

Fraternity, solidarity, and civic friendship

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ABSTRACT: Justice requires a form of ‘fraternity’ (Rawls), ‘solidarity’ (Marxists) or ‘civic friendship’ (Aristotle), among the central justifications being to place limits on socio-economic inequalities that can undermine just political institutions. Fraternity has been associated with the community of “male citizens”, however, and often usurped by a totalitarian fringe (e.g. the *Bruderschaft* of the Nazi elite). Less noted, however, is that notions of solidarity – ‘a standing-together’ in opposition to exploitative practices – have also been modelled on historically male forms of activity: on marching, demonstrating, fighting at the barricades (military activity) or labor strikes (economic production).

The significance of the notion of *civic friendship* today is its grounding in a *third* model of ethical action or praxis: in all those activities that further the reproduction of flourishing relations for their own sake (here called friendship) whether personal or civic. This model of activity has been eclipsed in the modern period by the reigning model of production, yet it includes a host of practices traditionally (but by no means exclusively) performed by women outside the market: feeding and caring for the young, for the old and sick, furthering another’s abilities, educating them, simple play, etc. Once this alternative model is developed – and its practices thoroughly adapted to modern principles of universal right and respect for personhood – the ideal of civic friendship may just be the most appropriate notion of community for today’s democratic and pluralist society.

KEY WORDS: Fraternity, solidarity, civic friendship, ethical reproductive praxis, Rawls, Marx, Aristotle, Justice

I. Introduction

Most political theorists agree that social and political justice requires some form of community or commonality between citizens. Historically, they have argued for a form of political friendship (Aristotle), of fraternity (Rousseau, Rawls) or for solidarity (Marxists among others), a central justification being that such community is needed to place strict limits on social and economic inequalities that undermine just political institutions. A sense of community allows a society to remain one undivided *polis* and not two hostile and warring cities of rich and poor (Aristotle); it supports the formation of a general will despite individualistic and antagonistic differences (Rousseau); and it can unite, elevate, and make powerful a humiliated class in the general fight against systematic exploitation (Marxists). This article takes for granted that some sort of community is a necessary requirement for genuine justice, the contrast always being with a political society ruled largely by force. The question it tries to answer is thus *not whether* we need political community, but *the best form* such community should take for our advanced pluralistic democracies.

In what follows I aim to elaborate the notion of a modern civic friendship, and I do so by differentiating it, not only from older notions of political friendship and fraternity, but also, more importantly, separating it from the widespread and currently popular notion of “solidarity”. Many

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on the left at this moment are hard at work constructing an adequate *normative* conception of solidarity and my suggestion is that the notion of civic friendship may just fit the bill. But what is solidarity?

There is a general sense today – at least in Europe and in many of the liberal democracies – that we don't have enough of it. From the side of the left, solidarity tends to refer to class-struggle, to a "standing-together" in opposition to exploitative practices, whether these are perpetrated by individual capitalists, the political state, or by multi-national corporations. The term's scope is vast, however, and its meaning unsettled. In recent scholarship, for instance, the notion of solidarity ranges from indicating the social bond between two or more individuals to a general feeling of empathy or sympathy for others (e.g. for Jean Harvey or Richard Rorty), to group or class cohesion based on the recognition of a common good (William Rehg), to one based on justice (Laurence Blum or Carol Gould); solidarity is even identified with the concept and practice of democracy itself within the modern welfare state (Brunkhorst).¹

If one looks to the political right, moreover, the goal of unity and community in the face of a common enemy has played an equally central role; we only need consider the "comradeship" of the ex-Soviet Union, the political friendship theory of Carl Schmitt, or the *Bruderschaft* of the Nazi elite.² In the worst case, as one author writes, the related goals of community, brotherhood and belonging have been achieved on the basis of genocidal practices; few things bind a group together as does the common commission of a crime.³ It is thus clear that the much used and abused term "solidarity" – together with earlier ones such as "brotherhood," "fraternity" and "comradeship" – require not only careful theoretical analysis, but *normative evaluation*. As a philosopher of ethics, I view this as my present task: to give an account of the kind of political community towards which a modern pluralistic democratic society should aim.

At the same time, my goal is to reveal the extent to which not just notions of fraternity and brotherhood, but present day conceptions of solidarity too remain for the most part *gendered*; they tend to be based on traditionally "male" forms of activity and community. Years ago, the political theorist Jane Mansbridge criticized the widespread use of the term "fraternity" in democratic theory for being a term which neglects women.⁴ A decade or so later, Susan Okin did much the same with reigning notions of "community" in the thought of Communitarians such as Alastair MacIntyre, Charles Taylor and Michael Sandel.⁵ My hope here is to perform a similar service by analyzing the leftist notion of "solidarity"; I believe we should beware. Much like with the older terms, the central bonding activities on which notions of solidarity have historically been modeled may be revealed as traditionally masculine ones: activities of armed struggle (against police, invasion by foreigners, in the military), of strike and resistance in the realm of economic production, competitive sports or, finally, of theorizing and philosophy itself (as traditional gendered dialogue). I am not saying that women have not also performed such activities, and surely they are doing so today. The claim is only that in each case the central "bonding" activities primarily remained "between men" traditionally and to this extent remained exclusive and non-universal. Hence, any conception of community grounded primarily on them or on them alone remains inadequate as the basis for a just, non-sexist, political community of a modern, pluralistic democracy.

Finally, in contrast to the idea of solidarity I argue for the importance of a greater *civic friendship* in the modern state and ground this notion (much like Aristotle did long ago, but now with a twist) in what I call ethical reproductive *praxis*. By ethical reproductive *praxis* I do not refer to the biological realm but to all those reasoned and conscious activities which go towards *reproducing flourishing human relations* for their own sake: in the ideal case, on my analysis, relationships of friendship. Ethical reproductive *praxis* includes thinking about and caring for

others, furthering their abilities as well as teaching them, but it also involves supporting and raising them up to a rough equality (whenever possible) or even just spending time with them for the sake of “fun and games”. It emerges, further, that such *praxis* (and corresponding labor as we shall see below) has continued to be performed in the modern period but largely outside the modern state and beyond the burgeoning market place; it has been performed, that is, primarily, if not exclusively, by women.

