

An Introduction to Feminist Post-liberalism

Modern Western feminism developed historically and logically from liberalism. A belief system that replaced faith with reason, divine right with popular sovereignty, hierarchy with equality, and obedience with self-assertion invited critical scrutiny of gender asymmetry. Less than fifty years after the English revolution, the English Bill of Rights, and the publication of John Locke's *Second Treatise on Government*, "Sophia, a person of quality" issued "A short and modest Vindication of the natural Right of the FAIR-SEX to a perfect Equality of Power, Dignity, and Esteem, with the Men."¹ Judith Sargent Murray published "On the Equality of the Sexes" a year after the U.S. Constitution was ratified. She attacked the entrenched pre-liberal opinion that women were intellectually inferior to men and attributed observable differences to women's lack of education.² Her essay invites comparison with Query 15 of Thomas Jefferson's *Notes on Virginia*, not to his credit.³

Mary Wollstonecraft, a British contemporary of Murray, was better known in her own time than Murray and Sophia were. Wollstonecraft was part of an intellectual circle whose members read one another's works. Her liberal roots are evident in the corpus of her work. *A Vindication of the Rights of Woman* appeared in 1792, two years after her *Vindication of the Rights of Men*. Sophia, Murray, and Wollstonecraft had the rare benefit of a classical education. Murray studied with her brother as he prepared for admission to Harvard. But Abigail Adams, who had little education, held similar views.

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She advised her husband, John, to “remember the ladies” at the Second Continental Congress in 1776. He replied, “I cannot but laugh.”⁴

Eighteenth-century France generated liberal defenses of male supremacy, liberal arguments for gender equality, and radical attacks on liberal feminism. Jean-Jacques Rousseau wrote, “The children’s health depends in the first place on the mother’s, and the early education of man is also in a woman’s hands; his morals, his passions, his tastes, his pleasures, his happiness itself, depend on her. A woman’s education must therefore be planned in relation to man. To be pleasing in his sight, to win his respect and love, to train him in childhood, to tend him in manhood, to counsel and console, to make his life pleasant and happy, these are the duties of woman for all time, and this is what she should be taught while she is young.”⁵ Rousseau grounded his antifeminism where most arguments against gender equality have been grounded: in women’s childbearing capacity. Was this a reason or an excuse? When reduced to its essentials—“Because only members of Group A can perform a function necessary for society, Group A must be subordinate to Group B”—the argument based on reproductive capacity becomes ludicrous.

Wollstonecraft wrote partly in response to Rousseau. Her most original insight was her argument that forced ignorance and learned subservience made women unfit even for their assigned roles. She answered her rhetorical question, “And have women who have early imbibed a notion of passive obedience, sufficient character to manage a family or educate children?,” firmly in the negative.⁶

The French Revolution stimulated feminist activism. The 1789 Declaration of Rights of Man and the Citizen was followed in 1790 by Nicolas de Condorcet’s “On the Admission of Women to the Rights of Citizenship” and in 1791 by Olympe de Gouges’s “Declaration of the Rights of Woman.”⁷ The fact that Gouges addressed her declaration to Marie Antoinette did not find favor in the proletarian revolt that followed the bourgeois one. Gouges was guillotined and Condorcet imprisoned because of their counterrevolutionary reputations, not because of their views on women. Jacobin women, anticipating Karl Marx, considered affordable bread more important than liberal rights. In 1792, a crowd of these women attacked and permanently disabled Theroigne de Mericourt, a prominent Girondin feminist.⁸

So, by 1800, liberal traditionalists, liberal feminists, and radicals had staked out positions. These positions survive in the twenty-first century. Conservatives such as Edmund Burke are still read and discussed.⁹ Today’s antifeminist women often identify with the Christian tradition, as did counterrevolutionary French women.¹⁰ “Occupation: Housewife” in the 1950s went, and “total motherhood” now goes, at least as far as Rousseau did in finding autonomy incompatible with motherhood.¹¹ Radical thinkers, in-

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cluding many feminists, accused second-wave feminists of prioritizing liberal rights over economic fairness.¹² Neither feminism nor liberalism has been static. Classical liberalism has been supplemented, and, to some extent, replaced, by welfare liberalism. Feminists have responded to radical criticism by emphasizing class issues.

Back in the last century, I devoted much of *Our Lives before the Law* to feminist critiques of liberal theory. Here, I briefly reconsider what I wrote there. I then turn to liberal critiques of feminism and radical critiques of feminist liberalism. I argue that these critiques do not make convincing arguments for rejecting liberalism. Instead, I try to construct what I call a feminist post-liberalism: *not*, note, a liberal post-feminism.

