through shared speech and activity in the safe and ‘artificially’ created environment of a civil service, where all draftees are treated equally, with identical freedoms and without the inequalities of outside power, status and competition. As such, what was once a part of the organization called the US Armed Forces could become a training ground for the multifaceted democratic citizen of the future.

Objections to this proposal for a universal care service will immediately arise: just think of the bureaucratic nightmare, the extent of the state’s intrusion into each individual’s freedom and personal life, the expense, etc. A number of these objections I find a bit disingenuous, however, for we have such a vast bureaucratic organization already in the nation’s armed forces. Although not mandatory at the moment in the United States (and hence largely determined by economics), such service could become so for 18 year olds at near any moment. Why then should not this largest and most extensive military in the history of the world – perhaps on Title VII’s anti-sex discrimination and unequal funding grounds – not be turned (at least in part) into a civil service? To say that we need such a huge military force (the most recent excuse being the war on terrorism) or to argue that defense and protection of its citizens is the primary duty of the state, begs the very issue at question; for the question is why should the rational organization of the political state prioritize activities of production and their defense, rather than ethical reproductive concerns? It seems to me that those who believe we need such an exorbitant defense system are either central members of the military-industrial complex, or are unable to imagine alternative secure ways of living in political friendship with other peoples of the world – perhaps the key concern of our age.
If what I argued earlier (elsewhere) is correct, however, many of the critical problems facing the advanced industrial nations (as well as the world) are not military problems nor primarily productive ones, but rather ‘reproductive’ ones, (ch.1, i): ever growing disparities in wealth and control over resources, expanding hunger and poverty, displacement and environmental crises, mounting violence, racist and national recidivism, the need for a new organization of a multicultural workforce, alterations in traditional family structures necessitating new provisions for care of children, the elderly, and so forth. For solutions to such problems, however, the well known “adversarial method” used in the armed forces and military academies (where first year students are often designated as despicable “rats”, where they are subject to the most brutal form of hazing by officers and upperclassmen, where privacy and individuality are largely eliminated, etc.) is not only unhelpful, it actually constitutes a part of the problem. For, far from first teaching a friendly, impartial and fair attitude towards all, such training has the pedagogical aim of producing its opposite: an intense male bonding (‘fraternity’), a superior “us versus them” mentality, a blind attachment to ‘one’s own’, as well as an unthinking and dangerous willingness gladly to sacrifice oneself (and others) for one’s country’s purported good. From an ethical “reproductive” perspective, such militaristic attitudes (but for perhaps the rarest of instances) have clearly outlived their usefulness.

A second objection points to the restriction on the individual’s freedom of requiring a year from each citizen’s life for a civil service: why not merely encourage such service as voluntary?

One can’t legitimately force people “to care, after all, and trying to do so would only entail the

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55 See e.g. Philippa Strum, “The Virginia Military Institute” in Schwarzenbach, ed. Women and the US Constitution (New York: Columbia UP, 2004) and Susan Jefford’s study of how the intense male bonding that occurred during the Vietnam War (as well as its depiction in the media) helped consolidate the backlash against feminism at home in the US, The Remasculination of America; Gender and the Vietnam War (Indianapolis: Indiana University Press, 1989).

56 Recently (especially since the bombing of the World Trade Center), there have been such calls to a voluntary civil service from conservatives. Patriotism is not only running at an all time high, but President Bush has the audacity to suggest each citizen strive to contribute the equivalent of two years of voluntary service to their country (Americor) and such figures as Ross Perot wax eloquent on the rewards of teaching inner city kids and urging all better situated youth to do so for a limited period (CNN, Larry King Live, 2/20/02). By contrast, Charlie Rangel’s call for a universal draft is rejected out of hand and as a non-starter.
oppressive and suffocating use of state power. My own view to this persistent objection is that such a service must be mandatory as well as across the board (all classes and genders) for a very simple reason: *fairness*. As numerous democratic theorists have argued, neither a professional nor a “volunteer” army sits well with the duties of democratic citizenship; the former separates national defense from democratic responsibility and the latter makes service a function of economic need – in reality the poor, the undereducated, and the ill trained ‘volunteer’ their services, primarily because they have no other alternatives.\(^57\)

But further, we began from the concern that women can no longer perform the vast majority of reproductive labor alone (particularly women of color and from the poorer sectors) nor can we collectively do without this important form of necessary labor. Thus the burdens of such activity in a democracy (much like the burdens of defense) must be most broadly distributed. But the question remains how to get men (especially white males from the upper classes, etc.) to perform such socially valuable labor? Social pressure alone does not seem to have worked.\(^58\) The most elegant (and fair) solution is surely a mandatory civil service. *All* persons, after all, have been the beneficiary of such labor in the past (whether through mothers, sisters, wet nurses, mammies, teachers, etc.) and minimally learning and performing such labor for a specified period of time would simply be a way of ‘giving back’. Far from being an imposition, such service should be viewed as simply not avoiding your share, no matter whatever other profession one might pursue.

