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Privacies: Philosophical Evaluations

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“neo-romans” did not embrace the *vita activa*; they conceived of liberty as nondomination, and virtue as the qualities of character needed to sustain a free state.

Nelson follows Skinner’s lead and makes the next move. If Machiavelli and his followers were neo-roman, and if Greek and Roman traditions diverge, then it ought to be possible to identify a separate Greek tradition. And so it is. For neo-romans, freedom is nondomination; for Greeks it is living according to nature. For neo-romans, the highest end of life is glory; for Greeks it is happiness. For neo-romans, virtue requires civic participation; for Greeks it culminates in contemplation. For neo-romans, justice entails the protection of private property; for Greeks, property is a communal resource that ought to be distributed “in such a way as to advance some normative vision of human nature” (p. 17).

The Greek Tradition in Republican Thought unfolds in six chapters devoted to key figures and pivotal moments. More’s Utopians, following Plato, “take it as axiomatic that justice requires the rule of the better over the baser” (p. 42). Because private property indelibly corrupts the souls of men, and because its effects cannot be regulated, it must be eliminated. Few embraced More’s communism, but all who came after him in the Greek tradition held that “the central challenge confronting political theory” was the task of mitigating the effects of wealth (p. 48). James Harrington “makes clear from the very outset that *Oceana* is a book about greed” (p. 88). Montesquieu urges that “the chief agent responsible for promoting the passions at the expense of justice turns out to be wealth” (p. 155). By the American Revolution, Greek ideas had transmuted into a “vibrant” set of claims regarding the efficacy of agrarian laws and the importance of regulating inheritance (p. 199). The denouement of the Greek tradition did not come until the nineteenth century, in the writings of de Tocqueville.

Nelson writes with verve and erudition. Each chapter is based on a comprehensive study of primary and secondary sources. The book is intentionally provocative; almost every page presents familiar texts in a new and challenging light. Specialists will find plenty to argue with. Is it true that Harrington embraced the Platonic view that virtue was “the result of a justly balanced soul aligned with the cosmos through contemplation” (p. 125)? Or that Montesquieu took Plato as “an authoritative political guide” (p. 170)? The sheer quality of Nelson’s arguments and evidence will make these and similar engagements fruitful and rewarding.

Three worries. First, are the ideas Nelson isolates sufficiently distinct and coherent to constitute a tradition, and if so, do they capture all that was significant about the early-modern reception of Greek political ideas? Hobbes famously complained that it was by reading “Aristotle, Cicero, and other men, Greeks and Romans,” that men had “gotten a habit (under a false shew of Liberty,) of

favouring tumults, and of licentious controlling the actions of their Sovereigns.” What should we make of this claim?

Second, in what sense are these ideas republican? Pocock’s republicans articulated a positive conception of liberty. Skinner’s neo-romans argued that individual liberty was possible only in a free state. Nelson’s Greeks seem unconcerned with questions of participation or representation. They “advocated the redistribution of wealth so that they could institute and preserve a particular structure of rulership: a structure in which a few elect, virtuous men rule, and all the rest are ruled” (p. 233). Can the concept of republicanism be stretched to include the Greek tradition, yet retain sufficient precision to do explanatory or analytic work?

Finally, how should we assess these ideas? Were theorists in the Greek tradition astute observers of their world? Were they ever confused or opaque? Did contemporaries find their arguments compelling, meretricious, or beside the point? How did they weigh and balance the claims of Greek theorists against alternative accounts of greed or economic inequality? How did the emergence of commercial economies in the late seventeenth century affect the plausibility of Greek ideas? *The Greek Tradition* does not attempt to answer these questions. It does, however, bring them to the fore, and in so doing helps focus our attention on the complex dynamics of wealth and virtue in early-modern political thought.

Privacies: Philosophical Evaluations. Edited by Beate Rössler. Stanford: Stanford University Press, 2004. 231p. \$55.00 cloth, \$22.95 paper.

— Linda C. McClain, *Hofstra University*

This fine collection of essays on privacy crosses disciplinary and national boundaries, bringing together 13 scholars from law, philosophy, political theory, and film studies to consider “various aspects of the problematic of the private.” As the editor, Beate Rössler, explains this “problematic,” current debates about the value and limits of privacy—such as the reach of information technology or the private lives of public figures—pose afresh more fundamental philosophical questions about privacy: What is the normative grounding for a right to privacy? How does such a right relate to identity and integrity? What is the demarcation in persons’ lives between the private and the public? And why should privacy be valued?

