

Some Thoughts on Perfectionism in Feminist Political Theory

©Amy R. Baehr 2002

Draft 4/1/02

For presentation at Eastern Society for Women in Philosophy
MIT, April 7, 2002

WORK IN PROGRESS. NOT FOR CITATION.

© Amy R. Baehr, 4/18/02

I. PERFECTIONISM AND NONPERFECTIONISM

Perfectionist theories propose a conception of the good life for humans. Perfectionist *political* theories suggest that we must possess a conception of the good life for humans in order to evaluate or recommend particular political arrangements, that is, in order to recommend a conception of political justice. This is because, for perfectionists, a conception of political justice relies for its justification on the truth of a conception of the good life for human beings. *Feminist* perfectionists argue that any political conception of *gender* justice will inevitably rely on a conception of the good life for humans, or at least for women. This implies, of course, that feminist conceptions of gender justice presented without grounding in a particular conception of the good life always nonetheless tacitly rely on such a conception.

Alison Jaggar, in her highly influential book *Feminist Politics and Human Nature* (1983) suggests that at least one type of feminist political philosopher regularly attempts to present a conception of gender justice without grounding in a conception of the good life. That type is the liberal feminist. Jaggar writes: "One of the fundamental problems that I have identified in liberal theory is its incapacity to provide a substantive conception

of the good life and a way of identifying genuine human needs" (48). Jaggar describes this as a "problem", an "incapacity", suggesting, of course, that a conception of gender justice not grounded in a substantive conception of the good life is going to be too anemic to do the kind of normative heavy-lifting necessary to combat gender injustice. Many liberals (including feminist liberals), on the other hand, see the lack of a conception of the good life in a political theory, or as we will see, a very minimalist conception, not as a problem or an 'incapacity' but as an express aim. That is, for liberals, grounding in a particular conception of human flourishing is a liability for a political conception of justice because conceptions of human flourishing are notoriously controversial.

Perfectionists believe that it is a liability we can't do without.

To be accurate, liberalism isn't entirely devoid of a conception of what's valuable in life. It has as its moral core the idea of people or citizens as free equals. Liberals as diverse as Susan Okin, Robert Nozick, and Joseph Raz agree on this. Liberals also agree that this moral idea of people or citizens as free equals is a minimal or weak idea. It is minimal or weak in the sense that it is compatible with a wide variety of ways -- though not with all ways -- humans may choose to live. Where liberals differ concerns the status of that central moral idea. Some liberals believe that the idea is true, that human beings generally really are free equals -- think of Kant and his metaphysical account of the person here. (Mill also suggests that it's morally true that the state should treat citizens as free equals.) Other liberals don't take a stand on whether people or citizens really are free equals, but are satisfied to say that most of the moral doctrines common to cultures such as ours overlap on the idea that people or citizens are free equals. This is the view of the

later Rawls. The feminist perfectionism I discuss in this paper targets liberals of both sorts. For even the liberals who claim that the idea of citizens as free equals is true offer the minimal or weak conception of what is of value and thus fall short of offering a robust account of how humans should live.

To complicate things a bit further, consider that in addition to perfectionist and nonperfectionist liberals, there are comprehensive and noncomprehensive (or political) liberals. Comprehensive liberals believe that liberalism's conception of people as free equals should be applied not just to the political realm but should be applied more widely, say, to the family (many feminist liberals, for example Susan Okin and Jean Hampton, are comprehensive liberals). Political liberals only apply the idea of citizens as free equals to the public realm. They do not take a stand on where else the idea should be applied, arguing that that is a matter for personal choice and thus for moral, not political theory.

(There are nonliberal nonperfectionists as well. Katherine MacKinnon for example, tends to offer nonperfectionist arguments for her feminist claims. I will not discuss MacKinnon here as the focus of this paper is perfectionism's challenge to liberalism.)¹ For now on, when I speak of nonperfectionism, I really mean either real nonperfectionism or very weak perfectionism, such as perfectionist liberalism, which relies on moral concepts such as freedom and equality. The view I defend can be thought of as either nonperfectionist or as very weakly perfectionist.²

¹ Clearly Martha Nussbaum's robust feminist perfectionist liberalism does not fit neatly into this taxonomy.

