

FEMINISM, LIBERALISM, AND CHOICE

By

Shannon Burns Proctor

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ABSTRACT

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The relationship between feminism and liberalism is a tenuous one given claims that a significant number of the central categories of analysis found within liberal theory link to male domination. Within feminist critiques of liberal theory, one finds critical examination of concepts such as autonomy, neutrality, consent, and the social contract. However, the literature leaves liberalism's central category of analysis *choice* under-contested. Although feminist theorists have complicated our understanding of choice through discussions of adaptive preferences and autonomy, there has yet to be a coherent argument against this concept as the framework for understanding oppression as well as liberation. Where theorists have focused on clarifying the conditions of the possibility of choice - i.e., what is necessary for women to properly be understood as having and making choices – I argue against an understanding of freedom from oppression primarily in terms of the nature and number of one's available choices. The primacy of choice within contemporary social and political feminist theorizing is problematic because it directs away from the goal of non-domination and toward the development of atomic individuals – a goal both arguably impossible and contrary to the general, practical aims of feminist theory. I further argue, via discussions of freedom of personality and the imaginary domain, that we must be able to conceive of ourselves as deserving particular choices and be capable of imagining ourselves otherwise if the category of choice is to prove useful in the fight against oppression.

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Feminism, Liberalism, and Choice

Feminism “confirms a desire for that which does not exist” (Sonia Kruks, 15).

Introduction

Feminism provides an important insight regarding the approach to theorizing: given that women are oppressed, we need to start from the lived experiences of this class if we hope to achieve a free society. Thus, I begin this work with reference to my own experience, both to allow the reader a sense of what drove me to this project, as well as to honor the feminist intuition that, most often, when our bodies sense that something is awry, we must have the courage to explore this sense. This can also be understood as the claim that, when liberatory theory mystifies, we must be open to the possibility that the theory has something wrong.

My initial engagement with feminist autonomy theory induced a great sense of mystification; something was not right – indeed, something was profoundly wrong. I sensed a deep contradiction within the association of feminism and autonomy theory. The nature of this contradiction remains elusive (as do the questions of what is freedom, how do we achieve it, and is the achievement of non-domination a real possibility).

However, by investigating this feeling, it became clear that numerous feminist theorists provided evaluative and procedural models based on the liberal concept of choice that failed to radically challenge male dominance. Indeed, some accounts of autonomy provide extremely weak analyses as to the nature of oppression.

I accept the claim that women participate in constructing the social world and that we make rational and autonomous choices.¹ However, if the majority of feminist analyses of oppression explain its “wrongness” in terms of women’s inadequate participation in social constructing and the limited choices available to women in patriarchal society, the claim that women are oppressed in this world is precluded when our theories are grounded on choice. That is, we cannot ignore that women’s choices are limited in oppressive ways,² that we are not free to choose for ourselves how best to live, etc. I will argue that the relationship between feminism and liberalism, particularly the ways in which feminists employ the liberal concept of choice, needs to be reconsidered if we hope to achieve a free society.

Lisa Schwartzman’s *Challenging Liberalism* provides important insight as to the nature of the relationship between liberalism and feminism.

The ideals and concepts of liberalism have been used in feminist struggles for liberation throughout recent history. From the time of the women’s suffrage movement to the more recent battles over abortion, women have formulated their demands in terms of equality, autonomy, and individual rights. Although numerous feminists have demonstrated their value, liberal concepts can work to undermine women’s interests, reinforcing not only sexism, but also racism, classism, and other forms of oppression. Examples of this include cases where men have used the ‘right to privacy’ to argue that the state should not interfere in situations of domestic violence and marital rape, as well as more recent cases in which racist hate speech, violent pornography, and sexually harassing speech have been granted protection under the right to ‘freedom of expression’ (Schwartzman, 1).

These lines highlight a number of issues one encounters when analyzing the relationship between liberalism and feminism. Additionally, they fix our attention on the complex and

¹ At least according to many procedural models, though below I turn to Diana Meyers’ unique perspective on these issues.

² Clearly, this requires support. See the section on adaptive preferences for an analysis of the problems that arise when we attempt to evaluate among choices – a necessary task of any theorist hoping to say anything about the meaningfulness of a choice.

contested nature of this relationship – that liberal ideals prove difficult to achieve when we start from the lived experiences of women within patriarchy. While the literature on this relationship is vast and resistant to straightforward analysis, it is possible to distinguish among different feminist positions on liberalism.

On one end of the spectrum lie feminists who embrace ideal liberal theory (more or less) whole-heartedly. These feminists maintain that the central tenets of liberalism are essential to feminist theorizing and praxis – encouraging an analysis of oppression grounded in liberal concepts and a praxis based on social reform via democratic processes.³ Other feminists⁴ temper their association with liberalism by adopting critical attitudes toward the ways in which liberal ideals have been employed to further masculine domination through categorical exclusion. When looking toward the other end of the spectrum, one finds an almost wholesale rejection of liberalism stemming from a belief that the role of liberal concepts in the oppression of peoples is far from accidental, but is a necessary result given their masculinist nature.

In this work, I engage those feminists who adopt what I shall call the temperate approach. That is, those that see value⁵ in liberalism's categories of analysis⁶ but are troubled by their manifestation in our lived experiences. These theorists note the contentious nature of concepts such as freedom, democracy, autonomy, and choice – contentious given these concepts lack a fixed or established meaning and that each has been (or continues to be) employed in the

³ For a more thorough analysis of liberal feminism, see Allison Jaggar's *Feminist Politics and Human Nature*.

⁴ Many varieties of feminist thought have taken this approach, including socialist feminism, difference feminism, (so-called) postmodern feminism, and radical feminism.

⁵ Though the magnitude of this value is contested within this group.

⁶ A category of analysis offers a way to evaluate social organization. It is a lens through which we see how subjects are fairing in a given society. For example, autonomy functions as a category of analysis when it is used to evaluate whether certain individuals are prevented from making choices of their own.

reproduction of male domination.⁷ Recognition of these issues has resulted in a range of theoretical and practical reactions particular to the temperate approach.

Despite this range of opinions, common themes emerge within this group. For example, there is a shared belief that liberal concepts must be subjected to feminist analysis. This belief is cashed out in two ways. Some theorists maintain that the relationship between certain concepts and male dominance requires us to re-vision their meanings in non-oppressive terms. That is, they reclaim or modify various liberal concepts prior to employing them in feminist projects.⁸ Others suggest that particular concepts are beyond saving given their relationship to male dominance and must be purged from feminist theory.^{9,10}

These critiques demonstrate and help to explain the tenuous nature of the relationship between feminism and liberalism. Furthermore, they provide a framework for my analysis, particularly by suggesting that when categories of analysis are linked to male domination they must be challenged.¹¹ However, these criticisms leave a central, liberal category of analysis – choice – under-contested. I will argue temperate feminists fail to adequately contest choice

⁷ Here, one may think of the numerous criticisms lodged against canonical figures, particularly those who excluded woman and people of color more generally from liberal categories of analysis (bell hooks' *Ain't I a Woman* presents a compelling analysis of this point).

⁸ This is evidenced in the collection of feminist articles in *Relational Autonomy*, which provides several ways for rethinking the liberal concept of autonomy.

⁹ Nancy Hirschmann's work adheres to this model. Though she refrains from actually purging the concept of autonomy from feminist theorizing, she recommends that a reconceptualized feminist freedom is less susceptible to critiques of autonomy.

¹⁰ Though beyond the scope of my paper, similar responses are offered in analyses of liberal methods, particularly the methods of abstraction and idealization. See Schwartzman's *Challenging Liberalism* for an in-depth analysis of these concerns

¹¹ Dorothy Roberts provides a useful example in *Killing the Black Body*. She argues that the biased meanings operating in legal interpretations of sexual autonomy (the category of analysis) prevent Black women from finding redress when raped by white men. Given that the judicial system employs categories of entitlement that grant white men sexual access to black women (an expression of masculine domination), sexual autonomy fails to be a useful category of analysis for feminists aimed at the achievement of non-domination.

because they do not rigorously challenge its primary role as a category of analysis.¹² As will be explained below, the focus on choice as the primary “way” to evaluate social organization eclipses non-domination. In other words, the failure to scrutinize the primacy of choice impedes the achievement of feminist aims and prevents feminists from developing a robust response to oppression.¹³

Thus, I will argue the primacy of choice prevalent in temperate feminist theories unduly limits our understanding of oppression and liberatory responses to oppression.¹⁴ That is, when the enhancement of choice (a typical theoretical and practical response to the use of choice as a category of analysis) takes precedence over the achievement of non-domination, we significantly limit the prospect of a non-oppressive world.

It is not my intention to convince the reader that the concept of choice – or more importantly, that the goal of expanding choices – should be abandoned. It is clear feminism calls for us to broaden the range of meaningful choices open to oppressed persons. My intention is to demonstrate that the project of expanding choices and the use of the category of choice to evaluate the situation of women requires what I will call freedom of personality. That is, in order to gain a sense of the oppressive quality of limited choice, we must be able to conceive of ourselves as deserving particular choices. Furthermore, given our patriarchal society, the ability to choose cannot be adequately protected unless members of oppressed groups can imagine themselves otherwise. This ability requires that we can conceive of ourselves beyond the limited possibilities offered in oppressive societies.

¹² Later, I refer to “the primary role of choice as a category of analysis” as simply the primacy of choice.