The further claim that a mandatory civil service would entail the illegitimate use of state power is, again, to argue in a circle, for such a response assumes a predetermined answer to the question of what proper functions belong to the state --- precisely what is here at issue. Again, we need only reflect on the traditional duties of the soldier to see how one-sided and biased our state conception is. In the case of protecting the homeland, for instance, the traditional citizen is

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\(^{57}\) See, e.g., Barber (1984): 299.

\(^{58}\) Studies suggest that today men on the average perform only 3-4 more hours of child and home care per week then they did in the 1960s (citation).
required and trained by the state to risk his life in order to kill distant and different others (as well as to destroy their things, even families and animals) if the need should so arise. This is no simple feat. Whatever reluctance the individual might feel in leaving the warmth of his home, whatever natural sympathy or commonality he might experience when confronted with fellow human beings on the battle field (for instance, many American --especially minority-- soldiers in Vietnam actually came to identify with the NFL 59), or whatever the personal horror he suffers in the killing of another or in personally being wounded, etc., his physical, mental and emotional being must be carefully trained and socially prepared, his behavior channeled and formed, into something ideally approaching a war hero’s action. The tremendous social resources, time and concerted cooperative effort involved in the production and training of such “fighters” -- when viewed from a distance -- is simply mind-boggling.

I am thus not referring merely to the vast material resources or technological know-how required to teach a young person to maneuver, say, an F-16 fighter or a Stealth bomber. I am here pointing also to the extensive emotional training required. If such training is acknowledged and considered legitimate, however -- if the political state has the authority to require, in times of crisis, that its citizens actually risk their own lives for the defense of their fellow citizens (and kill other human beings in the name of this goal) -- there is no doubt it has the rightful authority to require -- for limited periods and under specified times and places -- that its members actively also care for fellow citizens in their times of need.

7. A Brief Note on Patriotism

Perhaps one of the most thoughtful and careful critiques of the production model -- and of the self-interested liberal model of citizenship associated with it -- is that of the conservative

59 August’s paper
philosopher Alistair MacIntyre.\textsuperscript{60} Alas, from the perspective presented here, MacIntyre’s critique goes in the wrong direction, that is, back into the small of the past. For, in his attempt to check the self-interested, imperial power of liberal individualism and its destruction of older social relations, MacIntyre sees no alternative but the self-sacrificing, pre-enlightenment heroes of old.

In his article “Is Patriotism a Virtue?” MacIntyre thus bemoans the view, emergent in the 1960s, that patriotism might actually name a vice.\textsuperscript{61} On this latter ‘enlightenment view’, morality is seen as the capacity in all of us to distance ourselves from particular and partial interests, from concrete affections and social positions – for instance, those of being a born and bred a US citizen -- and to judge the situation ‘impersonally’ (what Hegel called universal \textit{Moralitaet}). By contrast, patriotism is defined as a form of loyalty to a particular country or nation (\textit{Sittlichkeit}). Patriotism, writes MacIntyre, is one of a class of loyalty-exhibiting virtues, other members of which are marital fidelity, the love of one’s own family and friends, and loyalty to such institutions as schools and baseball clubs (p.4). All these attitudes exhibit a peculiar action-generating regard for individual persons, institutions or groups, a regard founded upon a particular, historical relationship of association. According to MacIntyre, the particularity of the relationship is essential and ineliminable. He thus sees the standpoint of enlightenment morality and that of patriotism as ‘systematically incompatible’ (p.5).

Although I reject the false dichotomy MacIntyre has here established (see below), I nonetheless believe he has gotten something right about the nature of patriotism. That is, patriotism (unlike the enlightenment morality which he criticizes) is explicitly partisan towards one’s own country, and this is justified according to him because all morality is ultimately in terms of particular goods sustained by particular communities. MacIntyre writes, “detached from my community, I will be apt to lose my hold upon all genuine standards of judgment” (p.11).