² Jean Hampton, for one, explicitly suggests that feminist liberalism needs to be at least weakly perfectionist. She argues for "a not morally neutral form of political liberalism but rather (and quite deliberately) a morally loaded liberalism informed by a conception of the person prescribing the creation

Nonperfectionist arguments for a conception of gender justice do the following: "instead of talking in terms of good and bad life choices, [nonperfectionist] feminists talk in terms of seemingly neutral principles like freedom and equality" (Yuracko 1). "A neutral principle is one that does not encourage or favor any particular way of life" (1, n.1). It is not hard to understand why *feminists* might find attractive arguments that make use of concepts such as freedom and equality and shy away from using robust conceptions of human flourishing. To see this, compare my saying that men should share equally in care for the home and children because equality requires it, to my saying that men should share equally in care for the home and children because such caring activities are intrinsically valuable human activities. Whether or not one agrees with the latter argument, one must agree that the former seems less controversial and thus easier to sustain. Also, arguments that make reference to freedom and equality map more neatly onto our current political landscape than do perfectionist arguments, and thus those arguments seem to make feminist political change seem possible. They also make feminist political change seem nonpartisan. This is because they seem to appeal to moral grounds that are shared even with those who are likely to disagree with the substantive claims they supposedly support. In other words, if the validity of feminist political claims relies on the truth of a controversial conception of the good life, then feminism is out of luck. But, of course, wishful thinking is not an argument.

and sustenance of institutions that respect the worth and legitimate interests of persons" (250). She writes also that on her view a feminist liberalism must "develop and defend in its own right the concept of legitimate interests" (244). This latter claim would seem to speak directly to Jaggard's complaint that liberalism lacks a conception of "genuine human needs".

Indeed, this wishful thinking would not impress Kimberly Yuracko, whose forthcoming book *Feminist Perfectionism: The Values that Drive Contemporary Feminism* is a primary focus of this paper. Yuracko closely examines nonperfectionist feminist arguments and argues that, the intentions of their authors notwithstanding, they always actually tacitly appeal to robust perfectionist conceptions of the good life. That is, Yuracko attempts to demonstrate that nonperfectionist feminist arguments only seem persuasive because they tacitly appeal to morally robust perfectionist grounds. Such perfectionist conceptions of the good life, Yuracko tells us, are an indispensable part of feminism. I find Yuracko's arguments to be formidable; clearly any defense of nonperfectionism (let alone liberalism) in feminist political theory must deal with them.

Here, in brief, is Yuracko's argument. When feminists object to decisions women make under conditions of coercion or questionable socialization, feminists often say they are objecting to an infringement on women's freedom. But, according to Yuracko, coercion and socialization arguments actually end up relying on the claim that certain choices just should not be made, regardless of the conditions under which they are made (114). She writes: "at root, feminists are concerned with whether women are making good or bad life choices" (134). And often feminists will make arguments to the effect that some choices women make should not be thought of as their 'true choices' because they are made under conditions of inequality. But, according to Yuracko, such arguments ultimately rest on the claim that women should "have certain valuable opportunities available to them..." (156). That is, according to Yuracko, equality arguments seem persuasive only because they tacitly rely on a robust perfectionist idea about what sorts of

life activities are truly valuable and should thus be made available to women. So, Yuracko tells us, feminism is always really a kind of perfectionism. Its claims cannot be substantiated using the relatively noncontroversial ideas like freedom and quality.

