

THE ROOTS OF RORTY'S PHILOSOPHY:

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Introduction

Although Rorty's introduction to feminist theory came about purely by happenstance – he claims to have started reading feminist books simply because his wife had dozens of them lying around the house – I will suggest in this paper that his engagement with feminism resulted in an important shift to a more political version of pragmatism in his later works. Indeed, even though Rorty admits to not having “anything special to say about feminism” (Rorty et. al. 2002, 30), a careful reading reveals that feminism seems to have had something special to say to Rorty. And now, with increasing attention being paid to Rorty's unique brand of neopragmatism by feminists, it is becoming apparent that Rorty may have had something special to say to feminism after all.

In this paper, I will explore the role Catharine A. MacKinnon's work played in Rorty's interest in feminism in the early 1990s, and his consequent turn to more explicitly political topics in his later writing. In the first section, I will provide a brief overview of MacKinnon's projects for readers unfamiliar with her work, paying particular attention to her role in the development of the concept of sexual harassment. In the second section, I will investigate the aspects of her work that make it the type of approach that interests Rorty, and in what ways and for what purposes her work appears in and influences his writing. In the third section, I will interrogate how Rorty's use of MacKinnon impacts the reception of his views by other feminist theorists. That is, I will ask whether and how Rorty's use of MacKinnon's perspectives either serves or undermines his attempts to ‘sell’ pragmatism to feminists. In the fourth section, I

will suggest that a slight modification to Rorty's account of MacKinnon's place within feminism can uncover middle ground between Rorty's views and those of his critics; grounds which may prove fertile for future investigations into the relationships to be forged between feminism and pragmatism. I will employ the example of sexual harassment, a concept MacKinnon helped introduce into legal discourse, to elucidate the middle ground I recommend. I will conclude that it is Rorty's exposure to and engagement with MacKinnon's writing that brings him to deal more explicitly with political issues and that, even though feminists have not been quick to adopt Rorty's insights, further investigation into his writing is likely to bring to light the many resources his philosophy has to offer progressive social movements.

1. Catharine A. MacKinnon

MacKinnon is a prominent American feminist legal theorist who is well-known for her participation in a number of important legal projects. She has been engaged in groundbreaking international work on issues of sex equality. For example, she represented Bosnian women survivors of Serbian genocidal sexual atrocities in a successful lawsuit which provided the first recognition that rape is an act of genocide.¹ She is also well-known (and possibly notorious) for what are considered to be her radical views regarding pornography. Along with Andrea Dworkin and other feminist activists, MacKinnon helped to develop the Antipornography Civil Rights Ordinance, a collection of local ordinances intended to be used to protect women from the harms of pornography under civil law.² MacKinnon is also well known for the part she played in bringing to public awareness the phenomenon of sexual harassment. Although each of these topics is worthy of lengthy

¹ See Catharine A. MacKinnon and Andrea Dworkin, *Pornography and Civil Rights: A New Day for Women's Equality* (1988), and *In Harm's Way: The Pornography Civil Rights Hearings* (1997).

² See “Kadic v. Karadzic: Opinion of 2nd Circuit re: Subject Matter Jurisdiction,” at *Project Diana: Online Human Rights Archive (At Yale Law School)*.

investigation, I will limit myself here to exploring the final topic – which serves as an example throughout this paper – before investigating how the methodology she employed in pursuing this and other issues led to the incorporation of her views and approach in Rorty's 1990 Tanner Lecture, "Feminism and Pragmatism."