¹³ In the following section, I direct my attention toward explicating exactly what constitutes feminist aims.

¹⁴ This is true even of feminist theories that investigate the complex nature of the concept of choice – for instance, those that address adaptive preferences.

Ultimately, if the primacy of choice in feminist theory makes possible worlds in which women's actual lives differ little than they are today, we must be willing to reconsider whether this commitment "makes sense" for liberatory theorizing (i.e., whether the primacy of choice can be reconciled with feminist aims). Without an ability to imagine one's self otherwise, there is little reason to believe that truly radical choices, choices that are in some important sense one's own, will be created or perceived within male dominance.

Below, I offer a more careful analysis of the freedom to create one's self. However, so as to order my claims, a brief explication is required. To start, the ability to create or define one's self may well require the ability to choose "freely."¹⁵ Indeed, it is quite difficult to imagine what it would mean for one to possess this ability without a material reality that could allow for the realization of this self. Even so, freedom of personality is ultimately more profound than the sum of the choices individuals make because it entails a space in which one can fantasize about the types of choices she would like to make. Again, my point is that both freedom of personality and the ability to make meaningful life choices are necessary components of one's ability to craft a life.¹⁶ And what does it mean to craft a life? Unfortunately, oppression has limited our ability to grasp this elusive idea. Therefore, my aim in arguing against the primacy of choice is to stretch the boundaries of this limit, to clear the way for future work directed at an analysis of true social and political freedom.

¹⁵ As shall be discussed below, it is unlikely that any human action is free in a deep metaphysical sense. However, freedom need not be understood – and isn't within feminism – in these terms. Indeed, the desire for freedom can be broadly understood as a desire for the ability to actively and authentically (bracketing all the problems inherent in this concept for the time being) participate in the creation of one's life and sense of self.

¹⁶ It is likely that neither of these goals can be achieved without the other. I take up this question in my discussion of the freedoms of personality and choice.

For the time being, I will argue that whatever this ability may be, it entails a re-visioning of the category woman. Additionally, it requires a radically altered social terrain in which freedom of personality or the ability to define oneself is no longer so stifled as to invalidate the primacy of choice. I undertake the first of these tasks in the latter half of this paper where I engage the work of Drucilla Cornell, Susan Babbitt, and Catharine MacKinnon in order to develop a thicker sense of what freedom of personality might entail. These theorists provide valuable insight as to the development of feminist categories of analysis that incorporate concepts of transformation, the imagination, and a vision of an unfettered life.

Feminist Aims

My critique of the primacy of choice exhibited in temperate feminist theories relies upon the claim that such theories unduly limit or preclude the achievement of feminist aims. These theories risk reproducing the subjugation of women in that they value a women's ability to choose more so than the achievement of non-domination. But one should not simply assume that non-domination is the fundamental aim of feminism. In this section, I present a variety of feminist voices on the subject of feminist aims, along with my analysis of how these aims are to be best understood as a call for the achievement of a non-dominant world.

Quite generally, feminism entails the claims that women are oppressed and that they should not be. Though the particulars of exactly what is oppressive to women, as well as how we should response to oppression vary, Elizabeth Gross provides a compelling general analysis as to the what and how of feminism.

In "What is Feminist Theory?," she argues that "feminist theory can be provisionally located at the interface of the negative, anti-sexist project and a more positive, speculative, project" (198). Feminists seek to highlight oppressive concepts and practices – to illuminate women's lived experience so that oppression can be named – and to offer new ways of thinking, acting, and being that resist oppression. The negative or anti-sexist project involves "the refusal of a number of central values, concepts and operations necessary for the functioning of patriarchal theory," while the positive project calls for "an affirmation of the alternatives to these given forms of discourse" (198).

Though illuminating as to *what* feminism is, this broad strokes analysis lacks the clear account of feminist aims necessary for my project. Perhaps the difficulty in locating clear or established accounts of the ultimate aims of feminism emerges from an awareness of the

differences among women. Indeed, many theorists have responded that the differences among women preclude the pronouncement of the ultimate ends of feminism. In other words, they argue that it is impossible to provide an accounting of feminist aims without obscuring the unique ways in which women are situated in the world. According to this view (which is maintained by most “postmodern” feminists and many third wavers), any such attempt at explicating feminist aims is destined to fail by excluding or unduly imposing upon some members of the category woman.

Differences¹⁷ in community and social organization¹⁸, the varied manners in which social categories operate to restrict or privilege¹⁹, and the contentious nature of oppression and/or the resistance of male domination (i.e., theoretical and practical variations) have been viewed as establishing limits to any concrete assertion of either what constitutes feminism or what it entails. That is, some feminist scholars argue that the vast differences in the situation and experiences of women prevent our being able to answer the question posed at the beginning of this section.

It is clear that the differences among women are of significant import to questions of how oppression is experienced and resisted, as well as to an accurate analysis of what oppression it. Gender oppression always operates through and with other social categories of exclusion. Feminist theorists must pay particular attention to these differences – we cannot operate with a singular gender axis and expect to produce theories that offer a true picture of gender oppression.

¹⁷ I explore these claims in some detail to provide the outlines for a response to the critique that there is no shared female experience and because I argue that it is through recognition of the ways that “differences” are constructed and made meaningful in society stem from male domination more generally.

¹⁸ Here, I am thinking broadly about social organizations; so as to include differences in family structures, economic and judicial systems, cultural norms and systems of morality, location in space, and the role of religion among others.

¹⁹ Particularly, but certainly not limited to, categories of race, gender, ethnicity, sexuality, class, ability, and age.

My claim is that the differences in the ways that women experience oppression should not be understood as precluding the possibility of feminist theory.

The ways in which these categories of difference operate contribute to the development of a repressed female gender. The salient differences among women are salient given how they privilege or further oppress women, not because they challenge the notion of gender oppression. MacKinnon notes the problems inherent in treating the differences among women as a challenge to the meaningfulness of gender. She states:

If I state such and so is true of women, and someone responds, but it's not the same for all women, that is supposed to undercut the statement, rather than point out features that make up the sex specificity of the thing. If gender is a social category, gender is whatever it socially means. All women either will or will not be hit in particular ways by the reality of gender, the totality of which will then comprise the meaning of gender as a social category. In other words, to show that an observation or experience is not the same for all women proves only that it is not biological, not that it is not gendered (*Feminism Unmodified*, 56).

For example, critiques of white feminist theory lodged by Black feminists aren't offered in suggestion that Black women don't experience gender oppression. Nor are they offered to argue that the ways in which Black women experience gender oppression are of such a different kind than the ways white women experience it as to preclude the possibility of a content-filled analysis of gender oppression.²⁰ They are offered because white women's racism excluded analyses of the ways in which Black women experienced gendered oppression and therefore that feminism needed to be reconceptualized.²¹

²⁰ Rebecca Whisnant expands on the notion of the social category of women by referencing the ways consciousness-raising created a space within which women could see their "personal" experiences as emerging from social organization (and, thus as worthy of political analysis). She claims consciousness-raising revealed "something about the condition of women as a group—rather than merely as unfortunate, but quirky, features of one's own personal life."

²¹ For example, the critique of Betty Freidan's work lodged by women of color, particularly Black feminist theorists, didn't consist of the claim that women of color existed outside of

Here, bell hooks is illuminating. She claims that the power struggle between Black and white women cannot be resolved by “the formation of opposing interest groups” because:

Such groups are symptomatic of the problem and are no solution. Black and white women have for so long allowed their idea of liberation to be formed by the existing status quo that they have not yet devised a strategy by which we can come together. They have had only a slave’s idea of freedom. And to the slave, the master’s way of life represents the ideal free lifestyle (*Ain’t I a Woman*, 156)

These words remind us that we must understand our shared social location, that we are categorized as women, *requires* an understanding of the differences in our experiences.

Hooks urges that the contradictions of a racist, classist feminism “should not lead any woman to ignore feminist issues” (195). The goal is to eliminate these contradictions so as to create an inclusive understanding of oppression. And, the willingness to revise feminist claims in light of “difference” must not be seen as a gift given to women of color from white women. Firstly, white women have to accept responsibility for the ways that racism, classism, and other categories of exclusion historically and currently operate in feminist spaces. Also, it is absolutely mandatory that the entirety of gender oppression be explored and resisted if any woman is to be free. At risk of being trite, none of us will be free until all of us are free.

Marilyn Frye and Catharine MacKinnon also discuss how differences among women should not be understood to undermine the ways in which male domination constructs us as a social group. Frye notes: “for any woman of any race or economic class, being a woman is significantly attached to whatever disadvantages and deprivations she suffers, be they great or

gender oppression. Indeed, these critiques challenged that Freidan (and other white female theorists of oppression) failed to capture gender oppression because they presented it in such a way as to exclude the ways women of color were oppressed based on gender (cf. hooks’ *Ain’t I a Woman*, particularly “Black Women and Feminism”). In other words, white feminists are critiqued when our racist notions implicitly and, thus, perniciously identify the general term ‘woman’ with ‘white woman’.

small” (*Politics of Reality*, 16). MacKinnon, whose analysis of difference calls for more careful consideration, emphasizes that in order to comprehend the situation of women we must acknowledge that all women are not the same, but that “what we all have in common is not that our conditions have no particularity in ways that matter. But we are all measured by a male standard for women, a standard that is not ours” (*Feminism Unmodified*, 76).