I agree with Yuracko that feminist theories are *generally* robust perfectionist theories. They usually include strong and unequivocal commitment to particular and often quite controversial ideas about how life should be lived. What's more, feminisms tend to be comprehensive doctrines. That is, they tend to apply their particular conception of the good life to the family (parenting, housework, sexuality), to professional life, to leisure activities, etc.³ In these ways, feminisms are like religions.⁴ Put another way, feminisms, like religions, are often deep and broad: they are deep in the sense that they are grounded in ideas of moral truth; and they are broad in the sense that they apply this idea of morality to a variety of realms of human life. But if it is true that feminisms are like religions in these ways, consider that we tend not to think it incoherent for someone to say that she is both a Catholic and a liberal.⁵ Indeed, I dare say most Catholics these days are liberals (when we use the term 'liberal' in the classical sense). So why do we say that one can't be both a feminist and a liberal? Surely Yuracko's arguments need to be considered very carefully to answer this question. But in what follows, I hope that the analogy of feminism to religion helps to make plausible my claim that one can be both a feminist and a liberal.

³ Feminism has been and continues to be the source of very important claims about what the aims of human life should be. In this sense, feminism contributes valuably to a public culture rich in competing conceptions of the good life.

⁴ Yuracko herself realizes this (129), but she does not pursue the implications of the analogy.

I proceed first by looking carefully at Yuracko's treatment of coercion, socialization, and equality. In particular, I examine her treatment of feminist arguments to the following conclusions: 1) It is wrong for a girl or woman to agree to have sex with a partner in order to keep him; 2) It is wrong to decide to become a prostitute; and 3) It is wrong for a woman to give up her career aspirations to support those of her husband.⁶ As Yuracko sees it, in the first two cases, what is at issue is the rightness or wrongness of the commodification of sex. In the third example the issue is the rightness or wrongness of subordinating oneself to someone else's achievement. Yuracko claims that one cannot insist on the wrongness of choosing to have sex with a boyfriend because otherwise he'll leave, or of subordinating oneself to someone else's achievement, without referring to a robust and particular conception of how humans should live: namely that humans should live without commodifying their own or anyone else's sex, and without subordinating anyone to oneself, or subordinating oneself to anyone else. Yuracko argues that feminists can't show what's wrong with these choices by drawing on less controversial normative resources such as the ideas of freedom and equality.

So feminist liberal arguments, or any arguments that draw on the ideas of freedom and equality -- rather than on a conception of human flourishing -- will fail to justify feminist concerns about these choices. This means that a comprehensive liberal feminist who wants to apply the liberal idea of people as free equals to parts of the 'private realm' will not be able to object to the decisions described above. And similarly, any liberal

⁵ In a more extensive version of this paper, I discuss disagreements among Catholics about how unproblematic it is to be a liberal Catholic.

⁶ My choice of examples is not meant to be representative of Yuracko's examples, but rather serves to illustrate the points I'd like to make. Yuracko addresses many interesting examples of women's and girls'

feminist, who wants the state to encourage girls and women to not have sex under pressure, or wants the state to protect women from prostitution, or from subordinating themselves to their male partners' aspirations, would fail. According to Yuracko, such attempts at arguments would fail because the notion of people or citizens as free equals is too anemic to do the necessary normative heavy lifting.

After presenting Yuracko's arguments below, I show first that a nonperfectionist and comprehensive liberal feminist can object to these decisions, under certain circumstances. Then I argue that this liberal feminist may endorse using state power to address these issues to some extent. The result is not a robust feminism of the sort that Yuracko endorses.⁷ But I'm not sure we want such a feminism, given the fact of pluralism within feminism, something I discuss in more detail below. I'm looking for an account of feminism that includes and does not jettison that pluralism.

II. YURACKO'S ARGUMENTS

In this section I present briefly Yuracko's argument to the claim that perfectionist assumptions actually lurk behind nonperfectionist feminist arguments. I show that, Yuracko's often very valuable insights notwithstanding, references to the idea of people as free equals can illuminate what's morally troubling about the decisions she describes.

a. Coercion Arguments

choices, for example, deciding to be a surrogate mother, or deciding to become a cheerleader rather than class president (148).

⁷ Feminist liberals, as I suggest above, generally think that nonrobustness is not a drawback to a feminist theory. On this see Brennan, Cudd, and Lloyd.