Rights without Freedom: Gender Equality versus Male Supremacy

Feminism and liberalism are distinct but tangled philosophies. Each has challenged and influenced the other. But liberalism has coexisted with both feminism and male supremacy. Condorcet may have been the first male liberal feminist, but he was not the last. Jeremy Bentham supported women's suffrage, and John Stuart Mill opposed male supremacy.¹³ Early feminist causes, such as securing the vote and protecting married women's property rights, sought to apply liberal principles to women. Women's struggle to win the "rights of men" lasted well into the twentieth century. The United Kingdom did not extend full voting rights to women until 1928. French women had to wait until the German occupation ended in 1944. French husbands and fathers did not lose their legal status as heads of households until 1970. Louisiana, the only state whose law was based on the Napoleonic Code, had a similar rule until 1981, when the Supreme Court struck it down.¹⁴

The "separate spheres" ideology—man as breadwinner, woman as homemaker—was entrenched in the United States by the time the Seneca Falls convention met in 1848. Opponents of first-wave feminism invoked gender stereotypes to defend the status quo. "The power of woman is her dependence, flowing from the consciousness of that weakness which God has given her for her protection," a Congregationalist minister declared.¹⁵ Early activists, such as Elizabeth Cady Stanton, turned this rhetoric around, insisting that women's role in family life conferred their moral superiority to men and justified women's participation in public life.¹⁶ Nineteenth-century feminists promoted women's financial independence so they would not have to marry unless they wanted to. But these feminists relied on women's domestic role to support their cause. Men defined the separate spheres. Women socialized women within their sphere. The "social feminists" of the Progressive Era

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and the “difference feminists” of the late twentieth century not only supported women’s rights but also emphasized women’s traditional roles.¹⁷ In so doing, they reinforced, or at least failed to challenge, the social expectations of women. I am not blaming any of these activists for Donald Trump’s victory. The early suffragists had to attract women to their cause; the advocates of protective labor legislation responded to working conditions that were particularly harmful to women; the difference feminists were valorizing women’s traditional work.

Ironically, Stanton’s emphasis on women’s superior morality would come back to haunt her reputation. First-wave feminism grew out of the antislavery movement. Stanton and her contemporaries were committed to abolition. Frederick Douglass and other abolitionists supported women’s suffrage before the Civil War. But when the Fifteenth Amendment came before Congress, Douglass declared, “This is the Negro’s hour.” He ignored the fact that extending the vote to women would double the Radical Republicans’ political base. Stanton questioned “whether we had better stand aside and see ‘Sambo’ walk into the kingdom first.”¹⁸ Her racism intensified for the rest of her life. She made exactly the same error Douglass did; she limited the size of her group’s potential constituency. What is interesting is the different judgments Douglas and Stanton received for their exclusionary politics. His omission of women has been considered pragmatic; her alliance with white supremacists is condemned as immoral.

The victories of first-wave feminism were absorbed into Western society without changing gender roles. The liberalism I grew up with after World War II either defended male supremacy or tacitly accepted it. The support for individual rights, equality, due process, the welfare state, the primacy of reason over emotion, and democracy coincided with the beliefs that wives should defer to their husbands, that motherhood was a full-time job, that women should reject ambition in favor of family life, and the like. Gender equality was not a liberal value.

These developments resonated with my own experience. Girls in the pre-Title IX cohort got the message that liberal principles did not quite apply to them, even as adults. Intelligence was important, but do not raise your hand every time you know the answer. We were encouraged to attract, to intuit, and to play dumb. The women I knew were either homemakers or spinster schoolteachers. Our futures seemed to be linked to children, whatever path we took.

Family and milieu introduced me to opinion. Education introduced me to theory. I read John Stuart Mill in high school, Erich Fromm in college, and David Riesman in graduate school.¹⁹ I developed a concept of adulthood that entailed possessing the rights and liberties they discussed—and I could

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not wait. Mill and Riesman argued that this status applied to women as well as to men. But Fromm wrote a book called *Man for Himself*:²⁰ Paul Goodman declared in *Growing Up Absurd*, “The problems I want to discuss in this book belong primarily, in our society, to the boys: how to be useful and make something of oneself. A girl does not *have* to, she is not expected to, ‘make something of herself.’ Her career does not have to be self-justifying, for she will have children, which is absolutely self-justifying, like any other natural or creative act. With this background, it is less important, for instance, what job an average young woman works at till she is married.”²¹ Goodman reinforced a message I had already encountered: motherhood makes up for everything girls do not get to do. Fromm’s and Goodman’s books appeared in the 1940s and 1960s. By 1970, I was eager for a new feminist movement.