The concept of difference is a challenge to all feminist theorists to be precise and socially aware. The acknowledgement of difference leads to variations in particular strategies of resistance and ways of conceptualizing oppression. Indeed, the localized goals of feminism will vary depending on one’s social location and connection to categories of privilege and oppression. However, not only is it misguided to think that differences among women preclude a general explanation of feminist aims, I would argue that as the varied experiences of women are brought into feminist theory the possibility of expressing these aims arises. When we understand how the categories of exclusion operate on women, we come to see that domination in all of its forms (racial, sexual, economic, judicial, etc.) must be resisted if women are to be free. The quotation from MacKinnon suggests this, though in a different way – she notes that a true understanding of what it means to be a woman in patriarchal society is to be defined by male dominance. Given this, our awareness of the different experiences of gendered oppression allows us to claim that feminism should be ultimately aimed at the eradication of domination.

Non-Domination

The eradication of domination serves as the ultimate end of feminism. This claim is supported when we recognize the ways that women are oppressed vary dramatically. These variations - those experiences of oppression experienced by some set of women, but not all – help us to see the way in which cultural, religious, economic, judicial, and political institutions

work together to circumscribe women's freedom. That is, once we recognize the range of ways in which women are oppressed as women, we see that male dominance exists everywhere. Therefore, if we hope to end the oppression of women and to thereby allow women the freedom to self-create, we must counter male domination. It will not suffice to eradicate certain forms of male domination while leaving others intact. This is true given our responsibilities to other women, but also and, perhaps, more theoretically important because all of these manifestations of male domination interact. Thus, any male domination threatens every woman.

The eradication of masculine domination entails a commitment to challenging social structures that reproduce these relations. Whisnant maintains feminists must direct our efforts at identifying those structures and ideologies that oppress and then work together to resist them whether through withdrawal, negotiation or destruction. We must reorganize or re-vision social institutions so as to overcome the gender hierarchies implicit in male dominance. Remedying social injustice requires attention to social forces and relations of power (Schwartzman, 72). Schwartzman argues that in order to remedy social injustices, feminists must identify and challenge socially generated hierarchies of power (56, 72). This is a particularly important task because gender hierarchies shape our understandings of "power, equality, and, indeed, the very ideal of liberation itself" (Cornell, *Transformations*, 9). Thus, we must challenge gender hierarchies in order to fully grasp what freedom would be.

Hierarchies of power, particular masculine domination, are located in all of our social institutions and (given this power) are ultimately responsible for the injustices of oppression. Thus, if we are to understand and respond to the harms of oppression, we must follow Iris Marion Young's advice that feminists need to "identify how institutions and social relationships

differentially conspire to restrict the opportunities of some people to develop and exercise their capacities and enact their goals” (16).

Non-domination is absolutely not a call for assimilation or for efforts aimed at bringing women up to the status of white men. Furthermore, it is not the same thing as choice maximization – and the enhancement of women’s ability to make choices alone cannot help us attain it because non-domination requires the abilities of self-definition and self-determination (i.e., requires both freedom of personality and the ability to make meaningful choices).

The achievement of non-domination requires analysis of the ways social structures shape and that we appeal to some ideal of vision of how society could otherwise be (Schwartzman, 89). That is, non-domination demands that we imagine alternative social arrangements. It should be clear that freedom of expression and the ability to make meaningful choices are both necessary components of these projects. This discussion does not close debate as to what the values and aims of feminism are. Indeed, I maintain that feminism must be open to criticism, fluid, and allow for critical reflection and playful imagining. This is particularly true given feminism’s history of excluding women of color.

Feminism and Choice

What is Choice?

In the most basic sense, a choice is an action based on or emerging from one's will, volition, or desires. We understand what it means to choose or decide; that when we choose we select one action (or set of actions) from a list of alternatives. Thus, when a female friend states, "I decided to get a breast augmentation," we likely understand her to mean that at some point in the future she will act in such ways as to ultimately attain larger breasts. For example, we imagine that she will make an appointment with a plastic surgeon, enter a medical facility, go under anesthesia, allow a doctor to cut into her chest, etc.

Though we may lack knowledge of the particular ways in which she will express this choice (i.e., we may not know which doctor she will see), we understand her statement well enough that if, upon our next meeting, she has noticeably larger breasts we are unlikely to be entirely confounded. That is, we understand that one's choosing something even if their choice is to "do nothing" implies that she will act in ways aimed at bringing about, though not guaranteed to achieve, the expression of this choice.

Furthermore, we know what it means to have our choices limited even if we are radically misinformed as to the metaphysical or psychological nature of a choice.²² Thus, if our friend later told us that she wouldn't be able to get her breasts augmented because she couldn't afford to, we would understand that even though she had expressed a desire to act, certain social forces prevented her from ultimately achieving the ends expressed in her choice. This is true even if we had little to no understanding of how it came to be that she could not afford the procedure. And,

²² Given the nature of this work, I do not explore the psychological, moral, or epistemological aspects of these claims. My aim is not to provide even a cursory analysis of these points. My aim is to get at the difference from one's ability to choose and actual choosing, and the political meaningfulness of her choice.

if she later told us that she had chosen to work as an exotic dancer in order to save up for surgery, we would understand in some general way that another social force was enabling her to achieve the material expression of her choice – i.e., that through this job she would earn money that she could then use to pay for a breast augmentation.

What remains to be investigated, is how are we to understand the political significance of choice? In other words, it is less clear that there is a general understanding of how we should assess choices or the manner by which social forces create, limit, preclude, or encourage certain choices. Thus, it is more difficult to accurately assess the appropriate *response* to our friend's situation. Does our knowledge of gender oppression move us to challenge her desire? Does this knowledge entail that we urge lawmakers to outlaw cosmetic surgery in order to protect those “less edified” than we? Or, contrarily, do we support our friend's choice because it is hers? Is it hers? If we support her choice, do we help her to raise money for the surgery?

In order to approach any resolution of these questions, we need to explore the political nature of choice. Though I tackle this task more clearly below, here I offer initial remarks about the meaning of choice in US society and the possibility of freedom of choice within oppression.

Uma Narayan convincingly argues that the rhetoric of choice is a “powerful cultural ideology” that shapes our understanding of our actions and choice. The rhetoric of choice, particularly freedom of choice, is deeply ingrained in US society. The ways in which we take up this rhetoric are quite politically significant: it shapes our understanding of the role of the state, our notions of freedom, the ways in which we critique the actions of others, etc. The power of this belief, the extent to which we are inscribed by this rhetoric is likely outside of our current understandings. However, we can note that in the US, we generally maintain that freedom of choice is absolute, that it cannot be overridden at least as long as it abides by the harm principle.

I maintain that the reverent attitude certain feminists adopt toward choice demonstrates the power of this rhetoric.

Of great concern is that when we acquiesce to this cultural ideology – when we, as feminists, establish the ability to choose as our main goal – we blind ourselves to seeing that choice is an ideology (one that often stresses individuals over social groups) and we hamper an analysis of the ways in which oppressive social construction affects the ways we choose and the types of choices we make. Though feminists who employ choice frequently discuss the problems of coercion and adaptive preferences, few if any are willing to consider that one's being able to choose may not be the primary concern for the achievement of non-domination.

Christine Korsgaard is likely right to claim that Kant's moral philosophy and sense of ideal freedom are necessary components of feminist theory; however, when we note her caveat that "a world that respects the ideal" would have to be radically different than ours (in Cornell, *At the Heart of Freedom*, 182). I mention this because the same is likely true of the primacy of choice (and perhaps individualism more generally). When we are clear about male dominance – including the oppressive ways in which liberal concepts such as choice, freedom, and the individual are employed in male dominated institutions – we can see the error that acting *as if* all people were *currently* ideally autonomous, capable of making meaningful choices, having a high level of critical reflection, and fully aware of the ways in which they were limited by oppression. If freedom of choice *is* the ultimate end, and oppression operates to prevent freedom of choice, then feminists must work to question those parts of society that limit freedom of choice.

To be clear, the primacy of choice is not the same thing as freedom of choice. However, it can be argued that certain feminist theorists mistake the two. I see this in discusses that treat the possibility of expanding choices or increasing women's participation in social constructing or

in the public sphere as necessary and sufficient responses to oppression. I argue against such an analysis because freedom of choice is not possible in an oppressive society. Indeed, the most obvious indicator of oppression in a society is the limiting of individuals qua group members choices. Perhaps it is important to remind the reader that I am neither against expanding women's choices or as using freedom as choice as an important analytic tool in assessing oppressive societies. I am opposed to the misguided belief that, all other things being equal, by dismantling choice constraints we will eliminate oppression.

What does this mean? Well, for now it suggests two things. First, we must be open to examining the ways that the rhetoric of choice has been inscribed in our political theorizing. Second, we need to take seriously the difference between the ways in which choice is used to “ground” political theory and the ideal of freedom of choice. As for assessing our friend's choices – both getting a breast augmentation and working as an exotic dancer to pay for it – I suggest that we have much more to consider before we reply.

How Do Feminists Employ Choice?

In “Oppression by Choice,” Ann Cudd presents her criteria of oppression, including unduly limited choices. For Cudd, the concept of choice is important for feminist theorists because its lacking leads to diminished futures for women – it forecloses possibilities for women. Thus, she claims: “limited freedom of choice is *one* of the harms of oppression (25, emphasis added). A problem arises when theorists forget that limited choices contribute to the oppression of women, but they do not fully constitute it. Or, to come from the other side, choice is necessary but not sufficient for the achievement of non-domination.