Consider the claim that it is wrong for a girl or woman to agree to have sex with a man in order to keep him. It might seem odd that Yuracko focuses on choices women make, rather than on the institutions that structure women's lives, or on the actions of the men involved. But Yuracko focuses on women's choices because she wants to address those who say that our society is not sexist or patriarchal because women's plight is a result of their own choices. In the face of this kind of view, nonperfectionist feminists tend to say that women's choices are either not fully freely made or are not made under conditions of equality, and so should not be thought to be women's 'real' choices. Yuracko, of course, thinks that responses like this are insufficient and that only responses that make reference to robust perfectionist ideas about how people should live will be truly adequate.

Yuracko points out that feminists will tend to think that "Sleep with me or I'll break up with you" is a lousy thing to say, and that a girl or woman who sleeps with a man after such an 'offer' should not really be thought to want to sleep with him. "Stay home with the kids or be thought of as a bad mother and a bad employee" is similarly objectionable.⁸ But Yuracko points out that these 'offers' are not coercive on any common account of coercion. According to the common accounts, offers are coercive if they threaten a rights violation. So "Sleep with me or I'll hit you" is clearly an example of coercion. But "Sleep with me or I'll break up with you" or "Stay home with the kids or be thought of as a bad mother and a bad employee" doesn't involve the threat of a rights violation. This is because no one has a right to not be broken up with. And no one has a right to not be thought of as a bad mother or a bad employee. Yuracko calls these

"seductive offers". To the two I've mentioned, let's add a another: "Become a prostitute or earn wages so low that you can't support yourself or your children."⁹

The fact that such 'offers' are not really coercive in the traditional sense does not make feminists stop objecting to them. Indeed, it does not stop feminists from calling offers of this sort 'coercion'.¹⁰ Indeed, Kathleen Basile, in an excellent paper entitled "Rape By Acquiescence" presents what she considers to be a continuum of sexual coercion, with outright violence used to procure sex on the one end, badgering for sex in the middle, and gift-giving for sex on the other. "Sleep with me or I'll break up with you" is a bit worse than just badgering for sex but still falls somewhere in the middle of the continuum. That is, Basile at least would call the sex which results coerced.

But if Yuracko is right and sex had as a result of such an ultimatum is not really coerced, what are feminists objecting to? Yuracko tells us that what feminists really dislike about these 'seductive offers' is that they aim to get a woman to do something for "inappropriate reasons" (101). Yuracko tells us that when we object to these offers we are really assuming that "certain choices should not be made for certain reasons" (102, n. 220). According to Yuracko, feminist objections assume that "there are certain human aspects and attributes [for example sexuality] that cannot be weighed against or exchanged with other goods and services without destroying the unique value of that

⁸ On this see Joan Williams' excellent book *Unbending Gender* (Williams 2000).

⁹ This last example goes away if we can show that a living wage -- and welfare supports for parents -- are actually rights.

¹⁰ Oddly, Yuracko thinks that "Sleep with me or I'll fail you" is not a threat of a rights violation. Clearly, though, it is. In an educational context, professors have role-related obligations, and students have role-related rights to be graded according to publicly stated and officially sanctioned criteria (which never include sexual favors).

thing" (103).¹¹ In other words, "Sleep with me or I'll break up with you" communicates that sex is a commodity, something to be exchanged for something else (104). Because the ground for objecting to the 'offer' is the claim that sexuality should not be commodified, the objection is grounded in a particular and robust conception of how people should live, namely without the commodification of sex. Thus, says Yuracko, the objection is not ultimately grounded in the idea that the decision is coerced and therefore not free. (The same holds, by the way, for the decision to become a prostitute.) If you're a nonperfectionist, say a liberal, says Yuracko, you've got to say: Well, hey, if someone really wants to commodify his or her sexuality, then we can't object to that. Thus if you object to it, you can't be a real liberal or a real nonperfectionist. This, at least, is Yuracko's view.