The phenomenon the term "sexual harassment" identifies was already a concern in the nineteenth century. As Carrie N. Baker points out, social reformers at this time "first conceptualized sexual coercion in the workplace as a social problem, but framed it as a moral issue. Reformers were concerned with the moral degeneration of women in the workplace, so they advocated protective labor laws that limited women's participation in the workplace to shield them from these influences" (Baker 2003, 41). During the so-called second wave of feminism in the 1970s, the problem of sexual harassment was reconceptualized by feminists, Baker suggests, "as a civil rights issue. Concerned with women's equal employment opportunities, feminists argued that sexual harassment was sex discrimination" (41). In *In Our Time: Memoir of a Revolution*, Susan Brownmiller recounts how a group of feminist activists of which she was a part realized there was no term they could use to identify the experiences many women were having in their workplaces at the hands of their bosses or co-workers. In brainstorming to find a term, many were bandied about until someone came up with "sexual harassment." Brownmiller writes, "We wanted something that embraced the whole range of subtle and unsubtle persistent behaviors. Somebody came up with "harassment." *Sexual harassment!* Instantly we agreed. That's what it was" (Quoted in Fricker 2007, 150). Some of the feminist activists in groups like the one Brownmiller describes went on to form Working Women United (later to become the Working Women's Institute) and the Alliance Against Sexual Coercion, both of which were instrumental in bringing sexual harassment to public attention through the late 1970s. It is largely due to the efforts of the women who worked with these

organizations that the issue of sexual harassment gained popular attention.

It was feminist perspectives in popular culture that led, in large part, to popular acceptance of the concept of sexual harassment. The media generally sought women's personal testimonials, as well as feminist perspectives on the issue of sexual harassment, which included the idea that it was an issue of power rather than sexuality. As Baker points out, "These stories raised awareness about the issue, causing more women to speak up about harassment, to name the experience as a violation, and to fight it. Women began to question coercive sexual behavior in the workplace that they would before have accepted as the status quo" (Baker 2003, 42). The first appearances of the concept of sexual harassment appeared in the popular press in the mid-1970s. In 1975, Enid Nemy's article "Women Begin to Speak Out Against Sexual Harassment at Work" appeared in the *New York Times*, and Mary Bralove's "A Cold Shoulder: Career Women Decry Sexual Harassment by Bosses and Clients" appeared in the *Wall Street Journal* in 1976. There were, of course, critical responses to these mainstream treatments of sexual harassment, yet the term had gained enough currency that women across North America were able to employ the concept in describing their own experiences.

In 1979, MacKinnon published the first major book on the topic of sexual harassment, entitled *Sexual Harassment of Working Women: A Case of Sex Discrimination*. In that text, she presents the legal argument that "sexual harassment of women at work is sex discrimination in employment" (4). The strategy MacKinnon employs when presenting sexual harassment as a form of sex discrimination is a strategy that had already proven successful in feminist attempts to reconceptualize the problem of rape. More specifically, she suggests that sexual harassment is less about sex than it is about power. She writes, "Rape has recently been conceptualized as a crime of violence, not sex. Sexual harassment, so conceptualized, would be an

abuse of hierarchical economic (or institutional) authority, not sexuality" (217-218). In other words, MacKinnon argues that sexual harassment is a form of sex discrimination because it is an issue of power; the act of sexual harassment reinforces the social inequality of women to men, and it does this specifically by undermining women's "potential for work equality as a means to social equality" (1979, 216). MacKinnon's efforts and persistence were, of course, rewarded: in 1980, the US Equal Employment Opportunity Commission (EEOC) employed MacKinnon's framework in adopting guidelines prohibiting sexual harassment by prohibiting both quid pro quo harassment and hostile work environment harassment.

2. Rorty's use of MacKinnon's work

In the interview "Against Bosses, Against Oligarchies," Rorty is asked to respond to the following observation the interviewer had made of his work: "before you started talking about the American left in general, you focused pretty specifically on feminism—you've written a number of articles about feminism—and it seems to be a politics that you're particularly attached to" (Rorty et. al. 2002, 29). Rorty responds:

One is always struck when one finds oneself guilty of taking things for granted. I was raised phallogocentric, homophobic, all the rest of it, and it took decades of propaganda to make me realize I'd been raised wrong. [...] When you have the sense of your eyes being opened, you tend to write about how nice it is to have your eyes open. That's why I wrote about feminism. But it isn't that I think I have anything special to say about feminism (29-30).

