
The personal is political: The feminist critique of liberalism and the challenge of right-wing populism

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The recent democratic backsliding and the decline of liberal hegemony have generated different explanations for the turn away from liberal democracy. This article offers an explanation based on the feminist critique of structural and theoretical flaws within liberalism and argues that these flaws are used effectively by right-wing populism to endanger liberal democracy. Using feminist critiques of political liberalism, including critiques of the public/private and political/non-political distinctions, the article claims that the liberal choice to allow the flourishing of bigotry and intolerance in the private sphere and to require respect for equality only in the public sphere has made liberalism vulnerable to the right-wing populist attack. Political liberalism has rejected the feminist call to recognize that the personal is political and has relied on political institutions and processes as barriers against illiberalism. Liberal states applying these principles are therefore ill equipped to fight right-wing populists who rally their supporters around the promise to do away with political institutions and to let the populist leaders turn their private prejudices into public policy. The article calls for a redrawing of the lines between the political and non-political, and between the public and the private, to meet the challenge of right-wing populism.

The current democratic backsliding and the decline of liberal hegemony have generated many explanations for the recent turn away from liberal democracy that the world is experiencing. Some of the explanations suggested include the deepening economic inequality in the West due to the process of globalization (and immigration), which has arguably been advanced by liberal elites for their own benefit and is now driving the rejection of liberal democracy by the masses; the hijacking of democracy by the bureaucracy and by elites that promote “undemocratic liberalism,” which results in the masses’ rejection of liberalism; and the rise of tribalism and traditional

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values that motivate the rejection of liberal democracy and the embrace of authoritarian traditionalist leaders.¹

These explanations and others do not exclude each other and there is some truth in each of them. In this article I would like to suggest a related explanation, which focuses on the structural and theoretical flaws within liberalism that allow right-wing populism to make an effective use of the phenomena described above in its push to replace liberal democracy.² Focusing on the principles of political liberalism, which to a large extent reflect the practice of most liberal democracies, I will claim that the liberal choice to allow the flourishing of bigotry and intolerance in the private sphere and to require respect for equality only in the public sphere has made liberalism exceedingly vulnerable to the right-wing populist attack.³ While the analysis below draws on feminist critiques of liberalism, its aim is not to express concern for the future of women's rights (as worrying as this future may be), but to establish that the liberal failings discussed here should be of interest to anyone concerned with the future of liberal democracy. The success of right-wing populism, and the reasons behind it, ought to concern liberals who assume that maintaining a political liberal institutional structure and public sphere is sufficient to protect liberal democracies against the power of intolerant and discriminatory ideologies flourishing in the private sphere.

Importantly, the discriminatory and intolerant nationalistic and religious ideologies that right-wing populism builds on have always existed in liberal democracies. Nevertheless, while right-wing populism thrives on these age-old ideologies, its impressive success in undermining the liberal democratic order should not be attributed only to their flourishing, but perhaps even more so to right-wing populism's direct attack on the political liberal institutional structure and public sphere. This successful populist attack on the only barrier that political liberalism has erected against bigotry and intolerance has caught many liberals by surprise and has exposed the inadequacy of this barrier and the shaky ground on which liberal democracies stand.

The unprecedented success of right-wing populism has substantiated the age-old feminist claim that the personal is political, in at least two ways. First, the success of the right-wing populist attack on liberal democratic principles is attained through the support of adherents of the various discriminatory and intolerant nationalistic and religious ideologies, which liberal democracies have permitted to flourish in the private sphere. Second, right-wing populism inspires its followers by insisting that the

¹ YASCHA MOUNK, *THE PEOPLE VS. DEMOCRACY: WHY OUR FREEDOM IS IN DANGER AND HOW TO SAVE IT* (2018).

² Although different types of populism share common characteristics, there are also important differences between them. The discussion in this article is restricted to right-wing populism and its effects on liberal democracy. For a discussion of the different types of populism and the distinctions between them, see Mark Tushnet, *Varieties of Populism*, 20 *GER. L.J.* 382, 387–9 (2019).