Because I am interested in defending feminist nonperfectionism, or at least very weak perfectionism in the form of feminist liberalism, I present here what I take to be successful nonperfectionist arguments for objecting to a woman's decision to commodify her sex. As I see it, a nonperfectionist can say something like the following. If the woman in our example wants sex to be exclusively an expression of affection and sexual attraction, and the man knows or can reasonably assume this, then his request that she sleep with him only to keep him amounts to a request that she violate one of her own values (namely that sex not be commodified). If her value is not unreasonable -- and here it isn't -- his request that she violate it is, on most any moral theory, surely morally problematic. Notice however that it's not morally problematic because commodifying sex is bad. It's morally problematic because -- if she does not want to commodify sex --

¹¹ Referring to Radin (1987).

her giving in shows that, in this particular area (namely sex) the benefits and burdens of social cooperation in her relationship are not distributed equally (Lloyd). He gets what he wants without much sacrifice. She gets what she wants only at great cost. Thus we can say that their relationship is characterized by a significant inequality. We can also add to this the hunch that, given how women currently are, sexual relationships between women and men often involve this sort of inequality. So our objection to the "seductive offer" reflects both a situation-specific judgment about the lack of equality in the relationship and also a wider judgment about patterns of inequality in society.

Notice that because I explain why a feminist might object to the "seductive offer" without saying that commodification of sex is, all things being equal, wrong, I include in my account those cases where women do want to commodify their sexuality. That is, I think it's implausible to suppose that there are no cases in which the "seductive offer" discussed above is not objectionable. Thus my approach, rather than limiting feminism to a particular conception of the good life -- a conception with which even feminists may disagree! -- takes into account the presence of reasonable pluralism within feminism.

b. Socialization Arguments

But what if a woman doesn't object to the commodification of sex, and doesn't object to the boyfriend's ultimatum, because she's been *socialized* to prefer or to not mind it? Aren't we stuck saying that if she really does prefer that sex not be commodified, we *can object* to his request that she commodify her sex, but if she doesn't mind commodifying her sex, we can't object, *no matter how she came to not mind*? That is,

don't we have to be indifferent to the fact that women can come to prefer certain things in morally problematic ways?

To illustrate Yuracko's approach to this sticky issue of inauthentic preferences I'll use the case of the woman who chooses to subordinate her own aspirations to those of her husband after hearing from him and the wider culture "Stay home with the kids or be thought of as a bad mother and a bad employee". Here, while one may use the idea of coercion to criticize this decision, a feminist might also make what Yuracko calls a "method of socialization" critique (116). "Method of socialization" critiques say that the woman's decision to subordinate herself is not really freely made if the woman was exposed to corrupting socialization that made her develop preferences for subordination.¹² In the most clearly objectionable cases, a woman's preferences are developed against the backdrop of threatened or actual rights violations (such as when women develop the preference for being sexually dominated through experiences of sexual domination).

Yuracko points out the interesting fact that when a woman has been socialized to subordination, feminists tend to object to the woman's choice to become a homemaker, but we don't tend object to her decision to later seek an education. But why, Yuracko asks, if both are the result of the same socialization? It is effectively impossible to sustain the claim that the desire to be subordinate comes from the subordinating socialization whereas the desire to end the subordination comes from something else. Thus, Yuracko tells us the only way we can justify objecting to the former but not to the

¹² See Cudd (2002) on adaptive preferences. For further thought: what are to we to make of women raised as feminists who still choose to subordinate themselves?

latter is by making certain robust "perfectionist judgments about good and bad life choices rather than neutral procedural claims about the appropriate background conditions for choice" (127). So the seemingly nonperfectionist argument that refers to freedom really amounts to a perfectionist argument about what choices women should make.