\textsuperscript{60} A. MacIntyre, \textit{After Virtue},

\textsuperscript{61} MacIntyre, “Is Patriotism a Virtue?” in \textit{Freedom and Morality} (University of Kansas, 1984), p.3.
to the community in which I was schooled and nurtured thus becomes a prerequisite for my having any morality at all; as Hegel said, one can’t leap over one’s own shadow. From this perspective, universal enlightenment morality emerges as nothing but an illusion. Thus, rather than denying the hand which nurtured us – as did the 1960s radicals in his view – our goal should be the furtherance of our country as on-going project or ‘enacted narrative’.

There are numerous problems with MacIntyre’s position. For one, if MacIntyre is right we are all patriots whether or we like it or not. Insofar as we are all born and bred in this country (or lived here for any length of time) and insofar as we have at least some good memories, we become attached to it -- at least to many of its particular people and places, local geography, land or cityscapes, ecosystems or even certain social norms. And, indeed if the community in which we live is attacked, most of us respond immediately and might even risk our individual lives to help (as witnessed during 9/11 in New York). But this is a far cry from attachment to one’s “country” as represented by the vast modern state, and for which the true patriot will be required to die in order to sustain its life. This difference is crucial. A country is not a discernable collection of discernable individuals like my family, the school that I attended when young, or even the local chapter of the volunteer fire department (let us call this the sustainable community).62 Granted, a country has its territory and historical sites and its peoples, but it’s conception is largely imaginary and constructed out of transmitted memories, by way of mostly false (or at least sanitized) history, via a for the most part invented sense of commonality and of social ties largely invisible. This is in fact so much the case that (from my perspective) this vast country no longer distinguishes itself in important ways from the particular peoples and concrete places of another country over the border with its local water holes, fire departments and dance halls. Attachment to the modern state is thus the attachment to an abstract, largely imaginary conception.

62 See H. Daly; also our own Omar Dahbour (2004).
Moreover, as I have argued throughout, this inherited conception of the state is entirely masculinist. It is not an entity whose function is to serve concrete need or nurture, or primarily to protect local inhabitants or even rivers and birds, but it is an entity ever ready to promote the most violent of all activities; to loose the band of brothers to kill far off strangers as well as to destroy their livelihoods. For let us not mince words; patriotism is, by its nature, a commitment to the system of premature, violent death. As such, it couldn’t be further from those action-generating virtues such as fidelity to one’s family and friends, or to local schools and organizations. On the contrary, it even emerges as their opposite: as the willingness to sacrifice those local goods and persons for an unexamined and imaginary construction. Of course, the sly MacIntrye admits that patriotism is a ‘morally dangerous phenomenon’ (p.15).

He does seem correct, moreover, when he claims that to be committed to one’s country because it best instantiates the moral principle of universal freedom or (as in the new state, ‘universal care’) is not genuine patriotism; for here the commitment is first and foremost -- not to one’s country -- but to the moral principle. Further, and perhaps MacIntrye’s central point, is that such attachment to moral principle can never be strong or ‘substantive’ enough to mobilize in the face of the self-interest of the modern acquisitive individual. Hence the illusion of universal, enlightenment morality is a correspondingly ‘morally dangerous phenomenon’, for if the concrete, particular bonds of patriotism are ever once fully dissolved, this morality will be unable to provide us with anything adequate in its place. Here we finally have it.

“What the morality of patriotism at its best provides is a clear account of and justification for the particular bonds and loyalties which forms so much of the substance of the moral life. (p.16).

The cat is out of the bag. It is patriotism that holds – not only the state – but our particular social bonds, loyalties and moral life together! But this is sheer nonsense. Not only has MacIntrye

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63 I am indebted to George Kateb’s illuminating essay “Is Patriotism a Mistake?.”
here conflated the sustainable community (clearly larger than the individual) with the vast nation state (two very different things), but he has totally overlooked any role women and their traditional labor and activity has played. So women (50% of us) have contributed nothing, not only to the traditional political state, but even to our immediate social and moral communities? We are meant to believe that their reproductive work of feeding people --women are still the majority of subsistence farmers in the world -- of clothing them, of tending them when sick or old, of caring for their bodies and souls, contributes nothing to the formation of particular bonds, loyalties and moral life? This is indeed the patriarchal way of looking at things.\footnote{It is not, however, confined to the conservative right. Martin Creveld (whom we read earlier) ends an interesting work on the transformation of war with the claim that, in the end, war is inevitable: a part of man’s ‘fighting spirit’, and men would rather “give up women then give up war”! How would they do this? See also Vitroli.}