However, given that the ability to choose is necessary it will be useful to consider some of the waves that feminists have employed the concept of choice in their theories. Therefore, I discuss several uses of choice found in feminist theory.

Some theorists employ the concept of choice to develop an understanding of the effects of male domination. That is, freedom of choice can operate as an ideal that feminists should strive to bring about. Given this, the notion of choice employed here is an *idealized* notion.²³ Thus, this use of choice is less susceptible to the criticism that it does not take women's lives as its starting point. However, even when choice is offered as an ideal – and not as a description or current possibility – it still demands that we understand how current social conditions prevent its achievement. Still, none of the theorists I discuss treats choice as a concept that requires no further attention (e.g., this is clearly seen in theories which engage with the concept of adaptive preferences).

This is particularly true of those feminists who posit freedom of choice as an ideal. Included in this group are MacKinnon, Cornell, and Babbitt; though these authors do not always employ the language of freedom of choice. And considering the commitments that each of these feminists have toward respecting the actual lives of women, their discussions of this ideal entail significant analysis as to the ways the achievement of this ideal is prohibited by male domination. Because of this, I argue that the use of freedom of choice as an ideal – as a goal of feminism – is not in and of itself problematic. This is particularly true given the fact that freedom of choice is often presented to motivate calls for female transformation. That is, the ideal can be used to explain that women need to have the ability and space to imagine themselves otherwise so that they can more freely direct their lives.

²³ I omit, for now, whether discussions of freedom of choice – given patriarchy – are necessarily idealizations.

The concept of choice is also used to address how male domination unjustly limits women's available choices. These theories suggest that the oppression of women can be seen in the ways that their choices are limited by sexism. This use differs from the prior one in that its conceptualization of choice is not idealized. On the contrary, theorists working in this area often employ legislative and/or legal definitions of choice, coercion, and justice. Frequently, these theorists challenge policies, laws, and institutions for treating women differently (that is limiting our choices while maintaining men's) when there is no morally or legally significant reason to do so. Some of these theorists focus on a restructuring of political, legal, economic, or education institutions such that women's choices are esteemed equally to men's²⁴ or such that women are seen as being entitled to autonomy.²⁵ Clearly liberal feminists are of this variety. However, other more radical feminists strategically employ this approach while maintaining that the justice system must therefore be radically altered and not simply reformed in view of applying patriarchal values to all persons.

Other feminist theorists focus on analyzing the ways in which women's limited choices reduce their autonomy and freedom. This approach is more general in that it isn't used to challenge particular social institutions. This use of choice is more theoretical and, therefore, is more closely connected to the project of reworking and/or abandoning of certain liberal concepts. Another way to understand this use is that it challenges liberalism via the liberal notion of

²⁴ Clearly, the notion of equalizing women's choices with men's raises a variety of concerns. Namely, such a notion seems to suggest that the goal of liberation is to be equal to men, an idea that has been vigorously challenged by a variety of feminists. Also, such a notion is troublesome because it fails to proffer a radical vision of a transformed world.

²⁵ The limiting of choice is used to explain a variety of harms women incur. In terms of the legal system, for example, the concept of sexual autonomy is offered as an explanation of the harm done to women through rape and provided as a way to reformulate legal statutes to protect women.

autonomy. Thus, this view can be used to challenge liberal individualism by maintaining that we must look at group experiences – and not just individuals – when considering what autonomy requires.

Other theorists that make use of choice suggest or demand that all women's choices must be respected given that it would be a violation of a woman's freedom to deny her the right to choose for herself what is best for her. Nancy Hirschmann, one theorist who supports this view, takes this requirement very seriously. She opposes state intervention in women's lives when the intervention is contrary to the expressed decision of a woman. Thus, if a woman chooses to stay with her abuser, her choice must be respected.

Exactly what it means to respect a choice is unclear. It is one thing if respect merely requires that states not be allowed to intervene with women's choices (or at least those choices that meet the harm principle). However, if respect is meant to silence critiques of particular choices or to dissuade us from actively working to alter the social world such that these choices either no longer exist or are of a very different nature, then feminists must refuse to adhere to this principle.

If a theorist's analysis, use, or protection of the concept of choice hinders the achievement of feminist aims, I argue it must be subject to intense scrutiny. As temperate feminist theories employ choice in these problematic ways, they must be subjected to such scrutiny.

*Accounts of Autonomy and Choice*²⁶

In this section, I give special attention to the role of choice in theories of autonomy given the predominant role the concept of autonomy has in current feminist political scholarship. Though several theorists challenge the usefulness of this concept for feminists, most voices in the debate maintain that this concept be reworked (and not rejected) given its importance. However, this section should not be understood as presenting a thorough critique of autonomy theorizing. Instead, I will evaluate the ways in which autonomy theories suffer by prioritizing choice and/or under-assessing freedom of personality.

The liberal concept of content neutrality requires that governments (and, perhaps political theorists) allow citizens to decide for themselves what a good life is. The ideal of autonomy can be understood as both deriving from and constituting content neutrality. If respect for individuals requires that they be able to make their own life choices, then governments would be disrespecting individuals if they imposed a conception of the good.

Additionally, a strong relationship between human flourishing and choice emerges from these liberal philosophical commitments. Indeed, the claim that humans should be allowed to choose, direct their own lives, or self-govern is upheld by most, if not all, liberal theorists. Ultimately located in choice, the protection of individual's ability to self-govern is one of the

²⁶ Given that the target of my analysis is not liberal theory, but the ways in which certain feminist theorists interact with and adopt categories of analysis found in liberal theory, my discussion of content neutrality and autonomy is limited to the ways in which these categories of analysis allow for the primacy of choice in temperate feminist theorists.

most important tasks of a liberal society. This commitment to the protection or creation²⁷ of an individual's ability to choose is taken up in theories of autonomy.²⁸

Most frequently, autonomy is defined as the ability to self-determine and self-govern (Meyers, 258). Marilyn Friedman further defines this as "behaving or living according to what is in some important sense 'one's own'" (155). Thus, an agent is considered autonomous when her actions are relatively free from outside force or constraint, when she is able to evaluate and act in a way consistent with her desires and/or life plan.²⁹

Autonomy theorists have articulated, in more or less explicit terms, conceptions of the subject from which this deep connection between human flourishing and self-governance appears. Choice is the fundamental component of most of these articulations. While the nature of choice, along with its necessary conditions, is contested, that choice need be protected above most any other concern is upheld by these theorists. Often, autonomy is used to evaluate the worth of particular life choices. If one's choices align with her (acceptable) desires, then they are considered autonomous and worthy of support. In a related sense, the concept of autonomy aims at determining what a good life might entail, how one should choose to be (Meyers, 11).

Autonomy theory is usually parsed into two kinds; procedural autonomy and substantive autonomy or perfectionism. Procedural autonomy maintains that individuals are freer or less oppressed when they are more capable of making choices for themselves, when they have more

²⁷ For the purposes of this paper, the question of whether individuals necessarily have or are granted the ability to choose for themselves must be bracketed.

²⁸ Gerald Dworkin offers an argument for this claim, along with suggestions for how one might approach theories of autonomy with this insight in mind. For further explanation, see Dworkin, G. "Autonomy," in *A Companion to Contemporary Political Philosophy*.

²⁹ There are significant distinctions among theorists as to the exact nature of this ability to self-determine. For example, theorists argue as to how independent from outside influences a choice must be to be autonomous, the extent of our social constitution, and the nature of the critical reflection that is required for autonomy. These distinctions result in theories of autonomy which are more or less susceptible to the criticisms I offer below.

available choices, and when they are given sets of choices which are more or less equal (in result, if not in kind) to the choice sets other individuals have.

However, a proceduralist account of autonomy is inconsistent with the ideals of non-domination because it cannot adequately³⁰ evaluate the background structures that allow for choice – roughly, a proceduralist can only critique a choice in terms of the way in which it was made, as opposed to being able to actually critique the choice. Additionally, proceduralists focus too much on choice at the expense of the interests that choice enables.

Substantive theories of autonomy stray from a strictly content-neutral approach; perfectionists are more willing to assess the content of choices. Many of these theorists maintain that feminist goals demand a more robust conception of autonomy, one that acknowledges certain choices (e.g., the choice to participate in sex work or the choice to be a servile wife) as incompatible with a non-oppressive world. As would be expected, theorists of this ilk differ as to exactly what these incompatible choices are, as well as in terms of how specific a substantive theory need be in.

Though superficially substantive theories may seem reconcilable with my theory, I do not share the perfectionist conceptualization of choice and claim it should not be adopted given the problems associated with it. Substantive accounts of autonomy entail different problems than those found in proceduralist models given that they see the value of choice as far less absolute. Perfectionism falters given its oversimplified understanding of the nature of supposedly bad choices – e.g., the claim that prostitution is unacceptable choice no matter the circumstance.

³⁰ To be sure, feminist autonomy theorists are clearly aware of the situations of women. Indeed, many of these theorists share the belief that autonomy requires that individuals have the *capacities* or *skills* necessary for making their own choices (cf. Martha Nussbaum's *Sex and Social Justice*). As may be expected, the accountings of the nature of these capacities vary greatly.