Because of that movement, Fromm and Goodman could not now get away with writing as they did. But we need look back no farther for examples of sexism than the historian, biographer, and public intellectual Arthur Schlesinger, Jr., who described himself as an “unrepentant and unreconstructed liberal and New Dealer.”²² His death in 2007 prompted the usual reminiscences and the publication of his edited journals.²³ The *Washington Post* recalled an occasion when liberalism’s exemplar “pooh-poohed the fish-and-fowl on the menu as women’s food. He told the waiter to bring him meat.”²⁴ His journal stonewalled questions about the sexual behavior of prominent men. John and Robert Kennedy’s connections to Marilyn Monroe posed “a question [he] d[id] not regard as legitimate.” He sympathized with a Kennedy nephew charged with rape. Other comments included a remark about “Kitty Galbraith, dowdily dressed as if to show what she thought of handsome and stylish women,” and the description of Madeleine Albright as “a third-rate woman, and not a nice one either.”²⁵ His liberalism never forced him to reconsider his misogyny. Liberals who shared his views may well have voted for Trump.

Liberalism was holding its own among competing views in the 1950s and 1960s, when I became aware of ideas.²⁶ To many people, liberalism was not an ideology at all. The word *ideology* was more often preceded by *communist* or even *Nazi*. Liberalism was common sense; it was pragmatism. Barry Goldwater, the conservative who won the Republican nomination for president in 1964, was too much even for some members of his party. Many Americans perceived his resounding defeat by Lyndon Johnson, the return of Democratic majorities to the House and Senate, the war on poverty, and the passage of the Voting Rights Act of 1965 as decisive and permanent liberal victories. The Supreme Court’s prompt validation of this law and its recognition of a right to privacy in *Griswold v. Connecticut* (1965) indicated that all three branches of government were on the same page.²⁷

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After 1965, liberalism had nowhere to go but down. The Vietnam War overrode the war on poverty and soured many Americans on government. The New Left, an outgrowth of the civil rights and antiwar movements, collapsed under the power of the forces arrayed against it. The Republicans had exiled their liberals by 1980. Liberals who stayed with the Democrats became neoliberals. They accommodated the fear of crime that had helped Richard Nixon become president by forming the Democratic Leadership Council and abandoning their opposition to the death penalty (see Chapter 4). Ronald Reagan in the 1980s and the Tea Party in the twenty-first century made Goldwater look like a liberal—and they won elections. Bill Clinton responded to a Republican takeover of Congress by reaffirming his commitment to “end welfare as we know it.”²⁸

Feminism, by contrast, had nowhere to go in 1965 but up. The publication of *The Feminine Mystique* two years earlier coincided with the report of the President’s Commission on the Status of Women. This commission opposed the Equal Rights Amendment and supported women’s labor legislation.²⁹ Still more reactionary was the document known as the Moynihan Report. Its author, Daniel Patrick Moynihan, was then assistant secretary of labor and later U.S. senator from New York. *The Negro Family: The Case for National Action* was published by the department in March 1965. Moynihan, then a liberal, found a “tangle of pathology” in African American households. He attributed this malfunction to a “matriarchal structure,” evinced by the prevalence of the “female family head” (never the single-parent family).³⁰

Moynihan did not blame racial inequality on matriarchy or on mothers who assumed responsibility rather than on men who abdicated it. But he regarded patriarchy as a necessary condition for racial equality: “Ours is a society which presumes male leadership in private and public affairs. The arrangements of society facilitate such leadership and reward it. A subculture, such as that of the Negro American, in which this is not the pattern, is placed at a distinct disadvantage.”³¹ Moynihan’s prescription became conventional wisdom. Attitudes like these invited feminist resistance.

Moynihan made the same connection Rousseau had: children’s welfare requires women’s subordination to men. The Moynihan Report provoked accusations of racism and victim-blaming. But Nicholas Kristof, a columnist for the *New York Times*, marked the fiftieth anniversary of the report in “When Liberals Blew It.” He wrote, “Scholars, fearful of being accused of racism, mostly avoided family structure and poverty.” He bemoaned the effects of “father absence” but praised same-sex parents and avoided terms like *matriarchy* and *male leadership*.³² He seemed unaware of Moynihan’s male supremacist attitudes. The transition from “female family head” to “single-parent families” has been typical of commentators on the report.³³

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The revival of the feminist movement in the late 1960s was not met with joy by established interests. Feminist activists made enemies and still do. Feminist ideas received vehement criticism and still do. But the record of feminist accomplishments shows that being opposed and criticized is better than being ignored or ridiculed. The failure of the Equal Rights Amendment to win ratification proved a temporary setback.³⁴ There is a movement now, and it is taken seriously even by those who disparage it.