³ The distinction between the public and the private is complex and ambiguous and varies between traditions of thought. See Judith Squires, *Public and Private*, in *POLITICAL CONCEPTS* 131 (Richard Bellamy & Andrew Mason eds., 2003). The discussion of the public and the private in this article refers to Rawls's distinction between the public political domain, which includes the basic structure of society and its basic institutions, and the private non-political domain, which includes the personal and familial (which Rawls describes as affectional) and the associational (which is ideological and voluntary). JOHN RAWLS, *JUSTICE AS FAIRNESS: A RESTATEMENT* 182 (2001).

personal is the only legitimate source for the political and that they, as the rightful representatives of the “people,” are entitled to have their personal beliefs fully and instantaneously implemented in the public sphere without any mediating institutions or moderating forces.⁴ Thus, ironically, both feminists and right-wing populists agree that the personal is political, and reject the strict liberal dichotomy between public and private. However, the conclusions that they draw from the deceptive nature of the public–private dichotomy are quite opposite. While feminists urge an expansion of the equality and basic rights promised in the liberal democratic public sphere into parts of the private sphere, right-wing populists insist that norms of discrimination and intolerance nurtured in the private sphere should prevail in the public sphere as well, because such norms reflect the true will of the “people.”

Feminists are critical of the extensive use of the public–private distinction within liberalism and have often claimed that it is being used to shield bigotry and exploitation.⁵ The feminist claim holds that, by insisting that certain social structures, actions, and ideologies are part of an inviolable private sphere within which almost no state involvement should be tolerated, liberals have often been too quick to free themselves from the obligation to critique unjust and discriminatory aspects of such structures, actions, or ideologies, and to allow their unhindered existence and growth. The outcome has been particularly damaging for women, whose entire existence has, for a long time, been relegated to the private sphere, and who continue to disproportionately bear the brunt of the subordination and exploitation prevalent in this sphere.⁶ It is important to note that most feminist critiques of the public–private distinction are internal critiques that acknowledge the validity of the distinction yet dispute the specific uses of the terms “public” and “private,” and the specific arrangements designated to each.⁷ Accordingly, the following should be read as an internal critique of the public–private distinction and its corollary distinction between the political and the non-political within political liberalism.⁸

Two central modern liberal theories that have consolidated and expanded the public–private distinction and the protection it affords to structures, actions, or ideologies attributed to the private sphere are political liberalism and liberal multiculturalism.⁹ While the latter is specifically concerned with shielding minority cultures from the corrosive influence of majoritarian liberal society, the former is engaged with finding a general liberal framework within which the peaceful coexistence of liberal, non-liberal, and illiberal comprehensive doctrines can be guaranteed. Despite their

⁴ Ming-Sung Kuo, *Against Instantaneous Democracy*, 17 INT’L J. CONST. L. 554 (2019).

⁵ CAROL PATEMAN, *THE DISORDER OF WOMEN: DEMOCRACY, FEMINISM AND POLITICAL THEORY* 118–40 (1989).

⁶ *Id.*

⁷ Ruth Gavison, *Feminism and the Public/Private Distinction*, 45 STAN. L. REV. 1, 2 (1992–1993).

⁸ See *supra* note 3.

⁹ The central theorist of liberal multiculturalism is Will Kymlicka; see, e.g., WILL KYMLICKA, *MULTICULTURAL CITIZENSHIP: A LIBERAL THEORY OF MINORITY RIGHTS* (1995); WILL KYMLICKA, *POLITICS IN THE VERNACULAR: NATIONALISM, MULTICULTURALISM AND CITIZENSHIP* (2001); WILL KYMLICKA, *MULTICULTURAL ODYSSEYS: NAVIGATING THE NEW INTERNATIONAL POLITICS OF DIVERSITY* (2007). For an overview of liberal theories of multiculturalism, see Menachem Mautner, *From “Honor” to “Dignity”: How Should a Liberal State Treat Non-Liberal Cultural Groups*, 9 THEORETICAL INQUIRIES IN L. 609 (2008).