Such an analysis fails to capture the historical nature of our understanding of any particular choice and, furthermore, offers an underdeveloped understanding of the role male dominated social organizations play in defining certain choices. Perfectionist theories use a concept of choice that further proscribes women's behavior. By ignoring the ways that choices come to have meaning or existence (i.e., by under-analyzing the role of male domination), perfectionists limit their ability to address the ways in which women's abilities to see themselves as otherwise are significantly constrained in patriarchy.

The Argument Against Choice³¹

The primacy of choice impedes our ability to adequately theorize the wrongs of oppression. It also curtails our understanding of the ways in which women's choices are constrained within oppressive societies. I support these assertions by way of four interrelated initial critiques: The Adaptive Preferences Critique, The Empowered Choices Critique, The Reproduction of Male Dominance Critique, and The Benefit Critique.³² Given their shared nature, these claims should be thought of as puzzle pieces. Though each piece can be examined on its own, only once connected do they adequately support my claims as to the necessity of freedom of personality.

The Adaptive Preferences Critique

When we take oppression seriously, we pay special attention to the ways in which women are constructed by male domination (psychological oppression), as well as how social institutions frequently operate to minimize our choices (material oppression). Analyses of the consequences of psychological and material oppression make use of concepts such as coercion, consent, and adaptive preferences. These concepts are employed to demonstrate that women often make choices that they would not have made outside of patriarchy. And, furthermore,

³¹ Despite use of 'against' in the chapter title, it is important to remember I am not claiming that concept of choice should be abandoned entirely. To be clear, in no way am I claiming that choice is not a social good. Indeed, the ability of members of oppressed groups to make choices does need to be protected.

³² These four claims do not exhaust the philosophical problems with the primacy of choice. Of particular interest and import is an analysis of the conception of the individual operating within temperate feminist theories. Judith Butler (1999) provides a wealth of ideas as to how one might go about such an analysis.

certain choices women make within patriarchy cannot be understood as free choices in any meaningful sense.

The general argument is that women's abilities to conceive or carry out authentic life plans are highly circumscribed by male domination. In terms of psychological oppression, a woman's sense of self can be so limited that she either cannot imagine that her desires matter or she can feel such a responsibility to others, that she puts their needs and desires above her own. As for material oppression, the actual options available to women – particularly economically oppressed women, but also for women whose identities present powerful challenges to mainstream culture – may be so restricted that they cannot carry out their life plans. And, though I present extreme versions of each case, every woman is hindered in developing and expressing fully authentic versions of themselves.

Given these limitations, most women are forced to adapt their desires so that they can act in the world. Thus, their preferences – which are arguably expressed through their chosen actions – are not properly understood to be their own. When women shift their desires in relation to the opportunities available under male domination, they are then said to have adaptive preferences.

For example, suppose we question our friend as to why she wants breast implants and that her reply involves her inability to feel good about her physical appearance. Suppose, further, that you continue to question her in this vein and come to realize that this inability stems from repeated exposure to pernicious messages about the ideal female body. Moreover, she had been able to resist these messages previously and had felt satisfied with her physical appearance. The change in her ability to resist these messages occurred after repeated interactions with men (both those she was and wasn't familiar with) who harassed her relentlessly about the size of her chest.

After gathering this information, how should we evaluate her choice? Is it autonomous? Is it adaptive? Even with this reasonably straightforward example, it is extremely difficult to answer these questions. It is unclear if her ultimate preference was to be attractive or to feel comfortable in her body. Additionally, it is unclear if her decision to augment can be understood as a deviation from these desires or if it should be viewed as a coerced choice given the role of expressions of male domination in her coming to see augmentation as the “best” choice.

I argue that the difficulties encountered when attempting to analyze how free our friend’s choice is are a result of a conceptual problem. When we view so-called adaptive preferences as a distinct class of choices, we diminish the ways that social construction, organization, and oppression create and limit every person’s choices. No living individual has the ability to fulfill each or even most of her desires. More importantly, the ways in which we come to have desires in the first place is absolutely social.

And why does this matter? I proffer two main reasons for concern. First, theorists who adopt the primacy of choice curb their theories via adaptive preferences; they use adoptive preferences as a subset of women’s choices that may require “special attention.” Second, this “special attention” provides a way for theorists to prioritize choice without having to account for so-considered “bad” choices (e.g., those that support male domination). Thus, choice maximization can be posited as the fundamental goal of feminist theory while avoiding challenges from theorists sharing my intuitions.

However, without reference to what makes so-called adaptive preferences distinct from the fact that all choices are limited by social organizations (among other things). Why is our friend’s desire to get breast implants adaptive, while our male friend’s decision to follow the family tradition and teach in academia? Most of us sense that something radically different is

occurring in each hypothetical. However, this sense needs support. My sense is that there is a compelling difference in the results of social construction, and that these differing results emerge from masculine domination. Furthermore, I argue that without a notion that freedom of personality is just as necessary for the achievement of non-domination as choice, we cannot explain this sense in any compelling way. Or, more accurately, without some additional norm, value, or principle, this cannot be explained – though I suggest freedom of personality, this should not foreclose other possibilities.

The Empowered Choices Critique

An additional problem that arises when reconsidering adaptive preferences concerns the ways in which we evaluate among these types of choices. The problem of adaptive preferences, and the challenge that we must consider all choices are adaptive in some sense, leads us to ask, what makes a choice empowering? That is, how can I support the claim that while both our male and female friend's choices emerge from male domination, her choice is concerning and his choice is not (or at least given what we know is of far less concern)?

Anne Cudd addresses this subject with the suggestion that we can only answer this question with a theory of freedom or justice (30). She notes: “‘force’ [the implication that our female friend was negatively coerced into making her choice] has no normative force” without a theory by which we can explain the wrong of our friend's predicament. I understand this to mean that as we are all socially constructed, to claim that some force is illegitimate (or truly coercive) requires an ability to explain how it differs from the forces all persons encounter.

Without a way to distinguish between choices that are liberatory or empowering and those that are not, we are forced to respect choices that are contrary to feminist aims without the

refuge of the adaptive preference retort. This is particularly evident in Nancy Hirschmann's analysis of the reasonableness of a woman's choice to stay with an abuser. Thus, if we want to claim our female friend's choice is troubling, the primacy of choice in these theories needs to be reconsidered.

By briefly looking at criticisms of third wave attitudes about sexuality, I can clarify some of these claims. Prior to starting, I offer the caveat that these claims do not provide an analysis of third wave feminism generally.

It has been argued that third wave feminists are even more eager in their adoption of liberal principles, such as individualism, freedom, and choice than liberal feminists. In order to explore this claim, I employ Rebecca Whisnant's article "Not Your Father's *Playboy*, Not Your Mother's Feminist Movement," which considers the problems found in third wave uses of choice as the central category of analysis.³³

In her article, Whisnant posits anti-essentialism as the fundamental attitude adopted by third wave feminists – she notes that members of the third wave are particularly concerned with avoiding any claim to unquestioned or false solidarity.³⁴ She expands on the notion of false solidarity in saying:

The idea seems to be this: if I say that some act or institution X is bad, sexist, patriarchal, and so on, then I am implicitly assuming something about "all women" (that's the essentialism part): namely that, as women, they don't like and thus would never freely choose X. But then what about some woman somewhere who *does*, apparently, like or choose X? I must be saying she is stupid, self-deceived, and/or a bad feminist (or not a feminist at all)—and that doesn't seem like a nice or sisterly thing to say.

³³ Rebecca Whisnant. "Not Your Father's *Playboy*, Not Your Mother's Feminist Movement: Contemporary Feminism in a Porn Culture." Delivered at the conference "Pornography and Pop Culture: Re-framing Theory, Re-thinking Activism," Boston MA, March 24, 2007.

³⁴ It is important to note that Whisnant claims this anti-essentialism is not of the sort that demands intersectional identities not be silenced in theory.

She quotes Jennifer Baumgardner and Amy Richards (authors of *Manifesta*, a seminal third wave text) as saying: “feminism isn’t about what choice you make but the freedom to make that choice.” As should be clear from the above discussion, there are serious problems entailed in such a narrowly focused understanding of the nature of feminism. We must resist the claim that as long as a woman can demonstrate (or, more likely, know for herself) that her choice was authentic, it must be respected regardless of its content. When feminists treat choices as little more than a matter of personal taste, or worse as an entitlement that cannot be abridged by other considerations, we limit the possibility of non-domination.

The Reproduction of Male Dominance Critique

I would argue that our reason for wanting to challenge a women’s choice to stay with an abuser, or augment her breasts, etc. stems from an understanding that these choices re-inscribe relations of power antithetical to feminism. In other words, they reproduce male domination and, thereby, preclude the achievement of a world in which women are free. That women’s selection of choices can be opened up while oppressive contexts remain should be of serious concern to feminist theorists.

As suggested above, a primary focus on choice fails to provide a strong enough challenge to the ways male domination constricts women’s ways of knowing or seeing themselves, as well as how it limits the material expression of a free female self. Women can (and indeed do) make rational, autonomous choices under oppression; in fact, many choices that contribute to male domination are, none-the-less rational and autonomous. This entails that a world can exist in which women’s choices meet the requirements of procedural autonomy (briefly, that the choices

were rational, reflected upon, etc.) while women still occupy subordinate positions and roles.³⁵ I would argue that this fact demands we reconsider our focus on choice maximization. The question is not whether women's choices are rational. Indeed, we have to explore the very troubling conclusion that what is rational under male dominance is not liberatory (or at least isn't categorically liberatory). Nor is the question about how many choices women have. The question is, can we accept an account of choice that not only allows for the reproduction of male domination but further claims that choices of this sort are deserving of the same respect as any other choice.