Once this alternative model of ethical labor and *praxis* is theoretically acknowledged, its nature elaborated and its widespread existence stressed, the political version I call “civic friendship” may be revealed as that form of community necessary for genuine justice in a modern pluralist democracy. The central idea is that in civic friendship (unlike in personal friendships) the minimal traits of all friendship already noted by Aristotle – a reciprocal awareness of the moral equality of the other, reciprocal goodwill towards them, and a practical doing – become embodied in the background “basic structure” of society: in the way its major social, economic and political institutions work together in one scheme and distribute rights and duties.⁶ In civic friendship, that is, the above traits and values are *not* expressed directly (as in personal friendships) but operate *indirectly* via a society's laws, by way of the norms embodied in its constitution, and in its central institutions and social customs. This ideal becomes reasonable and practical, moreover, once we consider the inordinate amount of reproductive *praxis* and ethical labor women have traditionally performed – and continue to perform today – not only around the world, but in the midst of our advanced industrialized, capitalist societies. The ideal of a civic friendship thus conceived may just be the fleshed out, normative ideal that solidarity theorists have been seeking.

2. Some background: From fraternity to solidarity

Allow me to begin with a number of historical observations regarding the concept of solidarity. The term has clear Latin origins: *solidus* means ‘solid’, ‘dense’ and ‘firm’, and Roman Law already possessed the category of *obligatio in solidum* which referred to a “joint obligation or liability:” to that legal case where everyone is responsible or ‘shares in a common debt’.⁷ Solidarity entails shared obligations.

A number of further historical sources appear to enter into our modern conception of solidarity, the term coming into its own only in the 19th century. According to one theorist, such sources lie in the pagan-republican “harmony” (Gr. *harmonia*, Lat. *concordia*) and in the Greek notion of “political friendship” (Gr. *politike philia*, Lat. *amicitia*), but both conceptions pertained primarily to the closed circles of urban elites. Other sources for the modern notion of solidarity appear to be from Old Testament and Christian ideas of brotherly fraternity (*fraternitas*) as well as love of neighbor (*caritas*).⁸ However, with the 18th century constitutional revolutions (1776 in North America, 1789 in Paris and even still in 1848), these older aristocratic – elite forms of civic friendship in ancient and medieval societies begin to take on new, modern and democratic-egalitarian forms. The famous 18th century slogan of the French Revolution, “liberté, égalité, fraternité”, for instance, advocated freedom for all, the equal “rights of man”, as well as a universal fraternity: a shared community of citizens under law. It was proclaimed that these values, which no longer applied to an elite but to everyone, should be institutionalized in the modern republican nation-state. By the 19th century, however, the appeal to *fraternité* begins to fade and the notion is slowly transformed into that of *solidarity*. Why?

First, unlike the French *fraternité* (or the English “brotherhood”, with which it is often compared and even identified), the concept of solidarity entails from the start no familial, blood or personal connotations; a sense of solidarity can take place between unrelated and distant others, even between perfect strangers. The term is thus far more appropriate in capturing the abstract, universal nature of the modern call for individual rights and citizenship, than any particularist notions of friendship, brotherhoods or localized interest groups could (whether particular tribe, ethnos, race, land or lordship). In the U.S. Constitution, for instance, the rejection of all titles of nobility is made explicit in the document at the same time as, interestingly enough, there is no mention of “fraternity”.⁹ In the U.S. Declaration of Independence the French slogan becomes “life, liberty and the pursuit of happiness” instead. It is also important to note that the rights and freedoms of women were at first meant to be included in this newly emerging abstract solidarity between citizens. The older *fraternity* was increasingly revealed as pertaining not just to upper class elites, but to male elites at that.

Indeed, the modern concept of solidarity does not have its origins among the upper crust at all, but is tied to the workers’ movements of the 19th century: to the political theories of social class in Marx, Lassalle, Bernstein or Kautsky (as well as in the later sociological works of Emile Durkheim).¹⁰ Here, the older *fraternité* becomes ever more wedded to (until the term disappears altogether into) the notion of solidarity as a form of *freedom from slavery*. Still decades after the French Revolution, metaphors of the Exodus are repeatedly invoked. On December 30, 1864, for instance, on the occasion of Abraham Lincoln’s successful re-election, in the newspaper *Der Socialdemokrat* and in the name of the *International Working Men’s Association*, Karl Marx compared the freeing of the slaves in the American Civil War to the destruction of the Pharaoh’s army in the torrent of the Red Sea.¹¹ Solidarity entails “a standing together,” a fighting for one’s freedom from slavery, wage or otherwise, and in the face of the armies of the oppressors. In the 20th century, finally, the notion of solidarity comes to play a major role in the liberation movements of not only workers world wide, but of indigenous peoples and other colonized and exploited classes, from European colonial rule around the world.

Again, although women were theoretically included in the early Jacobin *societes fraternelles*, the practical winning of their political rights and economic freedoms – rights over their own persons and labor, to retain their own wages and private property, to compete equally in the market place and enter various professions, to vote, speak in public, run for office, etc. – lagged significantly behind men of all classes and races by up to two centuries. Most of these rights – which may be called “rights of independence” – were not granted women in the Western tradition until well into the 20th century – in many societies not even today. When it comes to participating in military activity, of course, women do not have equal rights and freedoms anywhere in the world.

If this is the case, if the term solidarity originated in the struggle to gain political freedoms and economic independence primarily for men, it may just be the wrong term to employ *today* if one wishes to understand an adequate democratic community which includes women as full equals. That is, not only does *fraternité* and much talk of “community” reflect male models of activity and organization (as Mansbridge and Okin have argued) but so too does the idea of solidarity. The latter draws attention to the primacy of class struggle, to armed conflict and to the ordering of male forms of productive economic labor on the market – all of which were *not* the primary concerns of traditional women. Allow me to elaborate a bit further.