But is nonperfectionism, or feminist liberalism, really so unable to explain what's troubling about some women's decisions to subordinate themselves to their male partner's aspirations? Do we really have to appeal to a robust conception of the good life to explain what's troubling? Consider this: If the socialization says that women are primarily servants, are to primarily serve others and to not pursue their own ends, then the socialization says that women are not morally free. A comprehensive liberal feminist, who adopts the very minimal idea that morality requires that each person be an end in herself, may clearly object to this socialization. She may object to it because the socialization teaches something morally incorrect. A feminist need not sign on to Yuracko's more robust moral idea. According to Yuracko, to object to the woman's decision to subordinate her own aspirations to those of her male partner, we need to believe that women, indeed all people, should choose "public sphere participation". This is how Yuracko puts it: All people, including women, should "develop the capacities for abstract thinking that come from interacting with and making decisions that impact those outside one's own immediate affective and particularistic knowledge base" (185). This idea, while surely attractive to me, is more robust and more controversial than the idea that social institutions should treat all participants in them as free equals.

But what if the woman says she really wants to subordinate herself? This is where Yuracko seems to think that nonperfectionist arguments run out of steam. She thinks that nonperfectionists must accept whatever desires people happen to have as legitimate and uncriticizable. Alison Jaggar makes the same claim in her 1983 book saying that liberalism accepts, in her words, "the autonomy of empirical desires" (Jaggar 1983). But a comprehensive, nonperfectionist liberal feminist may easily object. As Kant might have put it, it doesn't matter whether someone *wants* to be used. The idea of treating people as free equals forbids using others, (alas it forbids using oneself).

So why object to the woman's choice to subordinate herself but not to her decision to go back to school later? For a nonperfectionist, the answer seems simple. The latter decision seems to be helpful in rectifying the morally problematic status of the woman as subordinate, whereas the former decision seems to have created it.

Notice that Yuracko's approach is critical of anyone who chooses to have the home as their exclusive focus of activity, regardless of how they come to decide to live that way. My approach, respecting pluralism within feminism, does not look simply at what a woman has decided, but looks at whether that decision violates the condition that participants in a form of social cooperation ought to be treated as free equals within it.

But doesn't this violate liberalism's focus on freedom, which includes that idea that people should be free to make bad choices? Well, no and yes. No in the sense that the liberal idea that people are free equals, when used as a moral theory, does not simply advocate charging in and forcibly forbidding people from making certain decisions, though it does provide grounds for worrying about those decisions. As we will see, the

liberal idea of people as free equals, when applied to the public realm offers us a way of thinking about how the coercive power of the state should be used. As we will see, while the idea makes liberals hesitate to use the coercive power of the state to keep people from making bad decisions, it is still strong enough to justify using state power to remedy some of the unfair results of these decisions.

c. Equality Arguments

In defense of feminist nonperfectionism I've offered a conception of equality. Yuracko, predictably, believes that arguments that seem to be based on equality actually tacitly appeal to the robust perfectionist claim that certain "goals and accomplishments" are particularly important for human beings, and thus that women should have access to them (153). Note that the perfectionist claim is not that women should have access to these "goals and accomplishments" because men do, but just because they're valuable.

Recall the conception of equality mentioned above says: "equality requires that all [participants in a form of social cooperation] reap the same amount of benefit and bear the same amount of burden" (Lloyd 206). Yuracko's work makes us see that Lloyd's articulation of her conception of equality involves at least one ambiguous idea. That is, it is unclear what it means for participants in a form of social cooperation to "reap the *same* amount of benefit and bear the *same* amount of burden" (my emphasis). Yuracko disambiguates the idea of sameness here to mean that "equality requires that women and men face the same choices *having the same meaning* and the *same degree of attainability*" (Yuracko 135).

Yuracko then goes on to show that it is impossible to conceive of women and men having choices that have the same meaning and the same degree of attainability. This is because our social world is gendered and because our identities are gendered. If gender equality requires that there first be substantive sameness across the genders, something that is at the very least impossible now, then feminist complaints about inequality are just spitting into the wind.