Rorty became acquainted with the work of feminists – most notably philosopher Marilyn Frye, poet and essayist Adrienne Rich, and the focus of this paper, legal scholar Catharine MacKinnon – because the books were, quite simply, made available to him. In "Against Bosses, Against Oligarchies," Rorty mentions that he began reading feminist authors because of the influence of his wife. He is quoted as saying, "She began reading more and more feminist books. There were dozens of them

lying around the house, so I began reading them. If I'd been single, God knows whether I would ever have read them" (30-31). Marianne Janack, editor of the recent anthology *Feminist Interpretations of Richard Rorty*, recounts a conversation she had with Rorty's wife, Mary Varney Rorty, in which his choice of feminist authors is explained. Janack quotes Mary Rorty:

they [Frye and Rich] grabbed you by the brain and imagination and rammed you into something you might not have thought about but sure were gonna think about now. [...] [T]hat kind of writing – writing that clears a path for ideas, preferably outrageous ones, to wham into your brain – that was Rorty's meat. He aspired to it; he recognized it when he saw it; he absolutely respected it. He was glad of an occasion to acknowledge it (Janack 2008, 30).

It is this engagement with feminist literature, induced simply by its availability, that prompts Rorty's writing of "Feminism and Pragmatism," originally presented in 1990 as the Tanner Lecture on Human Values at the University of Michigan.

In particular, it is MacKinnon's methodology – which involves investigating specific issues in pursuit of or in the context of greater social progress – that draws Rorty to her work. He sees her as a paradigm of the "moral entrepreneur," people who (in Rorty's words) "have a very specific target, call attention to a very specific set of instances of unnecessary suffering" (Rorty et. al. 2002, 47). These moral entrepreneurs, Rorty argues, ultimately do more good than academic moralists who tend to be universalistic moral philosophers and see their job as providing moral principles to guide action. On Rorty's view,

Universalistic moral philosophers think that the notion of 'violation of human rights' provides sufficient conceptual resources to explain why some traditional occasions of revulsion really are moral abominations and others only appear to be. They think of moral progress as an increasing ability to see the reality behind the illusions created by superstition, prejudice, and unreflective custom. The typical universalist is a moral realist, someone who thinks that true moral judgments are *made* true by something out there in the world (Rorty 2010, 22).

If we adopt a universalistic account of moral progress, Rorty suggests, we will simply see MacKinnon's approach as "empty hyperbole" rather than as what it really is, and that is "prophecy" (Rorty 2010, 22).

Closer investigation of how MacKinnon understands the context into which the new concept of sexual harassment is introduced reveals still further reasons for why Rorty would be interested in her work. In the preface to *Sexual Harassment of Working Women*, MacKinnon writes, "Sexual harassment has been not only legally allowed; it has been legally unthinkable" (xi). In other words, because the legal concept of sexual harassment had not yet been conceived and introduced, it did not, for all intents and purposes, exist. By presenting sexual harassment as a form of discrimination – an issue of power rather than of sex – MacKinnon presented a new description of a phenomenon that the legal world would ultimately acknowledge. This approach sits very well with Rorty's recommendation to "stop talking about the need to go from distorted to undistorted perception of moral reality, and instead talk about the need to modify our practices so as to take account of new descriptions of what has been going on" (Rorty 2010, 22-23). This, of course, is why Rorty uses MacKinnon as an example of the strategy best suited to attaining social progress. Indeed, given that Rorty appreciates and admires the approach of the moral entrepreneur who provides new descriptions of states of affairs to render visible previously invisible assumptions, MacKinnon's work becomes an exemplar of the pragmatist position he seeks to forward. Her work thus also prompts his theoretical engagement with feminism. In this section I will explore the use Rorty makes of MacKinnon's work and then investigate, in the following section, whether it plays the role he hoped it would in his attempt to 'woo' feminists.