By now, numerous thinkers – Marxist feminists as well as others – have noted the heavy reliance by Karl Marx and other socialists thinkers on a production model of labor.¹² Marx’s vision of the “free association of producers” is often little more than a collectivist version of Locke’s

“mixing” metaphor and the claim that man originally “owns” that with which he has “mixed his labor”.¹³ In the first stage of socialism the working class will finally come to own the productive means on which it has been working all along, only now – since their labor is collective, as in a modern factory – so shall the form of their ownership be.¹⁴ But on this productive mixing model, when it comes time to focus on that which is historically *characteristic* of women – what I am calling ethical reproductive labor and *praxis* (clarified further below) – this form of activity continues to take a back seat on the bus. Please note, I am *not* claiming that *all and only* women have performed such labor; many men clearly have and women of different times, places, class and ethnicity have performed it differentially. However, overwhelming evidence points to the fact that throughout the ages women – to an astonishing degree cross-culturally – have been the ones who for the most part perform it; their traditional action and “mixing of labor” was neither in warfare nor (until recently, at least) in capitalist economic production with the aim of exchange value or private property, but rather with the *realization of use value*; they foraged or worked in the fields with the primary aim of sustaining their households, taking care of children and family, satisfying the latter’s needs as well as performing household tasks and duties. Traditionally, many other peoples on the earth – both male and female – have performed what I am calling “ethical reproductive *praxis*”, particularly in those cultures that focus on use value. Nonetheless, women appear to have done the predominant part of such labor, as they clearly still do in our Anglo-European, developed market societies.¹⁵ The danger of promoting the ideal of solidarity today is the danger of assimilating all other groups laboring for the satisfaction of use value (directly or indirectly) to solidarity’s historically predominant, white male, productive and combative models of activity.

3. Production versus reproduction

Ethical reproductive *praxis* is perhaps best understood by contrasting it with what it is *not*: it is not a form of military activity nor is it production. By production I here intend (as Aristotle already noted) that form of activity done primarily *for the sake of its product*, whether this is the sculpting of a statue (artisan work), agricultural mixing one’s labor with the soil (as in Locke) or laboring for a wage (as in a modern factory). In all these cases, not only may the activity be considered “an appropriation of the material physical world” (e.g. sculpting the statue, cultivating the wheat, earning a wage), but it is typically *not* done for its own sake. In the modern period and with the expansion of the labor market, the aim of production is typically some form of “private property”, exchange value or private good to the self.

In ethical reproductive labor and *praxis*, by contrast, the goal of the activity is not in the first instance an appropriation of the physical world at all, but of what might be called the human social one: it is the creation, furtherance or *reproduction of a relationship*. Here one must include taking care of the young, tending the sick and old, but also the support of those in their prime: in general, the soothing of fears, the nurturing of talents, the fortifying of hopes, practical doing for the other or simply enjoying their talents and abilities. In all these cases, the concern is with *their* good together with the nature of *our* relationship to them: in the ideal case, on my analysis, these relationships fall under the heading of friendship as end in itself.¹⁶ The various actions are forms of *praxis*, that is, done for their own sake.

A number of distinctions are here in order. First, it is important to distinguish between ethical reproductive *praxis* and ethical reproductive *labor*. If, on the one hand, the activities of

thinking about, doing for, and teaching the other are done for their own sake or for the elementary joy of the relationship itself – as is often the case between genuine friends or between virtuous parents and their children, etc. – then such activities are a form of *praxis*. If, on the other hand, the activities become burdensome and need reinforcement from the outside to continue (the drudgeries of housework, say), such actions take on traits of ethical reproductive *labor*, e.g. for the tired mother who no longer spontaneously cares for her child but does so out of simple duty or shame. If such reproductive labor goes on the market – the paid baby-sitter or salaried teacher or doctor – then it takes on attributes of production; it produces exchange value or ‘capital’ and this is often the main reason that it is performed at all. On my reading, nearly all other-directed activities performed on the market are to be considered “productive labor”; they fall under the category of *services*. Without the incentive of a wage or other external reimbursement, they would likely not be performed at all. Many of our actions, of course, are a mixture of the above two categories (*praxis* and *labor*) and to varying degrees.

Secondly, I think it is helpful here to invoke the ancient Greek term *philia* (friendship) because it, unlike the narrow connotations of our modern English “friendship” (or the German *Freundschaft*, etc.), is far broader and captures what certain different types of positive relationships all possess *in common*. *Philia* includes not only the best parent child relations, for example, but also the good relations between siblings, friends, lovers, and even between fellow citizens (*politike philia*). In the best instance – and in all these different cases – the relationships of friendship may be said (minimally) to consist in the reciprocal: i) knowledge and awareness of the other as some form of moral equal, ii) a reciprocal liking and good will towards the other *for their sake* and not for one’s own; and iii) a practical ‘doing’ for the other. These three traits are roughly those Aristotle argues are essential to all genuine friendship.¹⁷

Third, I appeal to the ancient term *philia* for the reason not only that our modern notions of friendship have narrowed over the centuries, but they have also been dominated by what I call *the equal fraternal model*. By this I have in mind an ideal originally put forth by Aristotle (dominant at least in many passages of the *Nicomachean Ethics*) as that relation between two mature, self-sufficient, virtuous, and similarly situated *males* (e.g. *NE*). Here the friend is surprisingly like me in age, abilities, gender, status, virtue and interests. Since the friend is conceived as mature, virtuous and largely self-sufficient (*autarkia*), my need to do many practical everyday and mundane things for him diminishes (he has a house-keeper, wife or slave at home), although I will be generous with my time, actions and money. So too, this friend stands by my side and we enjoy many common activities together: politics, sports and philosophizing being foremost among them. I trust this other self fully – he is “another self” – and, indeed, we are “like brothers”. One eminent scholar goes so far as to argue that Aristotle’s ideal of friendship is the relation between two identical male twins!¹⁸ In the fraternal ideal of genuine friendship, the *presupposition* of equality and sameness between the friends is critical to the relationship from the start.

I am well aware that what I am calling the “equal fraternal model” of friendship, which presupposes a high degree of sameness, is not the only reading of Aristotle’s position on friendship. Many traditionally overlooked passages, for instance, as well as some recent scholarship on Aristotle’s *Eudemian Ethics*, reveals a greater subtlety to his position; such readings stress his recognition of genuine differences between friends, their embodied nature, and their shared emotions and perceptions, not just commonalities of intellect and interests. As in so many other areas of Aristotle’s thought, one can distinguish at least two contrary tendencies here.¹⁹

Nonetheless, despite such scholarship, the equal fraternal paradigm dominates in much of Aristotle’s *Nicomachean Ethics* (his mature text on friendship, see the discussion by Price), and I believe it is fair to claim that this account is the traditional reading of Aristotle on friendship, and it pervades not only our Western philosophical tradition, but much of our common sense today.