The twenty-first century has brought one unambiguous victory for feminists and liberals: the seismic change in public policy and public opinion toward homosexuality, in general, and same-sex marriage, in particular. Primary credit belongs to the pioneers who took the risks and bore the consequences of revealing their homosexuality. Feminists and liberals were late starters in this struggle. As these ideologies had long coexisted with racism, they coexisted with homophobia. The conventional liberal position was that homosexuality was a disease. The American Psychiatric Association did not remove it from its list of mental illnesses until 1973. The 1969 riots at the Stonewall Inn in New York City are often identified as the beginning of the gay liberation movement. That same year, Betty Friedan, the president of the National Organization for Women (NOW), identified lesbianism as a “lavender menace” threatening the feminist movement. Lesbians resisting the efforts of mainstream feminist organizations to exclude them appropriated this term.³⁵

The gay liberation movement forced heterosexuals to acknowledge the sexual preferences of friends, relatives, and associates as more and more people came out. Heterosexuals learned that homosexuals were no more likely to exhibit psychopathology than they were. Feminists recognized contradictions between gender equality and rejection of lesbians. Liberals saw contradictions between homophobia and support for individual rights. Many perceived an economic advantage in acceptance as homosexuals became a reliable market.³⁶ Both feminists and liberals perceived the advantages of gaining new allies. When New York legalized same-sex marriage in 2011, NOW and the American Civil Liberties Union (ACLU) joined the celebration. Support for same-sex marriage increased from 27 percent in 1996 to 42 percent in 2004 to 57 percent in 2015.³⁷ The conventional conservative position, that homosexuality is an abominable and detestable crime against nature, is held by a shrinking minority. In 2013, 34 percent of Republicans, and even 32 percent of Tea Party members, supported same-sex marriage.³⁸ The Supreme Court’s 2015 decision legalizing same-sex marriage was a decisive victory for homosexuals and their allies.³⁹

Despite their reputations, both feminism and liberalism are healthy and energetic. They have responded to ethical and pragmatic challenges. They

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have changed themselves and helped change the world. They have made common cause. But feminism and liberalism do not always unite. A victory for one may be a defeat for the other. Consider, for example, the nationwide controversy over the proper response to pervasive sexual assault on college campuses. A magazine article in the summer of 2014 reports a widespread consensus that “school disciplinary boards have rarely done a very good job of handling these cases.”⁴⁰ Investigations focus on the victim’s behavior, invoke stereotypes about rape that are no longer allowed in criminal trials, and let the accused off lightly.

Liberal critics emphasize the rights of the accused. Some feminists argue that these cases belong in the criminal justice system, although it “has failed rape victims so consistently.”⁴¹ Others concentrate on reforming campus systems to make them more responsive to victims. When the defense to rape charges is consent, triers of fact choose between believing the accuser and believing the accused. False accusations have occurred. Liberals’ concern for due process is legitimate. But feminists’ concerns about the welfare of victims and the elimination of sexual assault are equally legitimate. These two groups are in conflict.⁴²

Even when feminists and liberals agree, they may reach the same conclusions from contradictory premises. Both the ACLU and La Leche League International (LLLI) support a woman’s right to breastfeed in public. The ACLU emphasizes individual rights, as it usually does. LLLI thinks people should do it; the ACLU thinks people should be allowed to do it. Not everyone identifies LLLI’s principles as feminist. But breastfeeding advocates describe themselves and their cause as feminist and identify the interests of women with those of children.⁴³

Women within Liberalism

The words *feminist* and *liberal* mean so many different things to the people who use them that these words require clarification. Definitions can sidetrack and even overwhelm discourse, but here they are necessary. I let the experts I discuss label themselves and let history label the dead experts. My concept of liberalism is post–New Deal welfare liberalism, not classical liberalism or libertarianism. The classical liberalism of eighteenth- and nineteenth-century feminists did not achieve equality. I am increasingly pessimistic about whether equality is compatible with capitalism. I also reject rational choice and populism. I do not accept the rational actor model as the basis for, or “the people want it” as a defense of, any policy. By feminism, I mean a commitment to actual, not just formal or legal, equality between women and men and between cisgender and transgender people and to policies and

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practices that further all women's interests. This equality demands the rejection of conventional gender roles. I reject the idea that women's interests are identical with any others, like those of men, children, families, the poor, or the environment.⁴⁴

Most liberals and many feminists prioritize economic inequality over male supremacy as a source and cause of injustice. I refuse to make that choice. I see no reason to rank-order the two variables. Ending poverty is unlikely to end male dominance and vice versa. Both goals are as important in themselves as they are in relation to each other.