In "Feminism and Pragmatism," Rorty quotes MacKinnon's views on the ascension of women to Minnesota's Supreme Court: "I'm evoking for women a role that we have yet to make, in the name of a voice

that, unsilenced, might say something that has never been heard" (MacKinnon in Rorty 2010, 20). MacKinnon's approach here sits well with Rorty's linguistic pragmatism, in which linguistic innovation motivates social progress. According to Rorty, MacKinnon is correct to think that "assumptions become visible *as* assumptions only if we can make the contradictories of those assumptions sound plausible" (Rorty 2010, 21). In other words, only by describing a world in which our assumptions are reversed, and by making that world sound like it could exist, are we able to show that the assumptions currently at work are nothing but assumptions.

This means that somebody must be willing to create and suggest a description of a different world – a redescription of our own. Rorty continues,

Only if somebody has a dream, and a voice to describe that dream, does what looked like nature begin to look like culture, what looked like fate begin to look like a moral abomination. For until then only the language of the oppressor is available, and most oppressors have had the wit to teach the oppressed a language in which the oppressed will sound crazy – *even to themselves* – if they describe themselves as oppressed (Rorty 2010, 21).

Thus, new language must be presented, one which will, as Rorty puts it, "facilitate new reactions" (Rorty 2010, 21). He suggests, "by 'new language' I mean not just new words but also creative misuses of language – familiar words used in ways which initially sound crazy. [...] Such popularity [of new descriptions] extends logical space by making descriptions of situations which used to seem crazy seem sane" (Rorty 2010, 21).

Here, a brief reminder of how Rorty thinks social progress occurs might be helpful. Recall that Rorty thinks argumentation on its own is an inadequate tool for seeking and attaining social progress. Only a new vocabulary can displace an existing vocabulary, and he argues in *Contingency, Irony, and Solidarity* that it is the ironist who creates new vocabularies. The method employed by the ironist therefore relies on

redescription rather than inference. Ironists specialize in redescribing ranges of objects or events in partially neologistic jargon, in the hope of inciting people to adopt and extend that jargon. An ironist hopes that by the time she has finished using old words in new senses, not to mention introducing brand-new words, people will no longer ask questions phrased in the old words (Rorty 1989, 78).

The ironist, which evolves into the prophet of Rorty's later work (more on this shortly), is responsible for instigating social progress, Rorty contends, because there are many situations in which argument will simply fail.³ For example, he contends that irony or prophecy can be a useful ally in the feminist struggle in that it offers a strategy for feminists to use when argument fails. And, he proposes, "Argument for the rights of the oppressed *will* fail just insofar as the only language in which to state relevant premises is one in which the relevant emancipatory premises sound crazy" (Rorty 2010, 24). In other words, because oppressed groups are required to phrase their arguments in the discourse of the oppressor, or in "commonsensical" language, the idea of emancipating the oppressed will inevitably sound unreasonable. Indeed, Rorty suggests that naming the language used by oppressed groups in their search for equality as "crazy" or "unreasonable" is an explicit tactic, used by the oppressor, to keep other groups in a subordinate position.

Thus, oppressed groups require another strategy to realize their goals of emancipation. This strategy is, of course, persuasion, and more specifically, persuasion designed to arouse sentiments that would lead to greater solidarity; to enable those who populate the

³ It seems that ironic redescription is not the *only* means by which social progress can be achieved. In *Objectivity, Relativism, and Truth*, Rorty writes "Plain argumentative prose may, depending on circumstances, be equally useful." (169) Interestingly, this is a bit of a throw-away, as Rorty does not seem to pursue it here, or elsewhere, and maintains his position that metaphor is *more* useful than "making predictable moves in currently popular language-games." (169) I assume that, by suggesting "plain argumentative prose" may contribute to social progress, he is thinking of something similar to the type of progress that Kuhn argues is possible *within* normal science.

dominant discourse to recognize marginalized groups as members of "we" rather than "they." As Janack puts it, Rorty argues

Feminists should not tie themselves to the old paradigm by playing by its rules of argumentation and evidence, but should take on the challenge of providing a new paradigm, even at the risk of sounding crazy or having their appeals fall on deaf ears. Only by offering a new vision that could replace the old model of patriarchy – a function fulfilled by prophecy, not by philosophy – can feminists make progress (Janack 2008, 33).