Descartes writes, for instance, that “[a]ffection is felt for an object considered lesser than ourselves, friendship for an object equal to ourselves, and devotion for an object greater than ourselves.”²⁰ Friendship requires equality as its foundation.

So too, the aspect of a *reciprocal practical activity* in modern times tends to be conceived more as a “doing with” the friend than as a “doing for” them; such cooperative activity as a “doing with” (whether it is with a comrade in arms, working on a business project, sharing in sports or philosophizing) comes to be emphasized by modern thinkers to a degree that even Aristotle did not. Thus, C.S. Lewis writes in a famous essay that “friendship must be *about* something” [other than the parties themselves] and this is why “we picture lovers face to face but friends side by side.”²¹ The belief that friendship must be about something *other than* the relationship itself, and that it presupposes a *de facto* equality and similarity between the friends (of class, age, race, status and so on), has become a near axiomatic truth of the modern Western tradition.

But as this process unfolds historically, the far broader and richer notion of *philia* – encompassing a broad range of activities and relations between different types of people – slowly succumbs to the narrower, equal fraternal paradigm. In this manner, genuine “friendship” becomes *opposed* to a myriad of other relationships *with which it actually has much in common*: the best relationships between men and women, for example, or superior relations of sexual love, or the good relations parents can have with their children, as well as from all those special relations between dissimilars: in age, gender, class, religion, race or culture. The scope of such modern “friendship” becomes narrower and narrower (and more private) until it almost disappears in society – or at least becomes increasingly rare. In thus restricting the concept, we might note, we have also excluded the vast majority of friendships women have actually possessed throughout history: the long term friendships between many women and their children (over a complete life), their relations with other women of different ages, with those who might be dependent on them, older and younger, and so forth. I thus wish here to *push back*.

The degree to which contemporary conceptions of friendship (even modern day female ones) continue to track the equal fraternal (male) model originally chartered by Aristotle is startling. Modern conceptions tend to persist in their requirements of similarity and equality as *presupposition* rather than as, say, *goal*. One image still conjured up when we speak of “close friends” is the relationship of, say, two teenage-girls (or boys) from the same class in school, who spend nearly all their time together and who speak, dress and act in almost identical manners – hardly a model of mature friendship! So too modern (Western) conceptions of friendship have long rested on a foundation of physical and cultural similarity to self (of age, race, gender, religion), tending to exclude differences, and if such friendships stress a “practical doing,” it is usually a doing *with* rather than *for* the other. We thus hear that mothers should not try to be “friends” with their children (which usually means, they should not try to act like their teenage daughters), nor should professors be friends with their students.²² Similarly, children are often exhorted by their parents to “stick to their own kind” (and not get involved with a Black or a Catholic), and two young girls or two boys who persistently look into each others eyes are immediately labeled ‘fags’ and ‘queer’ and often forcibly separated in our schools.

An alternative does exist to this dominant equal fraternal paradigm of friendship, one which is widespread in practice, but it remains theoretically submerged and goes largely unacknowledged.²³

For lack of a better term, I will call this model *Difference Friendship*. In such friendships, equality still plays a crucial role, but now it is an *equality of aim* rather than as presupposition of

the relationship. Here, genuine friends strive to maintain a form of “give and take” and a balance between themselves, whenever possible, even if they are highly diverse and differently situated. On this model, the good mother can nurture, support, and raise up her young child with the goal of the latter's independence at least equal to her own, and the good child typically reciprocates “over a complete life” by aiding the parent in old age; they can have a genuine friendship relationship. Or the white friend will not allow an insult to the friend who is black, the wealthier friend will help out the poorer financially, or another will chastise her friend should the latter grow arrogant, and so forth. Moreover, only this model of *aiming to maintain a rough equality in the midst of change and difference*, can explain many deep and life-long friendships—perhaps impossible in the Ancient world – between persons of vastly different ages, of different genders, and between those from diverse cultures, classes and ethnic groups. But such relationships have become a vital part of the modern democratic multi-cultural world.²⁴

The idea that friends do things *with* but not so much *for* each other, as C.S. Lewis claims, is another hangover from the old equal fraternal model where the friends are economically independent of one another, and where either slaves or women performed the daily reproductive work. Today, however, this stipulation emerges as brute prejudice. Not only do the friendship relations between women in particular entail much “doing for” the other (whether it is for her children, aging parents or in-laws, other women or her husband, etc.) – and thus they do not follow the ideal equal fraternal model – but so too many men today also think about and perform endless practical services for their friends, their children, and for people in their communities.

Finally, I believe it is important to distinguish between what might be called *negative* and *positive* forms of friendship (as *philia*). By “negative friendship” I have in mind that kind of friendship and bonding *premised* on a shared enemy or obstacle; the bond is solidified through facing adversity or a common enemy. Carl Schmitt, for instance, glorifies this kind of “us and them” friendship, and throughout his works he has no richer concept in mind.²⁵ For Schmitt, friendship is a cooperation formed and held together by the necessity of confronting a common menace or enemy, paradigmatically two soldiers bonding under fire, and he even views this friend-enemy relation as the mark of ‘the political’. No doubt such *comraderie* often does produce strong emotional and long-standing attachments, as anyone who has attended a veterans’ group knows. Nonetheless, it is hardly an adequate account of friendship *in general*.

For, there is also such a thing as *positive friendship*: one entered into positively, for its own sake as in those friendships between persons who feel an affinity for one another, find themselves in similar circumstances, or who genuinely like each other. Such friends respect each other as moral equals, reciprocally express good will, “delight in each other’s presence,” and practically do many things for one other, and such types of relations can include some parents and their children, sibling relations and those between lovers. For such common and everyday relationships, “having an enemy” is largely *irrelevant*. It sounds a bit suspicious, for example, to say that I am a genuine friend of Martin’s *because* I hate Peter, or I married my husband *because* I wanted to escape my family; we tend to think such are poor reasons for the relationship. Moreover, it is relatively late in the life of a healthy child that the concept of an enemy is even learned (in contrast to “Mommy,” “Baba,” “Aya”, etc.). Positive bonding need *not* be predicated on an enemy’s existence – in fact, positive liking and bonding appear to be the far more primary human attitude.

Of course, the objection may here be raised: indeed such friendship is possible but precisely when we leave the personal realm and enter the political domain, such friendship becomes less and less likely. Here we are among total strangers, and here the “us versus them”

friendships depicted by Carl Schmitt seem far more appropriate; Schmitt even considers the friend-enemy distinction as *the* mark of “the political”. The question is whether this is true.