different foci, both theories are highly accommodationist towards non-liberal and illiberal comprehensive doctrines, and liberal multiculturalism even calls on the liberal state to provide proactive assistance to illiberal minority cultures and has been criticized by feminists for doing so.¹⁰ However, the rise of right-wing populism and its substantial success should be attributed mostly to the accommodation of majoritarian non-liberal and illiberal comprehensive doctrines, and not to the accommodation of minority cultures, although the latter does add to the legitimation and empowerment of illiberal doctrines. My analysis below will focus mainly on the feminist critique of political liberalism and its implications for political liberalism's ability to confront right-wing populism.

In his book *Political Liberalism*, which has become the blueprint for many liberal theorists and policy makers, John Rawls has introduced a new variant of liberalism—political liberalism (PL). Rawls argues that political, rather than comprehensive, liberalism is the appropriate political theory for modern heterogeneous democratic societies in which a pluralism of incompatible yet reasonable comprehensive religious, philosophical, and moral doctrines exists.¹¹ The purpose of PL, according to Rawls, is to lay out the framework for a constitutional democratic regime that will enable citizens who embrace reasonable and incompatible comprehensive doctrines to live together and maintain over time a stable and just society of free and equal citizens.¹² Accordingly, Rawls proposes a political and constitutional framework within which, he hopes, “deeply opposed though reasonable comprehensive doctrines may live together and all affirm the political conception of a constitutional regime.”¹³ Put differently, in his vision for liberal democracies, Rawls attempts to formulate a liberal political and constitutional conception that religious, non-liberal, and even illiberal doctrines may be able to endorse.¹⁴ While this attempt was enthusiastically embraced by many liberal thinkers, feminists have, from early on, been suspicious of the ability of a political and constitutional structure that grants extensive leeway and respect to non-liberal and illiberal doctrines to live up to its promise of maintaining over time a stable and just society of free and equal citizens.

One of the most insightful feminist critics of Rawls's *A Theory of Justice* and later of his *Political Liberalism* has been Susan Okin.¹⁵ Okin, along with other feminists, has pointed out early on that in *A Theory of Justice* Rawls omits sex from the list of personal characteristics that are veiled from those in the original position, and that he specifies that those who reason in the original position are all “heads of families.”¹⁶

¹⁰ See, e.g., SUSAN OKIN, IS MULTICULTURALISM BAD FOR WOMEN? (1999).

¹¹ JOHN RAWLS, *POLITICAL LIBERALISM* at xviii (1993). According to Rawls, comprehensive doctrines apply not only to the political organization of society but also include conceptions as to what is of value in human life, ideals of personal character, friendship, familial and associational relationships, and other aspects that inform our conduct and even our life as a whole. *Id.* at 13.

¹² *Id.* at xviii, xx.

¹³ *Id.* at xx.

¹⁴ *Id.* at xlvii.

¹⁵ SUSAN MOLLER OKIN, *WOMEN IN WESTERN POLITICAL THOUGHT* (1979); SUSAN MOLLER OKIN, *JUSTICE, GENDER, AND THE FAMILY* (1989).

¹⁶ Susan Moller Okin, *Justice and Gender: An Unfinished Debate*, 72 *FORDHAM L. REV.* 1537, 1547 (2004).

By doing so, Okin argued, Rawls is ignoring the social institution of gender and the sexual division of labor in the household, as well as their unequal and unjust effects on girls and women.¹⁷ Furthermore, she observed that “the questions of whether and how the family, in its traditional or any other form, is a just social institution and how or whether it translates the principles of justice into social practice are never raised.” Okin noted that this was particularly disturbing since Rawls acknowledges that the family plays a prominent role in the moral development of citizens, and his account of the development of a sense of justice that he considers essential to the stability of a just society relies heavily on the justness of families.¹⁸ However, if many families are not truly just, and teach their members intolerance and exploitation of women, then how can children, whose moral development takes place in these families, become just citizens who embrace unreservedly the political equality between the sexes or, indeed, other forms of political equality?