Predictably, then Yuracko tells us that feminists who make equality arguments aren't really concerned to see that men and women have the same choice sets, but rather that women and men to have chances to "achieve certain particularly important goals and accomplishments" (153). It is the robust perfectionist judgment that certain goals and accomplishments -- such as "public sphere participation" (184) -- are valuable in themselves that animates feminists' concerns over the homemaker, not the fact that her choice sets differ from those of a typical man. If Yuracko is right, then feminist equality arguments are hiding in their belly a very particular and robust conception of how life should be lived, namely in pursuit of participation in the social world beyond the home. This, of course, would be disappointing to nonperfectionist feminists who had hoped to present arguments for alleviating the plight of the homemaker without entering into controversial conversations about what kinds of lives are best for human beings.

But I think Yuracko is too quick to dismiss equality arguments, indeed too quick to reject feminist nonperfectionism. Yuracko is surely right that equality arguments will fail if they insist on women and men having exactly the same options. But a nonperfectionist feminist need not, and in fact should not, adopt this kind of conception

of equality. Indeed, when I use Lloyd's conception of equality above, I do not interpret the word "same" as Yuracko does.

The problem Yuracko points up would appear for any conception of equality, not just a conception of gender equality. If equality of opportunity, for example, required that citizens have a set of options that mean exactly the same to them and for which each had exactly the same likelihood of attaining them, then such a conception of equality of opportunity would be quite unhelpful in political theory. As I see it, equality does not mean sameness. *Equality bridges difference*. Indeed, one does not need a conception of equality if there is no difference.¹³

Equality is an aspiration to, in Christine Littleton's words, "make difference costless". Of course, we cannot make difference entirely costless. Political theory is not an exact science, and it is unfair to criticize it for not being one. But equality requires that we aspire, again to quote Littleton, "to make gender differences, perceived or actual, costless relative to each other, so that anyone may follow a male, female or androgynous lifestyle according to their natural inclination or choice without being punished for following a female lifestyle or rewarded for following a male one (Littleton, 1991, 37-8).¹⁴

Yuracko, of course, will insist that we say what we mean by "costless", as she thinks that the utter vagueness of a term like that renders any equality argument unsuccessful and shows that feminist arguments really rely on perfectionist conceptions

¹³ There's been a good deal of confusion about this. Peter Singer does a good job of explaining how equality manages difference. See Singer (19??).

¹⁴ I don't know whether she'd call herself a liberal or not, but I take her conception of equality to be compatible with liberalism and to be robustly feminist.

of the good life. To briefly address this concern, let me to return to the three examples of "seductive offers" discussed above. In the case of the woman who chooses to have sex with her boyfriend so that he won't leave, we can see that who she happens to be -- she a woman who does not want to commodify her sex -- costs her something. Being who he happens to be wins him something. This is quite clear. In the case of the woman who subordinates herself to her husband's aspirations, clearly being who she is -- a woman who for whatever reason is a full time homemaker -- costs her something. It costs her in reduced exit options relative to him, she loses security in old age, she has a reduced ability to pursue her own ends, etc. This conception of equality not only shows that nonperfectionist arguments are available and viable.

III. FEMINISM AND POLITICAL LIBERALISM

Liberals are traditionally thought to be preoccupied with limiting the reach of the coercive power of the state. In this section, I take up nonperfectionist liberal feminist ideas about state power. We have seen that comprehensive liberal feminists actually generously apply the idea of people as free equals to parts of the private realm.¹⁵ Such comprehensive liberal feminists apply that idea also to the public realm however -- which means they use it as a yardstick to determine the appropriate limits of state power. So

¹⁵ Early second wave feminists coined the phrase, 'the personal is political'. But there's been much misunderstanding. Feminists have misunderstood liberalism, thinking that liberals can't worry about injustices in the family. This, we've seen, is not the case. But liberals have also misunderstood the phrase. It does not imply that feminists want the private realm to be entirely open to state intervention. We will see this below. On this, see also McClain (2002).

what kind of state responses might such a liberal think appropriate to address the kinds of situations Yuracko describes?¹⁶

Consider again deciding to have sex because you don't want to lose your boyfriend. As I mentioned above, Kathleen Basile in her paper on the continuum of sexual coercion tends to see the sex that results from this sort decision as coerced, and thus she calls it a kind of "rape by acquiescence". But even Basile is hesitant to firmly call this sex rape. What seems to be at stake in calling it rape is whether it should be criminalized. How many of you think it should be criminalized?