Male dominance is incompatible with liberalism's emphasis on reason. The commonest defense of male supremacy relies on women's ability to do something important that men cannot do. No defenses of sexism are intellectually tenable. Liberal feminist theory could posit that women counted as liberal subjects and proceed from there. But what sufficed as a basis for liberal feminism proved, at best, inadequate and, at worst, counterproductive for feminist liberalism.

Feminists Confront Liberalism

The idea of a possible connection between thinkers' particular standpoints and their ostensibly neutral ideas has informed scholarly analysis at least since Karl Mannheim began "unmasking" ideologies.⁴⁵ Feminist assertions that liberalism has an inherent male bias are similar, in structure if not in content, to Marxist critiques of liberalism. One need not accept Marx's theory of history or his commitment to revolution to recognize the truth of his statement that, under capitalism, "property is already done away with for nine tenths of the population"⁴⁶ or Lenin's observation that "the modern wage slaves, owing to the conditions of capitalist exploitation, are so much crushed by want and poverty that . . . in the ordinary peaceful course of events, the majority of the population is debarred from participating in social and political life."⁴⁷ Twentieth-century feminism recognized what nineteenth-century Marxism had: liberalism excluded some people while claiming inclusiveness and privileged some people while claiming neutrality. Feminist scholarship itself has been subjected to, and has learned from, minority critiques making similar points.⁴⁸

"Virtually all" feminist scholars "acknowledge the vast debts of feminism to liberalism."⁴⁹ But feminists who agree on little else agree that liberalism is not enough for gender equality. Feminist critiques of liberalism have held that it "presumes that the family "is a just institution" (Susan Moller Okin) and presupposes a "sexual contract" that assigns inferior status to women (Carole Pateman).⁵⁰ Emphasizing individual rights "ignores *needs*" (Barbara

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Katz Rothman) and “authorize[s] the male experience of the world” (Catharine MacKinnon).⁵¹

Feminist scholarship influenced by arguments such as these has influenced liberal discourse. The work of MacKinnon and Andrea Dworkin has made it difficult for liberals to presume that sex is consensual.⁵² Neither the family nor the workplace is immune from feminist scrutiny. Martha Fineman has introduced the idea of a “caretaking” family to counter the traditional “sexual family,” whose function is to establish fatherhood.⁵³ Joan Williams has challenged the notion of the “ideal worker,” the employee with few or no home responsibilities.⁵⁴ Martha Nussbaum’s and Amartya Sen’s work on “capabilities” has produced theory that is both feminist and liberal.⁵⁵

Some feminists go so far as to insist that liberalism and gender equality are incompatible. Feminist analysis has exposed what Zillah Eisenstein called the “patriarchal and individualist” roots of liberalism.⁵⁶ Robin West concludes that liberalism is “essentially and irretrievably masculine.” Its “separation thesis’ about what it means to be a human being” is “patently untrue of women” because they are “actually or potentially materially connected to other human life. Men aren’t.”⁵⁷ The charge of male bias is plausible on its face. Liberalism is a belief system developed primarily by men who were the dominant group in society and whose lives were very different from the lives of women or children. Why would the ideology not incorporate the male view of the world and stress the interests of the dominant rather than those of the subordinate? Liberalism is, indeed, rooted in male supremacy. Liberalism is based on a notion of what it means to be a human being that characterizes men’s lives. Liberal theory emerged and grew in contexts where women’s labor allowed men to assert rights and to construct theories.

But liberalism authorizes *a*, not *the*, male experience of the world. Only a select few men got to have this experience. The majority of men earned their living through physical labor. Liberal theory works best for people who can live like liberal theorists. John Stuart Mill’s defense of “the liberty of thought and discussion” and his focus on “the limits of the authority of society over the individual” appealed most to people like him: intellectuals who earn their living with their brains and have few or no domestic responsibilities.⁵⁸ Most people who fit this description were men, but most men did not fit this description. But the irrelevance of liberal values to the lives of many people does not make these values unimportant. Liberal concerns became more salient to more people when and if their lives improved.