3. Rorty and feminism

Pragmatist and feminist projects are often motivated by the same concerns, and these concerns often lead their adherents to the same theoretical and practical conclusions. Thus, an alliance between them seems almost inevitable. Indeed, Veronique Mottier, in "Pragmatism and Feminist Theory," suggests that there can be found

a natural affinity between key elements of pragmatism and feminist thought. Both privilege social and political practice over abstract theory, they evaluate theory from the point of view of its concrete effects on marginalized groups, including women, and both share a common emphasis upon the development of theory from subjects' grounded experience. Nevertheless, the history of the relations between pragmatism and feminism is largely one of a failed rendezvous (2004, 323).⁴

⁴ Mottier chalks this failure up to the lack of a clear political program in neopragmatism, and particularly in Rorty's work. And, the politics that are at work in Rorty's philosophy, she argues, rely too heavily on the distinction between the public and private spheres, and on traditional liberalism, with its emphasis on autonomous, rational subjectivity. She writes: "Rorty's unsophisticated liberalism, which amalgamates a liberalist understanding of the subject as an autonomous individual with a liberal political project, is deeply problematic for feminist theory. Its unreflective *a priori* separation between public and private spheres and between theory and practice, as well as its failure to take into account the relational dimension of human existence, are at odds with current feminist debates on liberalism." (331) Unfortunately, Mottier's piece provides no account of Rorty's actual position. Therefore, I will not take Mottier's criticisms further into account because it is not clear how she understands

While Mottier chalks this failure up to the lack of a clear political program in neopragmatism – an accusation I do not deal with here – I suggest that the lack of meaningful dialogue is more likely both less conscious and more strategic. That is, it is more ignorance of the pragmatists' work and a desire to avoid an alliance with an already much-maligned movement that results in the so-called "failed rendezvous."

In any case, a conversation of sorts has developed among feminists about the value of pragmatism for their goals, and between feminists and pragmatists as well, to determine the value of their work for each others' enterprises. For example, Phyllis Rooney, in "Feminist-Pragmatist Revisionings of Reason, Knowledge, and Philosophy," contends that "a kind of critical dialectical relationship" between pragmatism and feminism can bring out their respective and mutual strengths, which can serve as a starting point for reimagining epistemological concepts (15). Both movements, she claims, developed out of "similar frustrations with what are seen as limiting aspects of "traditional" philosophy" (15). Yet despite these overlapping concerns, interests and projects, few feminists have explicitly taken up the task of pursuing a distinctly pragmatist feminism or a feminist pragmatism. Even fewer still are the feminists who have taken up the project of being "banner-wavers" for Rorty. As Rorty is one of the few contemporary philosophers to explicitly engage with feminist theory, this is perhaps surprising. However, exploring the many possible reasons for the "failed rendezvous" between feminism and pragmatism, or even between feminism and Rorty's work specifically, is surely beyond the scope of this paper. What I will focus on is the conversation that has emerged as a result of Rorty's use of MacKinnon's views and his positing of her as a feminist prophet.