Until this point I have only tried to show that our conscious ideals of personal friendship today remain largely gendered; we are largely still captivated by the equal fraternal model. However, an alternative form of friendship in the midst of difference – typical of so many women's lives – continues to operate in practice and beneath the surface of centuries of theoretical dogma. In the next section I argue that it is indeed this alternative conception of *difference friendship* – positive in nature, essentially practical, and with rough equality as goal rather than as presupposition – that is not only needed today in political form because it alone is adequate to modern post-Reformational pluralistic democracies, but is also possible to achieve.

4. Civic friendship: Why necessary?

First, we must still be clear what exactly a political or civic version of friendship entails and why it is so important. As I have argued elsewhere, civic friendship is that form of friendship whose traits operate *via* a society's constitution, its public set of laws, its major institutions and social customs. Civic friendship must not be confused with personal friendship.²⁶ The three essential characteristics of all genuine friendship mentioned above – a reciprocal awareness, wishing the other well for their sake, as well as a practical doing for them – indeed can survive in the political form, only now these trait are embodied in what Rawls calls *the basic structure* of a society: they are expressed in the way a society's major social, economic and political institutions hang together in one scheme and distribute rights and duties.

Rawls himself, for instance, considers his difference principle (which claims that structural inequalities in a just society must always work to better the worst off group) an expression of “fraternity” embodied in the basic structure of a just society.²⁷ Similarly, democratic citizens can show care and concern (or neglect) for their fellow citizens as a whole insofar as they vote for, and enact, legislation which minimally “takes care” of everyone (or not): that assures all are decently fed and housed, with employment and healthcare (or allows others to live malnourished and in shanty towns). Such duties and rights in turn become the habitual expectation, as well as obligation, of each citizen. Nor need such friendship be relegated to small ancient *polises* and necessarily be absent in large modern nation-states, as Rousseau and many others have thought. Since political friendship operates *via* social and political institutions, as well as by way of the habits, social norms and customs these instill, its traits can apply to a state of millions. I can thus personally detest a fellow citizen but still be his or her civic friend; this means only that I will continue to uphold certain minimal standards in my treatment of him or her.

A crucial difference between Ancient political friendship and a modern civic one now also emerges. Considering what is often called “the fact of modern pluralism”, a post-Reformation civic friendship must operate *via* a doctrine of individual rights as well.²⁸ A modern *civic* friendship, that is, must be distinguished from the phenomenon of any ancient *political* form. Today, the legitimate care and concern democratic citizens give to one another can no longer be dogmatically imposed from above or without, but operate – consistent with other Enlightenment developments – within the range of recognized universal rights and legitimate “civic” differences in religion, culture and moral sensibility. For a modern civic friendship to exist in a society, therefore, not only must the *content* of the laws (and constitution) express a concern for all citizens (to whatever degree), but citizens must be *educated* to an awareness of the basic facts of

their fellow citizens' lives. They must be educated in basic human geography, for instance, on how and where others live, on their main customs and religious practices, and on the standards by which each is to be treated. Citizens must be schooled to perform their duties to fellow citizens and to do so willingly. Civic democratic education becomes mandatory and a central role of the state.

On this reading, the ideal of civic friendship includes all those activities, which citizens reciprocally perform for each other for no other reason than the construction and maintenance of a flourishing set of civic relationships and their social union as a whole. Such could be as minimal as helping a stranger across the street, not begrudging one's taxes for the health care of another, volunteering one's time to guarantee fair voting procedures, to performing universal mandatory civil service, personally aiding victims in times of crisis, or actively fighting for a subjugated people's rights. Again, the state will necessarily be involved in the reproduction of such civic friendship, since it mediates the awareness citizens have of each others' plight (through education, regulation of the media, etc.). The political state's laws and institutions can thus *encourage good will* between its citizens by way of well-formed institutions and laws or its opposite: indifference or downright hostility. Our institutions can encourage a partial "us and them" mentality, for example, by allowing vast inequalities in property ownership and wealth, as well as suspicion and insecurity to run rampant among the population. Or, by contrast, our scheme of institutions can work towards a greater civic friendship by publicly seeking to establish and habitually support the moral dignity of each. John Rawls believes that his difference principle (that principle which claims that structural inequalities in society's basic structure are justified only insofar as they benefit its worst off members) is an expression of "fraternity": of not wanting to have more unless others are benefited as well (TJ: 90); he even suggests that in order to implement this principle and identify the claims of need, a fourth "distributive" branch of government is required (TJ: 245ff). Similarly, publicly funded democratic elections would, in one fell swoop, remove a large part of the corrupting influence of private money in the democratic election process and afford all citizens (but especially the poor) a far more adequate voice – surely the expression of a greater civic friendship generally (TJ: 198). Other institutions and practices which express this value might include the implementation of a universal health care system, well-designed affirmative action programs (and even apologies and reparations for those groups who have long been oppressed), as well as a mandatory civil service.²⁹

But why is such civic friendship *necessary*? According to Aristotle, I argue elsewhere, the reason is that only in this manner is a genuine form of justice possible.³⁰ That is, without a minimal degree of good will in a society (a reciprocal friendly approach, the continued work of maintaining a moral equality between citizens, and a reciprocal practical doing for each other) – now embodied in a state's constitution and visible in its laws and social customs – citizens can and often *will perceive* themselves to be unjustly treated, even if justice in some narrower sense is strictly being adhered to. The poor will refuse to abide by the law, for example, and the rich to give up their unfair advantages. A civic friendship between citizens is necessary in order *objectively* to set limits to social and material inequalities: to assure that two different states – one rich and one poor – do not emerge and undermine any and all common political institutions.

Conceiving political community as a civic friendship grounded in social practices and political institutions – and fellow citizens as a form of democratic friend – seems necessary for a further reason that pertains to *motive*. In personal life, when it comes to the consideration of friends (including lovers and family members, remember), these others make us stop and think. We all want genuine friends, after all – the mere appearance will not do – and we all know what it is like to have someone we believe to be our friend betray us: to treat us not for our own good, but for their's alone. From this most fundamental impulse toward others, moreover,

coupled with our deep vulnerability in the face of these others, an awareness of reciprocity emerges, a willingness to do things for *them*, as well as the need for *self-limitation* with respect to them.