The feminist critique of liberalism’s failure to address discrimination and injustice in the private sphere has extended well beyond the family and gender relations. Following the publication of *Political Liberalism*, this critique expanded to include PL’s fundamental distinction between the political sphere and the non-political sphere and the resulting protection and even legitimation that it grants to almost all sexist and otherwise intolerant comprehensive doctrines.¹⁹ In a nutshell, the crux of the problem with PL lies in its organizing principle, which is the formulation of a liberal political conception of justice that is thin enough to gain the endorsement of religious, non-liberal, and illiberal comprehensive doctrines, but at the same time supposedly thick enough to protect the rights of all citizens as free and equal.²⁰ If successful, PL aspires to maintain over time an overlapping consensus between citizens, in which all citizens commit to a liberal political conception of justice, although some of them, and perhaps many of them, simultaneously affirm comprehensive doctrines that are non-liberal and even illiberal. While the implausibility of this aspiration has been suspected by feminists from early on, the recent success of right-wing populism has made its dubiousness much clearer. There are two major errors in the theory of PL and in the practice on which it is based and which it advocates.²¹ PL’s first error is that through its use of concepts such as reasonable comprehensive doctrines, reasonable overlapping consensus, impartiality, and the idea of public reason, it effectively shields illiberal doctrines from criticism, allowing them to flourish and acquire legitimation, and provides insufficient protection to the rights of citizens as free and equal.²² PL’s second error is that it is naïve, and indeed misguided, to assume that citizens who

¹⁷ *Id.* at 1550.

¹⁸ *Id.* at 1551.

¹⁹ *Id.* at 1555–7.

²⁰ Rawls, *supra* note 11, at xlvii.

²¹ PL purports to be grounded in historical facts and arguably also reflects the actual practice of many extant liberal democracies. See Jan-Werner Müller, Rawls, *Historian: Remarks on Political Liberalism’s “Historicism,”* 237(3) *REVUE INTERNATIONALE DE PHILOSOPHIE* 327, 327–8 (2006).

²² Gila Stopler, *Political Liberalism in a Jewish and Democratic State*, in *STRENGTHENING HUMAN RIGHTS PROTECTIONS IN GENEVA, ISRAEL, THE WEST BANK AND BEYOND*, ch. 9, sec. 2 (Joseph David et. al. eds., forthcoming 2021).

adhere to non-liberal and illiberal comprehensive doctrines will simultaneously develop a genuine commitment to a liberal political conception of justice.

I will briefly elaborate on PL's two errors, starting with the looseness of its concepts and continuing with its misguided assumptions. PL's concept of a reasonable comprehensive doctrine is deliberately wide and loose. In order to count as reasonable, a doctrine need only be a more or less coherent and consistent exercise of theoretical as well as practical reason, that draws on a tradition of thought, and is stable over time but still open to change for reasons that it views as good and sufficient.²³ The only comprehensive doctrines that Rawls finds unreasonable are doctrines that do not endorse some form of liberty of conscience and freedom of thought; doctrines that support egregious violations of rights, such as slavery in ancient Athens or in the antebellum South; and doctrines that espouse certain kinds of religious fundamentalism.²⁴ As Okin points out, in Rawls's account religions that both preach and practice highly sexist modes of life are all seen as reasonable. Since the basic texts of Judaism, Christianity, and Islam are all "rife with sexism," and orthodox forms of these religions "still discriminate against women and reinforce their subordination within religious practices, and within and outside the family, in numerous significant ways," many of the doctrines that Rawls views as reasonable and legitimate are in fact illiberal doctrines that do not view women as free and equal persons.²⁵ Moreover, according to Rawls, illiberal comprehensive doctrines, both religious and non-religious, that advocate gender, sexual orientation, racial, and religious discrimination would still count as reasonable as long as they are willing to accept the liberal political conception of justice.²⁶