It is Rorty's engagement with feminism, I suggest, that brings to life and clarifies a short but anomalous passage

Rorty's work, and what, therefore, she is actually criticizing.

in his 1989 *Contingency, Irony, and Solidarity*. There, he suggests social progress occurs through linguistic innovation, and it is the ironist who envisions and creates a better society through their innovative uses of language. It is the liberal ironist who creates narratives that can cause a shift in a culture's final vocabulary. However, he briefly notes that the books that are created by the ironist can be divided into two types, those books

aimed at working out a new *private* vocabulary and those aimed at working out a new *public* vocabulary. The former is a vocabulary deployed to answer questions like "What shall I be?" "What can I become?" "What have I been?" The latter is a vocabulary deployed to answer the question "What sorts of things about what sorts of people do I need to notice?" (Rorty 1989, 143).

And although Rorty does not dismiss the possibility that the former type of book can prompt or contribute to social progress, it is the latter type of book that contributes to social progress by enlarging the scope of solidarity. Yet he continues to assert at this point that the ideal citizen of a liberal utopia will therefore see those responsible for creating social change as individuals who prompt the creation of a new public final vocabulary through the creation of their own private final vocabularies.

Interestingly, the distinction that Rorty raises here, between books "aimed at working out a new *private* vocabulary and those aimed at working out a new *public* vocabulary," is not, to my knowledge, mentioned at any other point in his works, although it does seem to be a background assumption in some areas, most notably in his discussion of George Orwell's dystopian novels. However, the distinction made in 1989's *Contingency, Irony, and Solidarity* foreshadows the move Rorty makes from irony to prophecy, where the latter type of book is presented by someone Rorty identifies as a prophet rather than an ironist. Indeed, it is Rorty's engagement with feminism that prompts him to recast the liberal ironist of *Contingency, Irony, and Solidarity* as a political actor, and he takes MacKinnon to be just such an actor. That is, it is an understanding of the struggles and

successes of feminism that prompts him to engage further with these books aimed at public audiences, where "public" can be variously defined to include the larger public of a society or culture – something along the lines of his bourgeois leftist intellectuals – or smaller counterpublic spheres like feminist activist and consciousness-raising groups.

However, the move from irony to prophecy, and the use of MacKinnon as an example of a feminist prophet, has not received the warmest reception from feminist thinkers engaged with Rorty's work. For instance, the concept of the feminist prophet sits uneasily with Nancy Fraser, who responds to Rorty's Tanner Lecture, arguing that a further move to politics is necessary after one has moved from irony to prophecy (Fraser 2010, 54). Fraser is particularly concerned that the picture of the prophet offered by Rorty is too individualistic and does not account for the social nature of knowledge production. She notes moreover that Rorty's view of the feminist prophet is simply inaccurate as a description of progressive movements throughout history. Is it the prophet who alters vocabularies by presenting new metaphors, thereby enabling political transformations, she asks, or is it marginalized communities themselves who are responsible for these changes? Certainly, it has not proven to be the case that individual prophets within feminist circles are solely responsible for social change, Fraser argues. She suggests that important feminist re-descriptions have developed through practices of consciousness-raising. In fact, Fraser contends that consciousness-raising presents "a major linguistic innovation not only at the level of the meanings it has generated, but also at the level of the invention and institutionalization of a new language game or discursive practice" (Fraser 1991, 266).

Thus, she argues that the counterpublic sphere better represents the feminist movement than does Rorty's prophetic characterization. She characterizes the feminist counterpublic sphere as "a discursive space where 'semantic authority' is constructed collectively,

critically, and democratically, rather than imposed via prophetic pronouncements from mountaintops" (Fraser 1991, 266). Thus, while Fraser and Rorty agree on more than they disagree, as Janack puts it, "The question to which they give different answers is: how does linguistic innovation work to create and sustain political change?" (Janack 2008, 34-35). In other words, while both theorists agree that linguistic innovation motivates social progress, and even though Fraser welcomes Rorty's move from irony to prophecy, she also worries that Rorty's account is too apolitical. Fraser presents a reading under which the development of the term "sexual harassment" did not come about as a result of MacKinnon's prophetic insights, but rather as a process embodied by a counterpublic sphere.