Our public ethical life should build on these natural impulses. For, how in the end do we motivate citizens to help one another willingly, to participate in building and maintaining just institutions or at least to follow the laws, even if these laws cannot always be in their immediate self-interest: in short, to participate in a genuinely functioning democracy? The ideal here is one where at least the largest portion of the citizenry follow the law because it strikes them as right and “reasonable” and not out of fear or hatred. To borrow a distinction from H.L. Hart, a major portion of any social practice must have “internalized” the set of rules and not simply acted due to external threats and fear (the latter ends in a police state, not long to maintain itself). The general claim here is that the background structure not be one that furthers insecurity, hostility or indifference, but a positive regard of each citizen for all: an active respect and recognition of the dignity of each.

But how does one *bring about* such positive regard? Talk of the equal dignity of each citizen is all fine and well, but building institutions that respect in practice such dignity takes *work*: a special kind of work. And so we return to the alternative model of work and activity elaborated above: ethical reproductive labor and *praxis*. Here the answer is: by beginning to look at the citizen (ourselves) differently, as no longer trapped and limited by the two older models of soldier-warrior or competitive producer, but on a third conception as well. In ethical reproductive *praxis* the goal is not greater and greater material wealth, higher status, power, nor mastery over others (certainly the goal is not their death), but rather the enjoyment of immaterial (spiritual and aesthetic) goods and of flourishing human relations, both private and civic. Accordingly, we must also acknowledge the inordinate amount of ethical reproductive activity still performed behind the scenes, as it were, in the so-called private sphere and largely still by women. The trick, of course, is to get this alternative model of activity out of the private realm (where it has been marginalized) and back into the visibility of public life: out of the closet, as it were, and into the recognized public realm. Here the model of action must indeed be transformed by a modern doctrine of individual right, but even as such, it will never collapse back into the activity of citizen soldier nor of economic producer.

5. Civic friendship and solidarity

So how does a civic friendship differ from reigning notions of solidarity? I have been asked this question over and over – particularly in Europe where the notion of solidarity has gained great currency and is closely tied to the development of European Union welfare standards. My answer here must be: when analysed carefully enough – and once a new *normative* notion of solidarity is constructed – perhaps the difference is not that great; the notion of solidarity and that of civic friendship begin to converge or at least to overlap. Many today, for instance, have connected the idea of a political solidarity with non-authoritarian forms (e.g. Rehg), with its being a precondition of justice, or with a commitment to action against injustice (e.g. Lawrence Blum, Enrique Dussel, Carol Gould or Sally Scholz).³¹ So too, the connection between democracy and solidarity has been drawn of late by Hauke Brunkhorst, much as Aristotle noted that a strong point of democracies (whatever their other failings) were their emphasis on equality and fraternity.³²

Still, a number of differences remain between the two notions. For one, as we have seen, the term solidarity arose by stressing the social bonds of *productive* labor movements (primarily

between men) and the *battle* against political injustices (until the term was analyzed by Durkheim as simply the “social glue” generally) and not by stressing ethical reproductive *praxis*. As such, solidarity all too often implies a kind of “negative friendship”: the Schmittian kind which is grounded in thwarting a common enemy. We stand together against Oppressor X (the capitalists) or Oppressor Y (the colonial powers), but once this oppressor is vanquished our social union all too often tends to fall apart.

By contrast, at the heart of civic friendship (as of all genuine friendships) lies the ethical reproduction of flourishing relations for their own sake. Unlike the notion of solidarity, the concept of civic friendship thus not only rests on a different “reproductive” model of labor, but this means also that the important role women have played in ethical and social reproduction can no longer be ignored. On the contrary, far from being mere after-thoughts, women emerge at the heart of the phenomenon of a modern civic friendship.

Second, many actual (historical) solidarity movements have been motivated by anger, revenge or even hatred, all of which tend to be reactive. In striving for a civic friendship, by contrast, one strives for a certain *emotional attitude* also. It is difficult to comprehend how a positive and lasting civic friendship – including the *praxis* of building fair and just institutions by way of concrete particular actions – can be motivated by hatred, just as genuine personal friendships cannot be. Civic friendship requires the individual recognition of the moral equality of others, a flexible good will towards them, and a practical willingness to do things for them – but this presupposes what feminists (among others) have generally called an *empathetic understanding*.³³ Openness, calm and reasoned, but also an empathetic goodwill are all crucial because, in being spurred to action by rage, hatred or revenge (certain plays of Bertolt Brecht come to mind), the danger always lurks of committing new injustices in turn. Such negative motivations produce only “negative friendships” at best – typically little more than temporary and shifting alliances. In a just and stable democracy, by contrast, the goal is to develop by way of institutions and law, a citizen good will, a practical flexibility and reasonableness towards others, and the custom to work through political conflicts by way of dialogue and discussion, rather than through fear, force or subterfuge. One might call this restrained motivation and quiet work to establish just institutions “moral solidarity” (as does Jean Harvey), but I prefer to call it “civic friendship” for the latter term entails what we are positively *aiming for*.

So too, the lawful town is probably the *smallest* unit of a civic friendship, which is not to say there cannot be forms of larger and even international institutions of *philia* as well.³⁴ By contrast, solidarity can refer to a myriad of unions and movements of whatever size: to international worker solidarity, or to solidarity with the electricians’ union, or with the Navajo people. To the extent that one remains focused on the good of a particular group, there is solidarity but not yet civic friendship. The latter requires a larger ‘civic’ justice – it looks to the greater whole, but with protections for each single individual. It moves outwards slowly and via a doctrine of individual right. Again, the ideal is not reactive, but a positive one with its goal aim.

Recently the notion of a “civic solidarity” has been gaining currency, for instance, by Brunkhorst and by those who recognize the dangerous partiality in traditional notions of solidarity. I believe Brunkhorst’s idea is a step forward for here solidarity connotes a *public* orientation (in the modern period, according to Brunkhorst, a *universal* one) as well as explicit *lawful* activity.³⁵ However, we must notice that in such recent developments what we are doing is moving farther *away* from the original meaning of solidarity and *towards* the notion of a civic friendship. Both a moral formulation (e.g. Harvey), and now a civic one (Brunkhorst), have until recently been absent from the term solidarity’s long theoretical and historical permutations.