The domestic servants who made the liberal lifestyle possible in the nineteenth century were replaced by labor-saving devices in the twentieth. As opportunities increased, more and more women were able to live like the men who had monopolized the theorizing. Women who started as gradu-

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ate students and ended as academics, for instance, could approximate the liberal intellectual lifestyle—if they lived alone, among women, or in the egalitarian heterosexual partnerships that proved difficult to establish. But motherhood brought domestic duties down on the heads of middle-class professional women. Their equality with men was compromised, not by the fact that women bear children—the logical connection between women’s work and their reproductive function is incomplete—but by the fact that the work must be done and by expectations that women do it.

Liberalism did not have much to offer in these situations, and much of what it did offer was counterproductive. A woman chose to marry or not, to have children or not, to breast- or bottle-feed. Once she made the choice, she accepted its consequences. A woman in an abusive relationship chose to stay or leave. To interfere was to violate the family’s right to privacy.⁵⁹ (One need not reject the presumption of free will to perceive that choice is only of possible things.) Liberal theory sufficed only for the woman who could afford to hire out domestic responsibilities at the risk of exploiting other women. To the extent that a woman must choose between a profession and parenthood, she is that much less a liberal subject.

Character and Situation

Differences among feminists have been as important as differences between feminists and liberals. Early feminist victories extended liberal principles to women. First-wave feminists united in supporting these goals. But they were divided about whether freedom of contract should extend to women. “Equal opportunity” feminists, such as the members of the National Women’s Party, insisted that with respect to labor, women should have the same freedom to make contracts with their employers that men had. But “social” or “relational” feminists supported special restrictions for women so that they could fulfill their obligations as wives and mothers.⁶⁰ Feminist critics of liberalism agreed that “women share some distinctive features that make male-centered theory wrong for them,”⁶¹ but they disagreed about why and how this was true. Robin West identifies with “cultural feminists,” for whom “the important difference between men and women is that women raise children and men don’t.”⁶² Catharine MacKinnon labels these authors “difference” theorists, and I call them “character” theorists. This body of work is similar in structure to a philosophy that goes back at least to Plato: it reasons from a theory of human character to a theory of politics. So do Thomas Hobbes, John Locke, James Madison, and other liberal theorists. The feminist version substitutes *women* for the (implicit or explicit) *men* of early character theory.

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West juxtaposes cultural feminists to “radical feminists,” who hold that “the important difference between men and women is that women get fucked and men fuck.”⁶³ MacKinnon practices the “dominance approach,” whose guiding premise is “the difference is that men have power and women do not.”⁶⁴ I call this type of feminism “situation” theory and jurisprudence, which asserts that “what makes law male is the fact that men use it to subordinate women.”⁶⁵ Situation theory is similar in structure to Marxism: it substitutes male dominance for class struggle.

The dichotomy between cultural and radical feminism is not an either-or division. Organizing much of the work from the 1980s and 1990s on this basis is useful. Some influential scholarship falls outside these categories. Zillah Eisenstein, for example, is a radical feminist but not a situation theorist. She focuses not on women but on liberalism itself: “The demand for real equality of women with men, if taken to its logical conclusion, would dislodge the patriarchal structure necessary to a liberal society.”⁶⁶ The dichotomy certainly does not apply to all contemporary feminist scholarship. Feminist theory may have exhausted the possibilities of the “difference debate” in the last thirty years.⁶⁷

I have expressed a strong preference for situation theory over character theory. To summarize, I argued that the latter ascribed to nature gender differences imposed by society and reinforced conventional expectations that burden women.⁶⁸ I did not fully realize that character theory is inherently conservative. Its concepts of gender difference are pre-feminist, and it does not untangle theory from roles. Cultural feminism has not made a convincing case that liberalism is irretrievably masculine. But this is not the whole story for two reasons.

First, character theory and situation theory, like liberalism and Marxism, are examples of “grand theory.” Each is what C. Wright Mills called “a systematic theory of ‘the nature of man [*sic*] and society.’”⁶⁹ Later scholars have criticized grand theories for being abstract and for claiming an essentialism they do not have.⁷⁰ If grand theories are viewed not as truths but as methods, they are valuable even when they have flaws. One need not agree with Marx that history is about class struggle, or with Sigmund Freud that Eros and Thanatos drive human behavior, to use concepts such as “reserve army” or “the subconscious.” Character feminism and situation feminism have similar strengths. Grand theories are more than ideas; they are also epistemologies and language games.⁷¹

Second, radical feminists’ arguments that liberalism and gender equality are incompatible are no more persuasive than the cultural feminist versions are. Zillah Eisenstein has not made a convincing argument that liberalism is patriarchal and individualist or that individualism is something bad either.