4. Sexual harassment

Although Rorty himself never employs or addresses it himself, the case of sexual harassment is commonly employed by feminist theorists as an example of the way social movements can be successful and moral progress can be achieved. I will investigate how some feminist theorists have used the development of the concept "sexual harassment" in their work to determine whether and how Rorty's use of MacKinnon's work was accurate and appropriate, and to begin to develop a middle ground between Rorty and his critics.

In *Inclusion and Democracy*, Iris Marion Young seeks to develop a more inclusive version of political communication which makes room for alternate discursive styles and methods. Any properly functioning deliberative democracy, she suggests, must make room for these different communicative styles so as to not unfairly exclude anyone from political discourse. Young outlines how the alternative discursive method of narrative specifically was used to develop the concept of sexual harassment. In other words, this example elucidates how story-telling or narrative can introduce new terms into the prevailing normative discourse. Young writes,

Before the language and theory of sexual harassment was invented...women usually suffered in silence, without a language or forum in which to make a reasonable complaint. As a result of women telling stories to each other and to wider publics about their treatment by men on the job and the consequences of this treatment, however, a problem that had no name was gradually identified and named (72-73).

In other words, an accumulation of cognitive dissonances or felt anomalies led women to share between themselves their experiences of what has come to be known as a form of sexual discrimination. The new metaphor developed by and among these women to describe their experiences – “sexual harassment” – was meant to highlight the negative aspects of what up to that point had been thought of as harmless workplace interactions between men and women. This new metaphor gradually filled in what feminist epistemologist Miranda Fricker calls a hermeneutical gap.

In *Epistemic Injustice*, Fricker uses the example to clarify her account of hermeneutical injustice, and the way in which a new term can bring to light experiences that were previously ignored or marginalized because they could not be named. Recall that hermeneutical injustice, according to Fricker, illustrates the following idea:

relations of unequal power can skew shared hermeneutical resources so that the powerful tend to have appropriate understandings of their experiences ready to draw on as they make sense of their social experiences, whereas the powerless are more likely to find themselves having some social experiences through a glass darkly, with at best ill-fitting meanings to draw on in the effort to render them intelligible (148).

In other words, because those in power are able to determine the collection of hermeneutical resources that constitute a social imaginary, they will rarely find themselves without the words and phrases needed to communicate their experiences to others. The powerless, on the other hand, must make do with the social meanings available to them, many of which will be inadequate to the task of interpreting and communicating their own experiences.

The account of the development of the term “sexual harassment” is offered by Fricker as an example of the filling of a hermeneutical gap that threatens the experience and credibility of women. Fricker outlines the example at length, using it to elucidate what it means for there to be a gap in the collective hermeneutical resources available to individuals and groups to communicate their experiences. In developing this term, feminists were able to plug the hermeneutical gap that had been affecting them, and make a whole new range of theoretical and activist resources available. Only in some cases will this gap constitute an injustice, however. In a situation of sexual harassment, Fricker explains, “harasser and harassee alike are cognitively handicapped by the hermeneutical lacuna – neither has a proper understanding of how he is treating her – but the harasser’s cognitive disablement is not a significant disadvantage to him. Indeed, there is an obvious sense in which it suits his purpose” (Fricker 2007, 151). And it is this cognitive disablement that renders any specific instance of running up against a hermeneutical gap both harmful and wrongful: an injustice. Fricker continues,

the harassee’s cognitive disablement is seriously disadvantageous to her. The cognitive disablement prevents her from understanding a significant patch of her own experience: that is, a patch of experience which it is strongly in her interests to understand... Her hermeneutical disadvantage renders her unable to make sense of her ongoing mistreatment, and this in turn prevents her from protesting it, let alone securing effective measures to stop it (Fricker 2007, 151).

Fricker also argues that the inability to name such mistreatment is best understood as a hermeneutical injustice because the background social conditions were such that the gap was an effect and instrument of power, specifically patriarchal power, as women were fighting against it in the late 1960s.