This fact leads me to the final and perhaps most important point of my comparison between the notions of civic friendship and solidarity: civic friendship is *explicit* about what the ideal of a just democratic society *ought to be*. One may speak of a “civic solidarity” as Brunkhorst does (again, this is an advance over older notions), and one might argue for a “moral solidarity” as does Harvey, etc. In all such cases, however, one remains at a distinct disadvantage for the term “solidarity” simply *tells us too little*. It implies being ‘solid’, ‘unified,’ ‘a standing together,’ but *in the name of which goal* is not yet clear; the moral or civic ideal propelling the solidifying or binding relations has yet to be elaborated by the theorist. With civic friendship, by contrast, the ideal is contained in the concept of friendship itself – more or less familiar to us all – and then elaborated within the contours of the modern nation state. It summons up a flexible give and take between citizens who, though neither blood related nor personally known to one another, nor particularly similar, etc., are nonetheless good willed and aware society wide; they reciprocally seek to maintain a rough equality amongst themselves, and work practically to establish and maintain institutions that treat all fairly – *as if* among friends.

In sum, in the back of all our minds, social conceptions exist of who the model citizen is and what the relations between democratic citizens ought to be; many theorists have argued that these models guide not only our everyday activity, but the activity of legislators and judges as well. Legal theorists from Ronald Dworkin to Roberto Unger, for instance, argue that many enactments of law and legal decision rest not only on underlying principles of common practice, but on underlying social visions that must be made explicit.³⁶ On the view presented here, I believe we should dig deeper into the various social ideals underlying our best economic, legal and political decisions today, and I am suggesting that they rest – or should rest – on conceiving our democratic society in the best instance as one of civic friends. This social vision lends coherence and a larger systematic scheme to the various rights and principles that we act upon. And, importantly, depending on which underlying social vision we hold and its content, the implications for our constitutional rights to “individual freedom” or our legal principles of “due care”, “the obligation to disclose’ (in the regulation of risks in industry) or the doctrine of “corporate liability,” etc., will *alter*.

But, again, to reawaken the notion of a civic friendship today in the 21st century context is *not* to return to Aristotle’s equal fraternal model, but to move forward towards a new “difference friendship”. The alternative social vision which here plays the role of guiding norm is the model of an ethical labor and reproduction of relations of *philia*, a model which now centrally includes women and other overlooked groups. Hence, our conception of the democratic citizen is no longer primarily that of citizen soldier, nor is it the self-interested *homo economicos*, but neither is it a model of pure altruism – of the mother or “caring person” – as some feminists suggest.³⁷ Rather, I have argued that the democratic citizen is best conceived as one who understands “reciprocity” and is capable of reason and good will, who can both give and receive, be selfish and threatened at times, but also yielding, responsive and generous if secure and properly schooled. In short, the norm of democratic citizenship *ought* to be that of a civic friend: a model rich in suggestions of how to resolve the claims of self and other, and even the eternal conflict between the values of liberty and equality themselves. As Kant notes in his *Doctrine of Virtue*, the relationship of friendship leads us in the direction of a common moral life. Moreover, the reciprocity and good will entailed in friendship, the stress on reasonable give and take, and the disclosure of aims and principled practical actions towards and for the other, emerges in his view as the most concrete and everyday example in human life of his ideal of *the Realm of Ends*.³⁸

About the author

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Endnotes

- ¹ See Jean Harvey, "Moral Solidarity and Empathetic Understanding: The Moral Value and Scope of the relationship" *Journal of Social Philosophy*, Special Issue on Solidarity, ed. Carol C. Gould & Sally J. Scholz, Vol. 38, 1 (April, 2007): 22-37; William Rehg, "Solidarity and the Common Good: An Analytic Framework" (ibid): 7-21; Laruence Blum, "Three Kinds of Race-Related Solidarity" (ibid.): 53-72; Carol Gould, "Transnational Solidarities," (ibid) 148-164; and Hauke Brunkhorst, "Globalizing Solidarity: The Destiny of Democratic Solidarity in the Times of Global Capitalism, Global Region, and the Global Public," (ibid): 93-111.
- ² For Carl Schmitt's "us and them" notion of political friendship, see *The Concept of the Political*, Trans. Tracy Strong (Chicago: University of Chicago Press, 1996): 26ff. See also my critique in *On Civic Friendship: Including Women in the State* (NY: Columbia University Press, 2009), chap. 8.
- ³ Thomas Kuehn, *Belonging and Genocide: Hitler's Community, 1918-1945* (New Haven: Yale University Press, 2010).
- ⁴ Jane Mansbridge, "The Limits of Friendship," in Roland Pennock and John Chapman, eds., *Participation in Politics*, Nomos XVI, (N.Y.: Lieber-Atherton, 1976): 246-275.
- ⁵ See Susan Okin's critique of MacIntyre and other Communitarians in *Justice, Gender and the Family* (Basic Books, 1989), Ch. 3: "Whose Traditions? Which Understandings?": 41-73.
- ⁶ For the notion of the "basic structure" of society see John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1999) Sec. 2.
- ⁷ Hauke Brunkhorst, *Solidarity: From Civic Friendship to a Global Legal Community*, trans. Jeffrey Flynn (Camb, MA: MIT Press, 2005): 2ff.
- ⁸ Ibid.
- ⁹ See my "Women and Constitutional Interpretation," in Sibyl Schwarzenbach and Patricia Smith, eds. *Women and the United States Constitution* (NY: Columbia University Press, 2003), p. 12.
- ¹⁰ Bruckhorst (2005): 60.
- ¹¹ Ibid: 64.
- ¹² Cf. Hannah Arendt, *The Human Condition* (Chicago: Chicago University Press, 1958) Ch. 3; Jürgen Habermas, "Excursus on the Obsolescence of the Production Paradigm", in *The Philosophical Discourse of Modernity* (Cambridge, Mass.: MIT Press, 1987), as well as Marxist feminists such as Heidi Hartmann and Ann Markusen, "Contemporary Marxist Theory and Practice: A Feminist Critique." *Review of Radical Political Economics*, 12.2 (1980): 87-94, or Susan Himmelweit, "Reproduction and the Materialist Conception of History: a Feminist Critique," in *The Cambridge Companion fo Marx*, ed. Terrell Carver (Camb.: Cambridge University Press, 1991) 196-221, to name but a few.
- ¹³ John Locke, *The Second Treatise of Government*, Para. 27.
- ¹⁴ Karl Marx, *Capital* 3 (NY: International Publishers, 1967): 440; see also Schwarzenbach (2009): 130ff.
- ¹⁵ For just some of the literature here, see Maria Mies and Vandana Shiva, *Ecofeminism* (Halifax, Nova Scotia: Fernwood Publications, 1993); Sandra Harding, "The Curious Coincidence of Feminine and African Moralities: Challenges for Feminist Theory", as well as other essays in Eva Feder Kittay and Diana T. Meyers (eds.) *Women and Moral Theory* (Rowman and Littlefield, 1987): 296-315. For similar accounts of the special labor women have traditionally performed, see Arlie R. Hochschild's conception of "emotional labor" in her early *The Managed*