I wish to conclude this section with two points. First, MacIntyre’s critique of the Enlightenment (similar to much post-modern criticism of it) is superficial; it misses one of the great contributions the Enlightenment made. The norms that one has inherited may indeed be good ones, but unless they are \textit{examined} one will never know. Moreover, the idea that reflection and distancing oneself from one’s own particular emotions and attachments – even momentarily – will somehow necessarily end in vague abstractions, imperial universal notions or the destruction of all concrete social bonds is not only confused, but insidious. For, what MacIntyre has not considered is that the rational, universal intelligent ability to abstract from one’s own most particular and concrete need, feelings, attachments, is not only necessary for the capacity to follow any rule or moral principle (say, respect for persons or the idea of human rights) -- but it is also necessary for even for the \textit{intelligent care} of another being most concretely.

That is, my ability to recognize this other as someone with needs, particularly with needs different from my own, as well as to respond and act appropriately on this perception in a particular circumstance, entails also that I can ‘abstract’ from my immediate desires and wants. I
must put my desires aside, at least temporarily – and perhaps some permanently – in order to focus on this other (what we called above the ‘art of perceiving the person’). And this is the case even if one is properly to care for ‘one’s own’. That is, even my special responsibilities and obligations to my own child derive not from any true belief in the objectively greater value or superior worth of my own child vis a vis any other child in the world (even if many may believe this). Rather my special obligations and attachments derive from the various choices I have made in my life previously, the historical care and concrete interaction I have made with regard to this one being, from the latter’s specific abilities, their physical nearness and resulting dependency on me (and not equally on other humans), etc. Thus not only is the ability for “abstraction and detachment” necessary for moral freedom (as the Enlightenment insisted) but so too it is even necessary for the intelligent care of the most concrete – and of justly trying to assess its place vis a vis other beings in the world– for this ability too presupposes the universal reflective activity which MacIntrye wrongly believes only ‘disrupts social bonds’.

Secondly, the false dichotomy that MacIntrye has established – either universal self-interested atomism or unthinking band of brothers – utterly obscures the category of a principled and reflective reproductive or caring praxis towards others, and this is revealed in a different way in his brief discussion of those circumstances arising from “scarcity of essential resources” (p.6). In this case, MacIntrye claims the “incompatibility” between the two moralities is clear.

“…the standpoint of impersonal morality requires an allocation of goods such that each individual person counts for one and no more than one, while the

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65 Another way of putting this point is that the distinctively human capacity to care is inevitably imbued with the structures of reason (in the sense of exhibiting universality, foresight, memory, an awareness of the laws of beauty, and so on). Of this Aristotle was aware, but even many feminists today do not seem to be. It is quite certain, however, that I can care about my daughter in a way that our family dog (even though he loves her madly) cannot. I can think about her past and worry about her distant future; I am more or less aware of her relation to others in her generation (including to the earth’s nonhuman inhabitants) and concerned with what is happening generally on the globe, etc. My having reason thus affords me simultaneously the capacity to care long-term and deeply for my daughter, but in the horizon of a more universal and ever widening concern for others. Cf. my “Missing Faculties”, ch.7 and the discussion of our capacity for unique reference.
patriotic standpoint requires that I strive to further the interests of my community and you strive to further those of yours, and certainly where the survival [or even only large interests] of one community is at stake, (...) patriotism entails a willingness to go to war on one’s community’s behalf.” (p.6)

Here, what is altogether absent is any third possibility: of negotiation, of sitting down and working on differences, of principled goodwill and generous action toward others. Not only does MacIntrye view ‘my community’ as rigidly delineated from the start and already negatively disposed and marked from “yours” (much like the clear-cut territory of two dogs on the neighborhood block), but there is no conception of reproductive work or praxis, of the long-term, flexible efforts that might engender commonality or construct good will, that listens as it builds up trust, or that even laughs at the same time as it is surprised. In contrast to the patriot, who risks his life (as well as that of others) for a grandiose and exclusive conception of the common good, in contrast also to the universal (productive) atomist who projects his life style onto that of others, the civic friend waits, nurtures the good will, and attempts to go about the art of living peacefully on the planet – in cooperation with its other inhabitants.