Cudd presents an additional concern with this line of reasoning: while many choices that women make are rational even under conditions of oppression, without some other evaluative notion a troubling problem arises. Namely, if some of the choices that women make under oppression help to reproduce male domination, and these choices should be understood as rational and autonomous, how could we respond to those who claim choice negates oppression if we adopt this notion of choice? That is, if women make these complicit, though respect-worthy choices, are they to blame (or at least partially to blame) for the reproduced male domination that results? And, if not, how can we explain this?

The Benefit Critique

From the above discussion, it is clear that a failure to analyze the relationship between individual choices and our greater social context can blind us to the ways in which respect for the choices of certain women (namely, those privileged in particular settings) can lead to the further

³⁵ Unless we conceive of rationality so that no choice that contributes to the reproduction of male dominance can be rational.

subordination of women.³⁶ The effects of certain women's choices can negatively impact women generally (by contributing to negative conceptions of women) or can negatively impact certain groups within the category of woman.

Given the relationship among our choices and the ways less privileged women fare worse when more privileged women act selfishly, we need to reformulate our analysis of choice to acknowledge that, "the essential feminist question is not whether some individual women like or choose or benefit in certain ways from X, but whether the overall *effect* of X is to keep women as a group subordinate to men" (Whisnant). In other words, our uses of choice need to be crafted so as to end all male domination, not simply domination as experienced by particular women.

Whisnant expands on this notion, claiming:

The claim that women are a class sharing a common condition suggests a particular aim and purpose for feminist endeavor: namely, to figure out as best we can what serves the interests of women *as a class* (not just our own personal interests) and then to try as best we can—imperfectly, messily, but in good faith—to do that, support that, be that. ... Feminism is about ending the subordination of women. Expanding women's freedom of choice on a variety of fronts is an important part of that, but ... it is not the whole story. In fact, any meaningful liberation movement involves not only claiming the right to make choices, but also holding oneself accountable for the effects of those choices on oneself and on others.

Thus, an account of choice that encourages or demands support and respect for all choices that women make is antithetical to feminist aims. And, given the fact that this criticism applies most often to more privileged women, it is mandatory that we question an analysis of

³⁶ The focus on women's choices is not to suggest that women's choices are more important when discussing male domination. I agree with Whisnant that: "whenever we talk about patriarchy, either in general or any particular element, we need to bear in mind that the main problem is men: men's choices, men's ways of seeing and treating women." The focus on women's choices is necessitated by the subject matter, i.e., as I am challenging feminist theories that prioritize women's choices, I have to explore the problems of women's choices.

choice which refuses to analyze in any depth the relationship between an individual woman's actions and the broader effects such actions can have.

Freedom of Personality and the Ability to Choose

When choice eclipses non-domination as the primary category of analysis (in an oppressive world), it fails to provide a strong enough challenge to the ways in which male dominance operates through social structures. Male dominance unfairly limits women's (actual) choices *but it also* limits women's ways of knowing, seeing, and imagining themselves. Above, I discussed how a failure to appreciate this claim is of great concern for feminists. That a world can exist in which women's choices were in compliance with the requirements of procedural autonomy (briefly, their choices were rational, were reflected upon, etc.) and yet gendered patterns continue to exist and women still find themselves in subordinate roles lets us know that choice can not be our (only) primary concern.

Again, women can and indeed do make rational choices under oppression – unless our understanding of rationality circumscribes choices that contribute to the reproduction of male dominance, which I doubt it does. As stated above, of concern is that what is rational under male dominance is not liberatory, or at least is certainly not necessarily liberatory.

From this, we can see that choice, rationality, and autonomy need to be evaluated in terms of how they work to undermine male domination. I agree with Cornell's assessment that we need freedom of personality to ensure that the types of choices women are making aid in the achievement of non-domination.

Freedom of personality differs from the ability to choose; without freedom of personality, freedom of choice "loses" its value. Here, I am claiming that freedom of personality (i.e., the ability to imagine oneself, create oneself) is prior to freedom of choice. Without a strong commitment to challenging the ways that women's self-conceptions are stifled under patriarchy, the project of expanding choice (both in number and in kind) is unlikely to lead to the

achievement of feminist aims. This should be clear from the claims discussed above concerning the problems of choice.

The relationship between freedom of personality and freedom of choice is complex. Indeed, their interrelation and inter-necessity may well be beyond our current imaginative possibilities. What we can clearly state is that the ability to choose on its own cannot end oppression. Examples abound as to the deficient nature of a singular focus on choice. However, I can only strongly suggest that freedom of personality requires the ability to choose given that I would argue freedom of personality does not exist in our social world. That is, I cannot point to empirical evidence to support my suggestion. The best I can say here is that freedom of personality entails the ability to enact at least some of the visions dreamt up in the imaginary domain, which appears to be the bailiwick of choice.

Hirschmann's Response: Feminist Freedom

It seems clear that the primacy of choice emerges from our understanding of the nature of the wrongs brought about by oppression. If we define oppression as illegitimate choice limiting, we will view the aims of liberatory theorizing to be the opening up (in a broad and complicated sense, to be sure) the choices available to the oppressed.

Hirschmann provides an account of oppression that broadens our understanding by highlighting the ways in which internalized, or psychological, oppression further prohibit the achievement of non-domination. Thus, she offers an account of oppression that entails a response to the ways in which women are constructed in oppressive societies – i.e., how it is that women come to be (to differing degrees) complicit in their own oppression given their self-conceptions. Though her analysis calls for a response to psychological oppression, it seems to contradict itself. Below, I flesh out these claims.

In *The Subject of Liberty*, Nancy Hirschmann urges feminists to work toward increasing women's participation in the construction of the social world (i.e., the project of creating values and structuring the world in order for the achievement of a non-oppressive society). I share her claim that women be allowed to participate in the construction of social policies that help to organize our world. However, without freedom of personality Hirschmann's theory cannot prevent the establishment of social policies and practices that reproduce hierarchy and oppression.

Hirschmann presents a feminist conception of freedom that requires individuals choose for themselves and that feminists avoid second-guessing women's choices so as not to stifle women's agency and self-determination though we must critically engage each other (236). For Hirschmann, freedom is "a mode of activity and thought in which people participate by engaging

in practices that create the self” (211). In order to achieve greater levels of freedom (i.e., to respond to oppression) women must participate in the project of creating values and structuring the world.

This articulation of freedom is based upon a refiguring of the concepts of negative and positive liberty aimed at disrupting the commonly held distinction between these two types of liberty in order to uncover external *and* internal (or psychological) restrictions on women’s choices. A singular focus on social structures and their role in ordering women’s material realities can hide the ways that woman as subjects are created in and through social structures, discourses, or, social construction, more generally. In other words, Hirschmann is concerned with unpacking the ways that women are socially constructed.

She notes: “Saying that women’s freedom is restricted by context must always already accept that women are who they are because of that context: we cannot operate from some abstract ideal of what a woman is ‘really’ like” (205). Thus, we must understand how the structures of patriarchy and the “inner selves” of women interact and mutually constitute each other (199-200). In other words, without an understanding of women as socially constructed *and* constructing subjects, we cannot respond to the wrongs of oppression – particularly those “subtle yet pervasive kinds of power that reinforce and constitute the social construction of subjectivity” (207).

Her notion of feminist freedom requires recognition that social construction³⁷ is a “process that happens to and is participated in by everyone,” though certain groups “systematically and structurally have more power to participate in the constructing than do

³⁷ Though much of Hirschmann’s argument relies on a concept of subjectivity arising from social construction, it is clear that she does not view it as operating in such a way as to foreclose the possibility of 1) us noting its existence, 2) our critiquing the ways in which we are constructed as subjects, or 3) the possibility of our imagining things otherwise (208).

others” (204). Importantly, these differences in constructing power can lead to greater or lesser degrees of freedom.

While acknowledging the ways in which women’s ability to make choices and form desires are unequally constrained, Hirschmann argues against paternalistic responses to protect women’s well-being because they ultimately undermine women’s well-being by limiting their agency freedom (226). She states:

Making choices for oneself, acting in the world, participating in community and political life as active agents are all important to women’s well-being, both materially – because such power reduces their exploitation by men – and psychologically – because acting in the world makes one feel more competent and gives one a sense of positive control of one’s life (226).

A variety of theoretical and practical problems arise when we scrutinize Hirschmann’s project. Firstly, her account prioritizes choice over feminist aims – even going so far to prohibit any significant challenge to women’s choices. In order to get at these problems, we need to first analyze her thoughts on women and choice. She maintains 1) that patriarchy and male domination are instrumental in the social construction of women’s choices, 2) that women’s choices are generally more constrained than men’s, and 3) that this leads to a world in which women have less freedom both procedurally and substantively. In addition, she claims “(most) women are less able than (most) men to formulate and act on choices, to define choices that they would like to have, to construct the conditions in which choices can be made... as well as are less able to maximize our welfare” and to pursue things we personally or society generally see as desirable (200).

However, even with these claims, she insists that freedom of choice should always be respected. She argues that freedom should be defined in terms of choice, stating:

Attaining freedom does not require that an individual be able to develop and follow a vision of her own life and good. Indeed, the essence of negative liberty is that she should not have to develop a sense of good at all, much less that what she does should have to meet the standards of a personally developed moral system; *it only requires that she be able to do what she wants*" (203, emphasis added).