The collection approaches these questions by presenting “dialogical pairs” of essays on common topics, in which the second takes the first as its starting point. Just as the definitions of privacy are multiple, so too are the approaches taken by the scholars in this volume concerning how best to frame critical questions about privacy. Rössler provides a helpful overview of these questions. The essays are short and accessible, yet take the reader through a refreshing diversity of topics and locations. A strength of the book is

the way each author situates discussion of privacy in a particular context. Thus, principal authors and their commentators ponder “the problematic of the private” as it bears on sexual harassment in the workplace (Jean Cohen and Maeve Cooke), autobiographies by Western philosophers and an indigenous Australian woman (Moira Gatens and Wendy Brown), the dynamic of justice and affection in modern families (Axel Honneth and Herlinde Pauer-Studer), the need of the elderly for a personal space of their own (Iris Marion Young and Krishan Kumar), and the risks posed to privacy and identity by information technologies (Jeffrey Reiman and Gertrud Koch).

The contributors recognize that norms specific to particular legal and political cultures shape answers about the definition and value of privacy. Anita Allen notes the puzzle that the United States is “extraordinary” in the prevalence of its privacy regulation, as compared to similar Western nations, and yet does not have enough privacy law (for example, inadequate protection of same-sex intimate association and of consumer’s transactions on the Internet). Nicola Lacey argues that in some legal systems (such of England’s), concern for privacy has to be read “between the lines,” but also illustrates how local circumstances (for example, public reaction against intrusive paparazzi), as well as international human rights norms, may inspire a more explicit embrace of privacy.

Many lively debates run through the volume. Here I will note just one. How inviolate must the domain of privacy be to foster such goods as ethical competence, agency, freedom, and a creative, critical self? Reiman explains the value of privacy by reference to a private space within the self—an inner personal core to which one can retreat and engage in criticism of convention, be creative, rebel, and find renewal. Cohen links privacy to ethical competence: being free to make, for oneself, intimate decisions. Young depicts the home as a crucial space for forming and protecting identity, precisely because of the capacity to control access to it and shape it in one’s own image. By contrast, Cooke counters that to construct identity, the self needs rational accountability. Persons must come out of their private space to be challenged by others to evaluate their view of the good life. Kumar, similarly, contends that the retreat to the home may signal a significant loss of the opportunity for experience, moral learning, and public life.

One limitation of *Privacies* is that the authors (particularly the commentators) must encapsulate theories of privacy they elaborate in other work (endnotes readily direct the reader to such work). And even some of the principal essays leave questions unanswered. Thus, Rössler’s own substantive contribution to the volume revisits familiar feminist critiques of liberal accounts of privacy to clear the path for a feminist, egalitarian conception of privacy that would build upon John Rawls’s idea of the equal value of liberty. Jean Cohen addresses the paradox that

both regulation and nonregulation of intimacy pose harms, respectively, to autonomy and equality, arguing that the paradox derives from an anachronistic paradigm of law. She offers a third paradigm, a “reflexive/procedural” legal paradigm, and suggests what this new paradigm portends for the law of sexual harassment. This paradigm relates to fostering self-regulation within social institutions—“the application of procedures (procedural norms and principles of fairness) to procedures of conflict resolution (reflexivity)” (pp. 88–89). Cohen contends that sexual harassment law is reflexive to a point, using incentives, procedures, norms, and principles to spur self-regulation, but that it leads to repressive and intrusive regulations and to arbitrariness and underenforcement. I would have liked to have Cohen’s analysis of whether the Supreme Court’s several opinions on employer procedures and affirmative defenses have taken the law closer to or farther from the paradigm she advocates and the goals of fostering “learning, voice, communication, and cooperation solutions” (p. 92).

Other essays appeal to a “reflexive” paradigm, intimating—without elaborating—its import. Discussing the interplay of justice and affection within families, Honneth contends that it is only in “discursive exchange” that family members can explore for themselves whether and how to translate universal principles of justice into the domain of family relations. Pauer-Studer aptly observes that to leave the question of the proper balance of affection and justice within the family solely to families to decide for themselves surely goes too far: Justice is both a private and public virtue. When the public virtue of justice is at stake, government may aim to foster principles of justice in the family.

Nonetheless, the disadvantage of being left wishing for more elaboration in these pages is amply balanced by the advantage of having ready access, in one place, to such a rich and stimulating array of perspectives.

Liberal Democracy and the Social Acceleration of

Time. By William Scheuerman. Baltimore: The Johns Hopkins University Press, 2004. 312p. \$42.00.

— Kam Shapiro, *Illinois State University*

While the political ramifications of social acceleration have preoccupied thinkers in a variety of disciplines at least since the Industrial Revolution, and contemporary works by such thinkers as Paul Virilio, David Harvey, James Der Derian, and William Connolly have highlighted various modes of speed, many in political science have been slow to pay heed. William Scheuerman’s book aims to redress this lag in the discipline, taking up the theme of social acceleration from these and other authors and using it to frame a wide-ranging assessment of transformations to liberal democratic legal and political institutions.