8. Summary and Conclusion: The New State

In this piece I have argued that, in response to various historical (and what appear to be irreversible) trends, the modern liberal political state must first be reconceived such that its central organizing principle shifts away from being an instrument of productive competition and a military prepared for war, and takes on an explicit concern with relations of civic friendship and the public function of care. This is so, I have argued, not only on grounds of fairness, but because women can no longer shoulder their historical burden of reproductive praxis and care largely
alone. And though not likely to come about (especially in the US) in the immediate future, such a new state is hardly impossible.\textsuperscript{66}

I have also argued, however, that not just any conception of public care will do. In particular, we need a normative theory of care, one that carefully analyzes and distinguishes legitimate from illegitimate (or better and worse) forms. This point seems to have escaped most care theorists up until the present.\textsuperscript{67} However, all existing societies that reproduce themselves, no matter how unjust or hierarchal, have revealed “care” for the next generation; the Nazi mother in the service of the Third Reich as much as the black mammy slave. We hardly want to reproduce such forms. It is thus necessary for feminists to go beyond the category of ‘care’ itself and integrate it with other values-- particularly with those reigning democratic values of freedom and equality (and I would also argue sustainability). I have tried to do this, moreover, by focusing on the concept of ethical reproductive praxis: that activity which aims at the best of human relations for their own sake -- what I have called relations of philia -- whether public or private. These are the types of relations we should encourage, reproduce and embody in our institutions for they emerge (as it turns out and I’ve argued elsewhere) to be central to a genuine democracy as well.

Finally, the various particular proposals for a “public care” given in this chapter -- publicly funded community care centers supplemented by a universal civil service -- I consider part of a distinctively feminist conception of the state for a number of reasons. First and foremost, because recognizing the centrality and importance of such institutions politically, conceives of the state

\textsuperscript{66} There are various Nordic states (such as Iceland) where women now make up 40% of the representative government, and there have been numerous cases where citizens have demanded and/or brought an end to army practices and bases, e. g. local demonstrations have driven out Camp Garcia on Vieques (which will in large part become a park) and the referendum in Switzerland in 1989 where over 32% of Swiss citizens actually voted to “abolish” the Swiss army, etc. The specter of democratic nations intentionally renouncing their own armies has raised its head.

\textsuperscript{67} Part of the difficulty is that many continue to see care as some intuitive emotional and non-rational faculty to which reasoning principles do not apply (Noddings, even Michael Slote), others still see it as connected with biology (Held, Kittay), and still others continue to view it purely parochially and cannot envision a political version, etc.
and its central responsibilities and priorities to be as much a political extension of women’s historical social roles of reproductive labor, praxis and care as of any traditional male pursuit. If (as James Madison writes in the *Federalist Papers*) the political state is nothing other than “the greatest reflection on human nature,” let the state finally become the reflection on those aspects of human nature historically expressed in such social roles. In other words, the feminist state would grant as much centrality and importance to women’s historical reproductive labor and praxis --by its willingness to fund and to organize many of its institutions around such labor, around its needs and around human needs in general -- as has the liberal state in the last three centuries around the needs of the productive laborer or soldier. At the same time, the cult of patriotism and production on the one hand, and that of female domesticity on the other -- which adheres to all privatized models, as well as to European versions of the state -- would largely be disrupted, for with a civil caring service as well, young men -- for the first time in history and en masse -- would be schooled in the intricate labor and praxis of caring for the most vulnerable inhabitants of society and in the concrete. Even if such civic schooling and practice were only for a relatively short period of time, it could nonetheless be life transforming.

Taken together with the various other necessary economic and representative measures discussed elsewhere, the new state begins to move beyond its historical foundations in a gendered division of labor. Simultaneously, it moves beyond conceiving its justification in terms of the values of freedom and equality alone, and begins to embody and realize in its institutions and public norms the forgotten value of civic friendship as well. Finally, such a major restructuring of the central priorities of the modern political state could never occur without a simultaneous transformation in our conception of the political person or citizen. Perhaps most

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68 See footnote 22 above. I also argue elsewhere for at least proportional representation (and the importance of ridding ourselves in the United States of the winner-take-all, two party system) as critical for bringing women and minorities into government. Ch. 7.
importantly, this new citizen would be one who from the start is carefully nurtured, respectfully educated and thoroughly grounded in the ways of civic good will, reproductive praxis and democratic cooperation, long before it learns anything of the arts of war.