While I agree with Hirschmann's claim that feminists must avoid paternalistic responses to women's choices regardless of our social context³⁸, we cannot blindly accept claims as to the nature of certain choices made under oppression.

A second concern emerges from her seeming failure to apply her analysis to the important social contexts in which the choice is a political claim. Again, this requires some explication of her argument. Much of her analysis is aimed at reframing the way we approach women's oppression. She claims: "a feminist approach to freedom require(s) a political analysis of patriarchal power in particular contexts in which 'freedom' is in question" (199). However, as will be discussed below, she falls short of this ideal in that she does not adequately analyze that ways that patriarchal power operates as to challenge the liberatory prospects of women's increased participation in the social world. She fails to address to any significant degree what types of changes would be needed so as to combat psychological oppression (i.e., she doesn't offer us a way to use the concept of freedom to require the state respond to the right to internal freedom that she posits). Also, her commitment to choice regardless of its content is quite surprising given her analysis of the ways that "freedom to" requires action.

³⁸ Indeed, significant problems arise when feminists focus on critiquing women's choices instead of on the social structures within which these choices are made. While a thorough discussion of this claim is beyond the scope of my paper, see Schwartzman's *Challenging Liberalism* for an analysis of this problem as found in Kim Yuracko's perfectionist theory.

She fails to offer a strong enough analysis of how women have been constructed or conditioned so that their participation in the public sphere might be less than revolutionary. Given this, in situations where women are complicit in their own oppression Hirschmann's theory cannot adequately challenge unequal contexts and thus fails to map onto feminist aims. Thus, it cannot ensure in any meaningful way that the participation of women in the public sphere will lead to a world freer from oppression.

Although she claims to have provided "a way to rethink the construction of subjectivities" that are able to think and see in different directions leading to the development of diverse, non-oppressive desires, she fails to present a radical enough picture of either the nature of construction of desire or the ways in which feminists must respond to these desires. Here is where Cornell's conception of ethical feminism can help us to develop a stronger response to oppression. It is important to talk about women's participation in the creation of society, but we must also discuss how we can bring this about. Knowledge of the female subject requires knowledge of the construction of desire. Desire must be analyzed so as to explain the relations among internal conditions of identity, self-conception, oppressive social structures, as well as how these each give rise to desire, particularly deformed desires.

Cornell's "Ethical Feminism"

Drucilla Cornell's article "What is Ethical Feminism?" presents some initial thoughts as to what must occur so that freedom of personality is a real possibility for women. In her article, she provides a new way to theorize normativity that allows for a strong response to oppression yet avoids the problems seemingly inherent in moral systems (false universalizing or essentializing). Her notion of an ethical feminism, the attitudes of fallibilism and musement³⁹, and her call for a radical re-imagining of Woman provide a better response to oppression than Hirschmann's feminist freedom.

Cornell's views connect with feminist ideals in that she argues feminism should work as an "endless challenge" to the ethical imagination; we must continually re-imagine our forms of life in order to shine a light on wrongs to women so that others can see the world differently (79). This call to see things differently "necessarily involves an ethical appeal, including an appeal to expand our moral sensibility" (79). For Cornell, 'ethical' is meant to "indicate the aspiration to a nonviolent relationship to the Other and to otherness in the widest possible sense. This assumes responsibility to struggle against the appropriation of the Other into any system of meaning that would deny her difference and singularity" (78).

This appeal demands that we work to develop into the kind of person capable of "nonviolent rationality" (78). As there is no eternal truth that we must uncover, an ethic of the

³⁹ Cornell posits fallibilism and musement as important and interrelated attitudinal concepts for the achievement of just relations among the genders. Fallibilism "implies a challenge to one's basic organization of the world," while musement "indicates the stance of amazement before the mysteries and marvels of life" (78). These attitudes should not be understood as a moral code. The ethical is neither a system of rules nor a set of standards to judge others by; it is "an attitude towards what is other to oneself" that demands we continue the "crucial task of re-imagining our own standards of right and wrong" (78-9).

other can allow for the fluidity and change of social life while maintaining a stance from which to challenge oppression.

Cornell claims we must develop “the best possible definition” of the harms done to women so that they can be “effectively comprehended as a legally addressable claim” (80). In other words, feminists must be able to explain why oppression is wrong and this requires the employment of principles. However, “we also need to be open to the revision of these concepts as we engage in the arduous process of re-imagining our form of life” (80).

Ethical feminism “turns us to what has traditionally been called the aesthetic, in order to fill out and make vivid our conceptions of wrongs women suffer,” whereas Hirschmann relies on the notion of equality (81). Cornell makes use of Lacanian psychology to urge us to develop an understanding of “how the symbolic constructions we know as Woman are inseparable from the way in which fantasies of femininity are unconsciously ‘colored’ and imagined within the constraints of gender hierarchy and the norms of so-called heterosexuality” (75).

Feminists need to move beyond the concerns of deformed desires or altered preferences in order to glimpse just how deeply the construction of the feminine – and not just individual women– goes. This requires that we bring together the aesthetic, the imagination, and principles of justice or freedom “to investigate the complex interplay between fantasies of Woman and the material oppression of women” (76).

Furthermore, these fantasies need to be critiqued in order to open up possibilities of transformation. We need to widen the gap between the fantasies and realities of our lives. “Ethical feminism enlarges continually the space in which we could both write and speak of the rich multilayered sexuality of a creature that struggles to achieve individualism from the imposed strictures of gender hierarchy and rigid gender identity” (75). Feminism and feminist politics

must then use these critiques in the “struggle to re-symbolize the feminine within sexual difference beyond the restrictive figures of Woman which simplistically divide actual women into two kinds, good girls...and manipulative mistresses” (77).

Cornell demonstrates the need to continually rally against the “sedimentation of gender identity into an unshakable reality” as “we can never know the levels to which we have internalized and identified ourselves with the available images of Woman. Unconscious identifications operate at such a deep level that we cannot separate ourselves from them” (97). Thus, Cornell envisions the feminist project as a continuous re-imagining and re-symbolizing of the meaning of Woman so that we can conceive of ourselves “beyond the stereotypes of femininity” (82).

Ethical feminism requires feminists to 1) more fully investigate the ways in which women are socially constructed into subordinate positions, 2) understand how this construction limits women’s freedom of personality, 3) consider the ways in which mutual recognition is lacking in society, 4) and to more accurately assess the role of choice in liberatory theories.

Below, I consider how the project of re-visioning women (a project Cornell endorses in her writings) is, in some sense, is a necessary component of opening up spaces for imagining ourselves otherwise.

Freedom of Personality and the Imaginary Domain

When we take seriously the ways the desire is constructed in this society, we are more able to create new contexts. If we ignore desire's constructed nature, considering the highly oppressive and restrictive social contexts we live in and the ways these shape women's desires, we fail to open up the space to imagine non-domination. Thus, an analysis of the ways in which freedom of personality is foreclosed and a commitment to open up space so that we can conceive of ourselves as otherwise are necessary for feminism.

Diana Meyers hints at some of these ideas in her reworking of autonomy by distinguishing between one's own desires, values, and goals and those desires that develop out of oppressive socialization.⁴⁰ Her understanding of autonomy entails that women be capable of developing and using certain skills.

Given this, she provides a more thorough analysis of choice than most procedural autonomists. The skills she discusses include: introspection skills aimed at developing an authentic sense of one's self, communication skills that enable individuals to effectively interact with others, memory skills so that women are capable of learning from the past, imagination skills so that women can consider a variety of possible selves, analytic and reasoning skills so that women can properly evaluate among possible visions, self-nurturing skills that allow for women to carry-on despite set-backs in the processes of self-actualization, volitional skills so that women can resist allowing undue influence to affect the creation of their self-portrait, interpersonal skills so that women can work together to fight against the social organization of oppression. These skills are linked to the existence of the imaginary domain.

⁴⁰ I thank Jen Swindell for her help with this analysis of Meyers, as well as for the numerous conversations concerning autonomy, freedom, and choice.

Cornell provides the concept of the imaginary domain as a space within which the work of developing our freedom of personality could occur. The imaginary domain allows us to consider ourselves otherwise, to imagine a self outside of patriarchal norms. Thus, it is integral for the project of incorporating freedom of personality into feminist analyses of liberalism, choice, and oppression. I avoid providing a more thorough explanation of Cornell's take on the imaginary domain given two particular concerns. The first, that she focuses much of work on the ways in which certain democratic institutions need to be reconceptualized, is beyond the scope of this paper. The second concern I outline briefly.

Cornell posits that the freedom to express one's sexuate being is fundamental to ensuring freedom of personality. She describes heteronormativity as a system of norms that both psychologically and materially inhibit women from being able to express their sexuality in authentic ways – in ways that are meaningfully their own. Within a heterosexist and male dominated society, men are constructed to see themselves as entitled to women's bodies. Additionally, women are constructed in such a way that they accept male sexual aggression as simply a part of life, though one that they must be constantly aware of. This directs us to considering the possibilities in allowing all persons the freedom to explore and express their sexuate being. What might it mean if women were allowed to develop self-conceptions free from the binds of patriarchy?