What makes the case of sexual harassment noteworthy for commentators like Fraser, who oppose Rorty’s account of MacKinnon’s prophetic voice, is the fact that this term was not simply presented in literature and thus cannot be traced to its originator. As is the case with

most narrative examples of the development of a term like “sexual harassment,” it is difficult to determine who is responsible for its origin and thus, Fraser thinks identifying a “prophet” who provides the impetus for social progress is inaccurate. Instead, she urges a further move, as is evidenced by the title of her response to Rorty, a move not just from irony to prophecy, but from prophecy to politics as well. Yet positing that it was a group of women who were responsible for developing the new concept rather than an individual prophet does not in itself explain how such a term could serve to overcome (or at least mitigate) the hermeneutical injustice that its lack engenders. In order to fully overcome such an injustice, the term has to enter into the collective hermeneutical resources of a society such that it can be called upon by others to explain previously unexplainable experiences.

I suggest that, on a Rortyan account, this can be accomplished via argumentation on the part of an individual or group that could best be described as an advocate. That is, while redescription (also presented as “abnormal discourse” by Rorty) is the method by which we understand possible methods to fill the gap, argumentation (or “normal discourse”) facilitates the uptake of such redescriptions. In the case of sexual harassment, what were the means by which the term became a hermeneutical resource upon which others could draw? Surely MacKinnon played a pivotal role here. And although this role may not have been one of prophecy, perhaps identifying MacKinnon as an advocate would be a move to a middle ground that would be welcomed by both Rorty and Fraser.

Conclusion

In the interview “Against Bosses, Against Oligarchies,” Rorty suggests that, although some feminists had offered replies to some of his work, there were none who “picked it up and ... waved it as a banner” (30) When asked whether or not Catharine MacKinnon had indeed played the role of a banner-waver for Rorty, he

replies: “No. I just stole her stuff and wrote it up in a slightly different form. She hasn’t used me, I’ve used her. [...] She read me before I began writing about feminism, but I don’t think it was a big deal for her” (30) However, I contend there are hints suggesting that not only has MacKinnon influenced Rorty’s work, but that Rorty’s use of MacKinnon influenced MacKinnon as well. Thus, while feminist engagement with Rorty’s work has thus far been sparse, and made up of, as he notes, more attacks than support, there is evidence that his views have caught the ears of some feminists – including even MacKinnon herself.

In her 1999 essay “Are Women Human?” republished in the 2006 collection *Are Women Human? And Other International Dialogues*, MacKinnon frames her approach in the terms provided by Rorty in “Feminism and Pragmatism.” Specifically, she writes, “Being a woman is ‘not yet a name for a way of being human,’ not even in this most visionary of human rights documents [the Universal Declaration of Human Rights]” (1999, 43). She takes up this specific quote again in her 2007 book *Women’s Lives; Men’s Laws* to invoke the social and material conditions that create “woman.” She admonishes us to not “invoke any abstract essence or homogeneous generic or ideal type, not to posit anything, far less anything universal, but to refer to this diverse and pervasive concrete material reality of social meanings and practices” (2007, 25).

Certainly, the claim could be made that MacKinnon’s rejection of essentialism and universalism is more a result of her feminism than it is a result of her engagement with Rorty’s work and, in particular, his Tanner Lecture. Yet it would certainly be fair, I think, to suggest that Rorty’s characterization of her views in “Feminism and Pragmatism” captured MacKinnon’s imagination, to the point that she employed the concept in her own later works. In “Feminism and Pragmatism,” Rorty employs MacKinnon’s work to make the important move from irony to prophecy. Fraser argues that Rorty needs to make the further move from prophecy to

politics. I suggest that, understanding MacKinnon's role as one of advocacy rather than prophecy finds the middle ground between Rorty's and Fraser's views,

highlighting the implicit political nature of Rorty's views that were prompted by his engagement with feminist theorists and activists like MacKinnon.

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