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If by “individualistic” Eisenstein means the “rugged individual” of Westerns and war stories, she is right: size and brawn are crucial, and most men surpass most women in these attributes.⁷² But this is not what David Riesman meant or what individualism must mean. An individualist may also be a person resisting conformity, as feminists do. The statement I quote previously begs the question about the relationship between the liberal and the patriarchal. Eisenstein proceeds from the insight that liberalism is *rooted* in patriarchy to the conclusion that liberalism *entails* patriarchy.

“Ahead of Whatever’s in Second Place”: The Case for Reconciliation

I argue that feminism and liberalism need each other. How, with all the conflict and discontinuity, can I defend this position? First, an examination of pre-feminist critiques of liberalism and their intellectual descendants indicates that liberalism is far friendlier to gender equality than some of its adversaries. Second, the two ideologies can correct some, although not all, of each other’s characteristic errors. Both feminism and liberalism must refuse to rank thinking over feeling, and vice versa. Liberalism focuses too narrowly on the individual, while feminism needs a dose of individualism. Liberalism’s emphasis on rights and autonomy puts it in a good position to scrutinize the family. Although liberalism long assumed that the family is immune from critical scrutiny, it neither idealizes the institution, as many conservatives do, nor assumes with the radicals that what happens within the family is secondary to class oppression.

Liberalism offered more to a second-wave feminist scholar than the available ideologies of the traditional right and the radical left. Studying political science when and where all these ideologies made their presence felt, I discovered recurring patterns in my peers’ responses to feminist challenges. Many conservatives endorsed conventional notions of natural differences between the sexes; some even questioned whether feminists really knew what they wanted. Radicals tended to trivialize gender issues and insist that class issues preempted them. Today, few, if any, conservatives want to confine women to traditional roles; they eagerly promote women candidates for public office. But radicals continue to assert that gender is secondary to class and that economic exploitation is more significant than male supremacy.

We know enough about proletarian revolution and communist systems to be pessimistic about them. Governments that deserved to be overthrown were, but their replacements combined repression with deprivation. The people of the USSR did not take long to perceive what the protagonist of Arthur Koestler’s novel *Darkness at Noon* told his inquisitors: “Acting

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comprehensively in the interests of coming generations we have laid such terrible privations on the present one that its average length of life is shortened by a quarter.”⁷³ In Cambodia, deprivation took the extreme form of genocide. The People’s Republic of China told people that “suffering will make you a better Communist.”⁷⁴ Conditions in North Korea were so dire for so long that people asked, “What can we expect from Kim Jong-Eun, when his father runs the country so badly that people are starving to death?”⁷⁵ Even Cuba, whose size and climate make scarcity improbable, forced privation and labor on its people with little compensation beyond the assurance that “you don’t have to feel guilty” because you have nothing anybody else lacks.⁷⁶

The Soviet Union collapsed, China rejected doctrinaire communism, and the future of North Korea and Cuba remains an unanswered question. The transfers of power from monarchs to elected officials that took place throughout Europe in the twentieth century were more successful in containing privilege than in establishing egalitarian societies.

Marxism’s fate has been the reverse of what happened to liberalism and feminism: its theory has outlasted its practice. Franklin Delano Roosevelt’s “a third of a nation ill-housed, ill-clad, and ill-nourished” echoed, consciously or not, Lenin’s proletariat “crushed by want and poverty.”⁷⁷ Marxist, radical, and socialist thought combined with hard times had a deep and lasting influence on the quiet transitions of the twentieth century. As these ideologies reshaped liberal practice, so, too, did they transform liberal theory. Classical “laissez-faire” liberalism has been supplemented, although not supplanted, by what I call “welfare liberalism.”

To characterize welfare liberalism as a kind of “post-liberalism” would not be far-fetched. My goal here is to develop a feminist post-liberalism that is true to the principles of both ideologies. The success of socialist and radical theory in changing liberalism suggests that feminist theory has similar potential. We can look forward to a twenty-second century in which liberalism has become even more complex. Feminist post-liberalism may not persuade everyone in either the classical or welfare liberal camps, but it may force thinkers to reexamine, reground, or reject their own positions.