While I accept much of her analysis, I would question Cornell as to why she focuses exclusively on the freedom to express one's sexuality. Though she explains this claim; her answer involves a notion of sexuality and sexuate being that is essential to humans. In other words, she argues sexual orientation is not a choice. Though a full analysis of this claim is

beyond the scope of this paper, I must note that such a claim is concerning particularly given its relationship to certain psychoanalytic theories.

Another important question is, how possible is such freedom within our current context given the ways in which we are constructed into social categories that limit the ways in which we can see ourselves? Though an answer to this question will prove difficult, we need to consider exactly what it would mean to open up the imaginary domain. Below, I explore how discussions of transformation and the imagination help to provide initial answers to these questions.

Re-visioning the Feminine, Re-visioning Women

Given the extent to which relations of dominance and subordination govern our social contexts we need to theorize about the possibility of the radical transformation of the category Woman. This requires that we be less weary of the introduction of values into feminist theorizing, that we let go of the desire to protect choice at all costs, that it is unlikely that a robust notion of content-neutrality can be maintained in feminism, that we loosen the hold of the rhetoric of choice, and that we continue to consider the role of the aesthetic and the imagination in libratory struggles. Cornell demonstrates how feminists can employ meaningful normative principles without slipping into moralizing. Her ethical attitudes provide an alternative to Hirschmann's reliance on choice and equality – a reliance that ultimately fails to radically investigate the possibility of a world in which gendered preferences are so prevalent.

Oppressive conceptions of women operate as to limit our possibilities; we can become trapped by these notions making it difficult to pursue feminist aims. Cornell's conception of ethical feminism is offered as a way to undermine the pernicious ways in which the category of woman is defined. Thus, part of the work to be undertaken in the imaginary domain involves a deep re-imagining of what it means to be a woman; Cornell calls this task the re-visioning of the feminine. I agree that this work is fundamental for an understanding of the relationship between male domination and oppression, so that we can uncover the hidden ways in which oppression structures our sense of selves so that choice is not a strong enough category for feminist theorizing. However, I believe that we need to focus first on how we can move from our current location to a space more open to the possibilities of the imaginary domain. Thus, I turn to a discussion of transformation to open up room for future work to analyze a re-visioned notion of women.

Transformation

In the introduction to *Impossible Dreams*, Babbitt examines some of the ways that unjust social structures limit our ability to challenge these structures, noting that “there are some things that cannot be understood... until existing conditions, including personal states, are disrupted and transformed” (3).⁴¹ This connects to ideas I discuss below as to the need for personal transformation. She further argues:

Racist, sexist assumptions are *implicit* in fundamental meanings and ways of thinking. Certain concepts, such as that of genuine autonomy for women are, as Frye suggests, *unimaginable* in current, explicitly available, conceptual terms because the accepted understanding of such terms disallows such possibilities. ... Moreover, we must be able to appeal to a more appropriate social vision. To the extent that the sexist, racist character of a society itself precludes adequate understanding of certain general concepts, explicit theoretical and political work needs to be done to acquire such understanding (*Impossible Dreams*, 26-7).

In this passage, Babbitt offers three compelling insights – that the possibility of autonomy in our current world is highly unlikely, that we must continue to do theoretical work to change this, and that political work is also necessary. Autonomy-based theorizing (particularly that of Roberts, MacKinnon, and Meyers) performs important theoretical work. In addition to demonstrating what is wrong when people are oppressed, it challenges oppressive meanings, works to uncover social biases, and analyzes the ways that society constrains women. However, it is clear that, given our social institutions, the concept of choice developed out of autonomy theory cannot do the political or practical work that liberation requires. The personal and social transformation that genuine autonomy requires is beyond the scope of the concept of autonomy.

⁴¹ Here, it is useful to think of internalized oppression, adaptive preferences, and other related ways in which unjust social structures limit our possibilities (i.e., preclude the possibility of freedom, as well as our ability to understand that we are oppressed).

In what follows, I attempt an initial explication of this transformation, while acknowledging that a full positive program requires far more consideration.

Transformation requires that we be able to envision our selves and society as otherwise. Feminists must shake the very core of our understandings to get at what is wrong and to imagine what liberation would look like (Cornell, xxii). Cornell suggests that we must change our “individual lives, dreams, and aspirations to achieve the autonomy from convention purportedly necessary for critical consciousness and independent moral reasoning” (*Transformations*, 2). That is, we must work to break free from oppressive meanings that limit our ability to think outside of oppression. She also argues that we must develop a greater awareness of the ways in which gender hierarchies shape our understandings of “power, equality, and, indeed, the very ideal of liberation itself” (*Transformations*, 9).

To some degree, this is a claim that we must continue the project that consciousness raising “started.” Additionally, both Babbitt and Cornell suggest that art, literature, and film can provide a space for thinking in new, liberatory ways. For example, utopian and dystopian novels such as Marge Piercy’s *Woman on the Edge of Time* and Gerd Brantenberg’s *Egalia’s Daughters* provide radically different visions of the world that can aid in our understanding both of what is wrong with our society and of the possibilities of true freedom from oppression. Interaction with liberatory fictions can help us to reconceive of our selves and the world.

Whisnant provides suggestions as to productive project of feminism. Namely, she argues that:

To open up the space for new thinking and experimentation, we need to detox... To start thinking our own thoughts and dreaming our own dreams, first we have to get away from the bastards who are shouting at us through megaphones. [i.e., we must withdraw our conceptions of sexuality from the marketplace] Second, we need to draw on our own experiences of love and sex as joy and communion (and encourage others to draw on theirs). As radical feminists have long emphasized,

patriarchy constructs our sexuality very profoundly, and even the most enlightened among us are not immune to that construction. But the construction, for most people at least, does not go “all the way down.” Despite everything, many people do have experiences of mutual and egalitarian sexuality—or at least hints or glimmers of it—and that’s really good news. We need to encourage people to tap into these experiences, hints, and glimmers—to remember what they know from their own lives, that no pimp or corporation sold to them or ever could, and to want more of it.

Her last suggestion connects with views on transformation in that she argues women must be encouraged to rethink the relationship between individual choices and the state of women more generally. We must be willing to “richly imagine” (to make use of Whisnant’s phrase) how the individual choices of women can be respected depending upon another’s subordination

In addition to opening up space to imagine one’s self otherwise, transformation requires that we work at altering social structures and relations that reproduce oppression. The nature of social transformation raises a variety of questions, some of which Cornell addresses:

Surely we can all agree that feminism is about changing woman’s place in the world. In *Beyond Accommodation* I argue that our place in the world cannot truly be changed without changing the world. But what does changing the world entail? Clearly it involves changing the manner in which goods and resources are distributed so as to meet people’s needs, or more ambitiously, to support people in the development of their capabilities. We cannot do anything without such theories. Justice demands that we challenge the inequalities, both within nations and between them, imposed by advanced capitalism. (*Beyond Accommodation*, xv).

Thus, transformation asks that we concretely work to radically change economic, cultural, legal, and political institutions. Each of the challenges presented to autonomy theory demonstrate the massive role that these institutions play in maintaining oppressive hierarchies. In order to transform these institutions, we need an understanding of the ways that these institutions function. We must look at the ways in which society is structured so that a woman’s “consent” is troubling and work to change these social structures. We must look at the way economic and

legal policies prevent genuine autonomy. We must challenge oppressive hierarchies in order to work toward liberation and social transformation (Cornell, 7). Given this, the question becomes, exactly how do we transform these social structures?

The exact nature of this process is far from clear. How closely must feminists work with state institutions to achieve these ends? What would a new consciousness-raising enterprise look like? The hope is that in combating oppressive meanings, in developing a clearer understanding of these social institutions, and in transforming ourselves so that we no longer understand ourselves according to patriarchal standards, this process will become clearer.

We need to theorize about the possibility of radical transformation in order to achieve a world in which opening up choices for women can make a difference. As Friedman notes, “wherever male dominance appears, women’s autonomy is threatened” (“Autonomy and Male Dominance,” 151). Without a concerted effort to eliminate male dominance and all other oppressive hierarchies meaningful choices will be significantly limited.

Conclusion

Given that we are socially constructed and constructing subjects, and given the pernicious ways members of oppressed groups are constructed into social categories, feminists and other liberatory theorists need to be far more critical in their analyses of individual's choices. Importantly, this criticism should not be aimed at the individual's making these seemingly disempowering choices, but should be directed toward an analysis of the ways in which members of oppressed groups are socialized into less than optimal situations – situations in which truly empowering choices are not available given one's understanding of herself.

Schwartzman suggests that a feminism that employed “ideals embodying norms of nondomination” would provide a useful alternative to theories that derived a notion of rights via abstraction (94). I interpret this claim to mean that feminist practice must stay deeply connected to the experiences of women – particularly the way that male domination precludes women's freedom. In this sense, the aim of non-domination suggests that we cannot too quickly employ an idealized notion of choice in our social structures for fear a reproducing male domination. We must understand that arriving at non-domination requires feminist theory grounded on all women's experiences.

Feminists work toward highlighting oppressive concepts and practices – to illuminate women's lived experience so that oppression can be named – and to offer new ways of thinking, acting, and being that resist oppression. I argue that the eradication of oppression requires an understanding of the ways that structures misshape us. My claim is that the best autonomy-based theorizing aids in this goal even if they do not provide an adequate or full response to the problems of oppression. Given this, the elimination of oppression also requires working toward

the reformulation of these structures so that they no longer misshape us – and while a focus on choice might suggest aspects of this reformulation, it does not provide all of the necessary tools.

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