Another important PL concept that serves to buttress the power and legitimacy of illiberal doctrines is impartiality. Impartiality requires PL not to attack, criticize, or reject any comprehensive doctrine defined as reasonable or any of the views expressed in it.²⁷ Rawls explains that since the judgments rendered by these doctrines are seen as internal and non-political they need not be based on public reason and can only be evaluated from within the doctrines themselves.²⁸ Thus, political liberals remain impartial even in the face of egregiously sexist and racist views expressed by comprehensive doctrines, as long as these views do not directly shape decisions regarding constitutional essentials and questions of basic justice. Only decisions of this latter kind must be supported by reasons that are compatible with public reason and with the political values expressed by a political liberal conception of justice. Decisions of this kind must therefore be justified in ways that all citizens, as free and equal, are able to endorse in light of their own reason.²⁹ However, even this narrow protection for citizen's rights is easy to bypass, since almost any reason internal to a particularistic comprehensive

²³ Rawls, *supra* note 11 at 59.

²⁴ *Id.*, at 60–6, 170, 196.

²⁵ Okin, *supra* note 16, at 1556.

²⁶ Stopler, *supra* note 22.

²⁷ Rawls, *supra* note 11, at xxi–xxii.

²⁸ *Id.*

²⁹ On the idea of Public Reason, see RAWLS, *supra* note 3, at 90–1.

doctrine can be expressed in terms that disguise its particularistic origins and that are compatible with public reason. A classic example is the US Supreme Court case of *Harris v. McRae* in which the Court affirmed the Hyde Amendment that prevented federal funding for abortions. The Court ignored the amendment's origin in particularistic religious comprehensive doctrines and found it to be constitutional because of its alleged compatibility with traditionalist, non-religious, public reason.³⁰ Thus, PL's first error has for long allowed non-liberal and illiberal comprehensive doctrines to flourish and gain strength in liberal societies, and to use that strength, in both the private and the public spheres, to restrict the rights of women and other disempowered groups.

Conversely, PL's second error—its naïve, and indeed misguided, assumption that citizens who adhere to non-liberal and illiberal comprehensive doctrines will simultaneously develop a genuine commitment to a liberal political conception of justice—has only recently become fully apparent, with the surprising success of right-wing populism that has exposed the frailness of the extant liberal political framework. Rawls's aspiration to persuade adherents of non-liberal and illiberal comprehensive doctrines to develop a genuine commitment to a liberal political conception of justice is embodied in PL's concept of a reasonable overlapping consensus. Rawls believes that a reasonable overlapping consensus over a shared liberal political conception of justice can be reached when “the political conception is supported by the reasonable though opposing religious, philosophical, and moral doctrines that gain a significant body of adherents and endure over time from generation to the next.”³¹

However, Rawls concedes that his theory of political liberalism cannot prove, and does not even attempt to prove, that the reasonable overlapping consensus on which the successful realization of the theory is predicated will indeed form around a liberal political conception of justice in any given setting. Thus, he explains, the most PL does “is to present a freestanding liberal political conception that does not oppose comprehensive doctrines on their own ground and does not preclude the possibility of an overlapping consensus for the right reasons.”³² Moreover, he acknowledges that while achieving an overlapping consensus may be theoretically possible, under many historical conditions efforts to achieve it may be overwhelmed by the success of unreasonable doctrines, and consequently, the attempt to formulate an overlapping consensus will fail.³³ I would argue that such failure is an almost inevitable result of Rawls's wide definition of reasonable comprehensive doctrines, and that many of the doctrines which he defines as reasonable are doctrines that cannot realistically be expected to embrace a liberal political conception of justice.

Despite his acknowledgment that maintaining overtime an overlapping consensus over a liberal political conception of justice is not guaranteed, Rawls bases his entire theory on the success of such an endeavor. He hopes that when citizens are faced with an incompatibility “between the political conception and their comprehensive

³⁰ *Harris v. McRae*, 448 U.S. 297, 319 (1980).