The case for a feminist post-liberalism becomes stronger when we review some pre-Marxist and pre-feminist critiques of liberal principles and the intellectual descendants of these critiques. Feminist theory cannot do without the principles of equality and autonomy; these principles are essential to any ideology committed to the equality of the sexes. Thomas Jefferson’s statement that “all men are created equal,” a self-evident truth for him, was “a great and dangerous error” to John C. Calhoun.⁷⁸ John Stuart Mill’s defense of individual liberty in “self-regarding” actions was countered by James Fitzjames Stephen’s defense of “persecution of the grosser forms of vice.”⁷⁹ Neither of

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these nineteenth-century conservative arguments enjoys much favor now. The equality principle has long since become a “given” in democratic political discourse; the gap here is between theory and practice. The “law and morals” debate foundered as even conservative consensus about what constituted “vice” weakened in democratic societies. But this debate has morphed into concerns about family and community that threaten gender equality.

Patrick Devlin adapted Stephen’s critique, insisting that the enforcement of moral principles may be necessary not to prevent vice but to preserve the “community of ideas” essential to the preservation of society. To the extent that those shared ideas include traditional gender roles, they are destructive to an egalitarian society. Devlin’s own phraseology—“whether a man should be allowed to take more than one wife”—does not reassure on this point.⁸⁰ Sixty years later, Devlin’s argument seems almost as quaint as Stephen’s, but contemporary critics of liberalism continue exploring the connection between social cohesion and shared values. Michael Sandel’s concern with liberals’ lack of a shared concept of the good is compatible with Devlin’s critique. Both authors emphasize “shared” rather than “good.”⁸¹ Charles Taylor and Alasdair MacIntyre suggest that liberalism essentially misunderstands human beings, perceiving them as autonomous individuals rather than as the creations of the communities to which they belong.⁸² Whereas Robin West asserts that liberalism’s “separation thesis” is true only for men, Devlin, Stephen, Sandel, Taylor, and MacIntyre, among others, posit a “connection thesis” for all human beings.⁸³

The label “communitarian” has been applied to these theorists. Both Sandel and MacIntyre reject it. Self-styled communitarians, such as Mary Ann Glendon, criticize liberal discourse for mounting “strident talk about rights” while exhibiting “near-aphasia concerning responsibilities.”⁸⁴ The call to subordinate one’s own desires to the collective good evokes a reality all too familiar to women. I have argued that rights must be talked about because they are vulnerable, whereas responsibilities are givens that are disproportionately imposed on women.⁸⁵ Self-labeled defenders of the family emphasize not social programs that could improve the situation of many families but “family values” that often include traditional gender roles. If liberalism is inconsistent with feminism, these counter-liberal ideologies are hostile toward it. Whether or not liberalism is compatible with gender equality, it is not feminism’s worst enemy.

Conclusion

No case for reconciliation can accept any variety of liberalism that now exists. But ideologies are dynamic, not static. They change, and are changed,

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in response to new ideas and to political and social change. Liberal priorities have become more relevant to women's lives as they move into formerly male roles. We have seen that liberal principles often are more supportive of gender equality than those of competing ideologies. Liberalism already includes classical liberalism, social liberalism, and neoliberalism. What would a feminist post-liberalism look like?

What do you get if you take the patriarchy out of the Moynihan Report? You get an argument that is no longer Moynihan's: that two-parent families are better than one-parent families. What's wrong with that? A lot if you conclude that the children of single parents should not exist, impose penalties on single parents, or forbid single-parent adoption. But suppose you mean that a family in which responsibility is divided between two adults is stronger than a family in which one adult is isolated in responsibility. Well, you may have to confront objections that three or more adults are better than two, but you now have an argument that is gender-neutral on its face. As applied, this argument fails on both feminist and liberal grounds. Since most single parents are mothers, the danger that even a neutral argument can lead to concentrating on family structure rather than on lack of opportunity and training, and on the failings of present mothers rather than absent fathers, is real. Liberals' emphasis on individual autonomy will reject the argument as a basis for public policy, accepting it (or not) as a guide to personal behavior.

Infant feeding is another issue on which both feminism and liberalism have failed. To privilege breastfeeding, like LLLI, goes too far; to support breastfeeding rights, like the ACLU, does not go far enough. The first choice rests on too narrow a definition of feminism, while the second reflects too formal a concept of liberalism. My criticism of these organizations does not discount the valuable work each has done, the ACLU by supporting rights and LLLI by public and private education and worldwide opposition to aggressive marketing of infant formula. Women must be free to breast- or bottle-feed as they choose, but all mothers of infants need concessions and accommodations for their choice to be truly free.