Heart: the Commercialization of Human Feeling (California University Press, 1979, 2012), or the explosion of literature on “care”, following upon Carol Gilligan’s *In a Different Voice: Psychological Theory and Women’s Moral Development* (Cambridge, Mass.: Harvard University Press, 1982) and its political version in Joan C. Tronto, *Moral Boundaries: a Political Argument for the Ethic of Care* (New York: Routledge, 1993). Finally, for an account that there exists a second, cross-cultural “fact of difference” between the genders (beyond the first fact that women in all societies tend to care more for the infants and young children than do men) is that they participate far less, if at all, in direct military action; see Joshua Goldsteins’ study, *War and Gender: How Gender Shapes the War System and Vice Versa* (Cambridge: Cambridge University Press, 2001) 21ff.

- ¹⁶ If the concern is with *my* good only or primarily, this is not friendship at all but instrumental use of the other.
- ¹⁷ See Aristotle’s *Nicomachean Ethics*, Chapter IX, as well as John Cooper’s carefully argued piece “Aristotle on Friendship”, in *Essays on Aristotle’s Ethics*, ed. Amelie Rorty (Berkeley: University of California Press, 1980): 323ff.
- ¹⁸ A.W. Price, *Love and Friendship in Plato and Aristotle* (Oxford, Oxford University Press, 1989), chap. 5.
- ¹⁹ Following Martha Nussbaum and others, I have distinguished elsewhere between an “intellectualist reading” of the human in Aristotle, which identifies his essence with reason, and a more “comprehensive” tendency in which the human is conceived as embodied and a complex of intellect, emotion and sensation *essentially* (c.f. Schwarzenbach, 2009, chap. 2). On the latter reading, the ideal of a friend will be “embodied” and include far more “difference” than on the equal fraternal model I sketch above and where the stress is on shared intellect; see, also, April Flanke’s “Friendship and the *Sunaesthetic* Self, in *Epoché*, 10. 1 (Fall 2005): 37-63.
- ²⁰ Descartes, *Passions of the Soul*, Book 2, no.79.
- ²¹ C. S. Lewis, *The Four Loves* (London: Fontana, 1963): 63. Thomas Spragens today still agrees, see his *Civic Liberalism: Reflections on Our Democratic Ideals* (Lanham, Md: Rowman & Littlefiels, 1999): 182.
- ²² Cf. Steven M. Cahn, *Saints and Scamps: Ethics in Academia* (Lantham, Maryland: Roman & Littlefield, 2011), ch. 2, in which the author argues that professors should not become “friends” with their students.
- ²³ Again, recent scholarship is beginning to bring this out even in the Aristotlian texts themselves; see footnote 19 above.
- ²⁴ In my own personal case, my closest friend when I was in my 40s, was a woman in her 80s (now deceased) and one of my all time closest and dearest friends of 30 years (since graduate school) is an older Catholic male, Palestinian-Israeli who rode camels as a youth, while I grew up in a white, atheist, upper middle class American household. One would think we had (or could have) absolutely *nothing* in common. Such a relationship could not have existed in Aristotle’s world.
- ²⁵ See, Footnote 2 above.
- ²⁶ See, Schwarzenbach (2009): 52ff.
- ²⁷ John Rawls, *A Theory of Justice* (Harvard University Press, 1999): 90-91. Henceforth, indicated in the text by TJ: followed by page number to this edition.
- ²⁸ See Schwarzenbach (2009): ch. 4.
- ²⁹ C.f. Schwarzenbach (2009): 193ff, 231ff.
- ³⁰ Schwazzenbach (2009): 54-55.
- ³¹ See footnote 1 above.
- ³² *Nicomachean Ethics*, 1161b9-10; their weak point, by contrast, lay in their conception of liberty as *license*. See also Brunkhorst, *Solidarity: From Civic Friendship to a Global Legal Community*, (Cambridge, MA: MIT Press, 2005), ch. I.
- ³³ See footnote 15 above, and 37 below.
- ³⁴ Please do not misunderstand me on this point; I am not arguing for an abstract international cosmopolitanism but for the active development of friendly relations via concrete and local institutionalized practices. In general, I attempt to take the middle way between committed nationalists and cosmopolitans: we have *special duties to our fellow citizens* (as well as duties to further human rights generally), but these special duties are grounded - not in considering our fellow citizens as somehow more “important” - but in practical considerations of local

organizing within the *polis* or nation-state. We have thicker duties to construct and maintain just institutions *where we reside*. C.f. my, "Looking Outward: Beyond the National Security State", in Schwarzenbach (2009), ch.8, where I argue against the cosmopolitan view and for a "new state" centrally committed to furthering, not just a civic friendship between its own citizens but, as a natural consequence, committed to building friendly relations outwards towards other nations.

³⁵ Brunkhorst (2005), chap.1.

³⁶ For an early statement of Dworkin's view, see *Taking Rights Seriously* (Cambridge, Mass.: Harvard University Press, 197) chap. 5; and Roberto Unger, *The Critical Legal Studies Movement* (Cambridge, Mass.: Harvard University Press, 1983) chap.1.

³⁷ See, for instance, Virginia Held, *Feminist Morality* (Chicago: University of Chicago Press, 1993): 195; or Eva Feder Kittay, *Love's Labor, Essays on Women, Equality, and Dependency* (NY: Routledge, 1999): 19, where the idea of motherhood plays a prominent role in re-conceiving the new citizen.

³⁸ In German, Kant's *Reich der Zwecke*, cf. *The Doctrine of Virtue*, sec. 46. Acting thus also makes us 'worthy' of happiness, and hence becomes a duty for us (sec. 45).