³¹ Rawls, *supra* note 3, at 32.

³² Rawls *supra* note 11, at xlviii.

³³ *Id.* at 126.

doctrines, then they might very well adjust or revise the latter rather than reject the political conception.”³⁴ This liberal expectancy—the expectation that illiberal doctrines would liberalize over time upon realizing the advantages of liberalism over illiberalism—is shared by other liberal theorists, such as Will Kymlicka and Nancy Rosenblum, and serves as a basis for their respective theories of liberal multiculturalism and of the appropriate relations between the liberal state and private associations.³⁵ Unfortunately, liberal expectancy seems overly optimistic, and there is no empirical evidence to back it.³⁶

Furthermore, the rise of right-wing populism has made it clear that many adherents of illiberal comprehensive doctrines refuse to accept the circumscribed position allotted to their ideologies in the liberal state, and work diligently to extend their reach into the public sphere and to change the institutional state structure accordingly. Attempts by adherents of illiberal doctrines to extend their reach into the public sphere are neither new, nor should they be surprising. As Yael Tamir has rightly argued in the context of debates around multiculturalism, the most that can be expected from illiberal communities is to agree strategically to maintain a *modus vivendi* within a liberal political structure in order to protect their own status and rights.³⁷ However, once illiberal communities obtain enough power to challenge and change the liberal political structure to their own advantage they will do so, since “[t]he compromise from the point of view of the illiberal community is not even a principled *modus vivendi*, based on a ‘live and let live,’ but a conditional one which is based on fear rather than respect.”³⁸ This important insight is all the more true with respect to non-liberal and illiberal religious and nationalist majoritarian groups who have no incentive to accept a liberal *modus vivendi*, since their own rights are never in any serious danger. Moreover, by strategically using their aggregate political power these groups have the ability to redesign the public and institutional spheres and restrict the rights of others.³⁹ Recently, right-wing populism has given these attempts a significant boost by uniting different non-liberal and illiberal ideologies around two common denominators, which together have proven to be quite destructive for liberal constitutional democracy—the first is the classification of the liberal “elite” as a common enemy of the true “people,” and the second is the call to dismantle the liberal state’s institutional framework, which is, according to this claim, the primary obstacle preventing the realization of will of the true “people.”⁴⁰

³⁴ Rawls, *supra* note 3, at 193.

³⁵ WILL KYMLICKA, MULTICULTURAL ODYSSEYS: NAVIGATING THE NEW INTERNATIONAL POLITICS OF DIVERSITY 94 (2007); NANCY L. ROSENBLUM, MEMBERSHIP AND MORALS: THE PERSONAL USES OF PLURALISM IN AMERICA 55–58 (1998).

³⁶ *See id.* at 57.

³⁷ Yael Tamir, *Two Concepts of Multiculturalism*, 29 J. PHIL. EDUC. 161, 170–1 (1995).

³⁸ *Id.* at 170.

³⁹ Stopler, *supra* note 22, text accompanying nn.55–9; Kristina Stoeckl, *Political Liberalism and Religious Claims: Four Blind Spots*, 43 PHIL. & SOC. CRITICISM 34, 34–8 (2017).

⁴⁰ *See, e.g.*, William A. Galston, *The Populist Challenge to Liberal Democracy*, 29 J. DEMOCRACY 5 (2018). My analysis here is focused on the strands that belong to right-wing populism. *See* Tushnet, *supra* note 2.

As to the classification of the liberal “elite” as the enemy, an important feature of populist politics in general is identifying a common enemy against whom the true “people” can unite. By classifying the liberal “elite” and its allegedly dangerous and corrupt values as the common enemy of the simple and virtuous people, right-wing populism has been able to gloss over the differences between the different conservative, religious, and ethnocentric ideologies backing it, and mobilize their adherents against all policies, practices, and persons associated with liberal world views, including immigrants and pro-immigration policies, globalization and foreigners, secularism and atheists, feminists and feminist ideas, and LGBTIQ people and policies that support them.

The second common denominator that right-wing populist leaders have used in a very effective manner has been the call to dismantle the liberal democratic institutional framework. According to the populist claim, the institutional restraints set up by the liberal state structure illegitimately prevent the populist leader from directly and fully realizing the will of the “people.” Consequently, dismantling all institutional restraints is necessary to allow the leader the power to implement the direct wishes of the “people,” who are the only legitimate source of power in society. Moreover, an important lesson that the success of the right-wing populist attack should teach liberals is that the frailness of the political liberal constitutional framework has less to do with the structural features of each liberal institution and is mainly a result of the ease with which populist leaders have been able to put into question the very legitimacy of any institutional restraints. From judicial review, through the role of experts in policy making, to any type of checks and balances put in place to preserve the separation of powers and prevent majoritarian oppression, the political liberal institutional structure has been under a massive and often surprisingly successful de-legitimation campaign. By accusing the liberal state structure of preventing the direct realization of the pure will of the “people’s” religious, non-liberal, and illiberal comprehensive doctrines, right-wing populism has given these comprehensive doctrines the political motivation and the effective means to overtake and dismantle the liberal public and institutional spheres and remove the only barrier that PL has erected in their path towards majoritarianism and authoritarianism.

Importantly, right-wing populism is often merely a tool that proto-authoritarian leaders use to garner political support in their pursuit for power, and misogyny, gender discrimination, and other prejudices nurtured in the private sphere have turned out to be a most effective means to gain popular support and weaken resistance to an authoritarian take over. Thus, for example, both Orbán in Hungary and PiS in Poland have used right-wing populism as a tool to gain power and to dismantle the institutional restraints that stood in their way.⁴¹ In this process they have made use of the religious and conservative resistance to women’s and LGBTIQ rights to rally their

⁴¹ Kim Lane Scheppele, *The Opportunism of Populists and the Defense of Constitutional Liberalism*, 20 Ger. L.J. 314, 321–9 (2019); Aleksandra Kustra-Rogatka, *Populist but Not Popular: The Abortion Judgment of the Polish Constitutional Tribunal*, VERFASSUNGSBLOG (Nov. 3, 2020), <https://verfassungsblog.de/populist-but-not-popular/>.

supporters and to explain away or divert attention from policies that their supporters may have found more controversial.⁴² Similarly, in the US, former President Trump's closest allies have been religious conservatives whose support was gained, among other things, through policies narrowing the rights of women.⁴³

Thus, perhaps ironically, we have now come full circle, as liberals who have chosen to disregard the feminist critique of the deceptive nature of the liberal public-private distinction, and of the refusal to intervene in what PL defines as the non-political sphere, are seeing the prejudices that they have allowed to foster in this sphere serve as the basis for a successful right-wing populist attack on the liberal state itself. Apparently, feminism has been right all along, and the personal is indeed at the very heart of the political. The scope of this short article prevents me from starting the much-needed task of redrawing the lines between the political and the non-political, and between the public and the private, that is needed in order to meet the challenge of right-wing populism. I will therefore conclude by cautioning that if liberal democracies continue to ignore the fact that the personal is political, they do so at their (and our) own peril.

⁴² Gábor Halmai, Gábor Mészáros, & Kim Lane Scheppelle, *So It Goes: Part II*, VERFASSUNGSBLOG (Nov. 20, 2020), <https://verfassungsblog.de/so-it-goes-part-ii/>; Kustra-Rogatka, *supra* note 41; Ruth Rubio-Marin, *Gendered Nationalism and Constitutionalism*, 18 INT'L J. CONST. L. 441 (2020).

⁴³ Osub Ahmed, Shilpa Phadke, & Diana Boesch, *Women Have Paid the Price for Trump's Regulatory Agenda*, CNTR. FOR AM. PROGRESS (Sept. 10, 2020), <https://cdn.americanprogress.org/content/uploads/2020/09/09123335/Trump-Regulatory-Agenda.pdf>; Rubio-Marin, *supra* note 42.