But what about using the power of the state in some other way to protect women from having sex under pressure? What about including material on consent in sex in junior high or high school curricula? In public service ads in buses or on billboards? Requiring that information be available in doctors' offices and hospitals? In welfare and unemployment offices? At the DMV? These are examples of using the persuasive power of the state. Are there nonperfectionist, liberal, arguments to justify using state power in this way? Surely there are. Basile is right that there is a continuum of sexual nonvoluntariness that includes both outright violence and threats of rights violations and more benign ways of getting women to do what they do not want to do. These ways of getting women to do what they do not want to do are related in the following way. They all represent the sentiment that women as a group, and especially their sexuality, are appropriately thought of as use objects. A state concerned that thinking about groups in that way leads to clearly criminal conduct -- like rape and sexual harassment -- will be

¹⁶ At one point Yuracko mentions banning something (154). We can presume she's talking about state power here. But generally Yuracko avoids the issue of state power.

concerned to use its persuasive power to address the underlying ways of thinking. This is just like the state using its persuasive power to combat racist thinking.

Consider the decision to become a prostitute. This is a notoriously complex issue, about which feminists have disagreed vehemently over the years. A feminist liberal is not likely to support the criminalization of prostitution. This is because the strongest arguments against prostitution are perfectionist, and thus controversial arguments, for example, grounded in the idea that sex should not be commodified. This moralistic idea is not an appropriate foundation for criminalizing something, according to liberals. Liberal feminists will, however, insist that prostitutes are protected from criminal acts such as murder, battering, rape and harassment. Indeed, liberal feminists will insist that prostitutes enjoy the protections that other workers enjoy -- equitable pay, decent working conditions, the right to unionize, protection from rights violations, assurance of an exit option.¹⁷ So although liberal arguments, as I understand them, do not support prohibiting prostitution, they do support protecting women who are prostitutes. To this extent then, liberal arguments, which are nonperfectionist arguments, are strong enough to address feminist concerns with prostitution. But they do so in a nonmoralistic way, and thus I would say are more viable than feminist perfectionist arguments that are grounded in controversial conceptions of the good life.

Finally, consider choosing to give up your career to support your husband's career (132). Feminist liberals will not want to see this criminalized. (Nor would most feminists I expect.) However, nonperfectionist feminist liberals can, and must in fact, advocate using the coercive power of the state to ensure that the terms of cooperation in

family life do not overly burden women. On this issue Sarah Lloyd writes, "the best program would seem to be one that protects abortion to allow women to avoid in many cases the assignment of an unequal burden, combined with the sorts of public policies Okin recommends [for example, enforced paycheck sharing] to decrease women's vulnerability as a result of their greater burdens, complemented by a robust program of compensation to custodial mothers through transfer programs and preferential treatment" (218).

So a feminist liberal can argue for some state intervention to deal with the issues that Yuracko raises. The proposals for state invention are, however, not robust. But would Yuracko advocate more? Would any feminist advocate more? Well perhaps more in some ways. My hunch is here, however, that most feminists have a healthy skepticism about the ability of the state to effectively bring about feminist change. This means that they will often agree with liberals about how state power should be used; for example most feminists probably agree with liberals that pornography should not be made illegal, that household chores should not be dictated by the state, etc. What I am interested in now is this: What is the source of this (moderate degree of) agreement between liberals and feminists about the uses of state power? Are feminists in agreement with liberals about these things accidentally? If this is the case, then feminist agreement with liberals about this will not endure: if the accident of overlapping interests fades, so will the agreement. Or is there a deeper agreement between feminists and liberals? That is, are

¹⁷ See Cornell (1998).

there inherently feminist reasons for avoiding grounding politics in a particular conception of the good life? I pursue this in my last section.

IV. FEMINISMS, RELIGIONS, AND LIBERALISM

To shed some light on this issue, let's return to my comparison between feminisms and religions. As I see it, there are at least three ways in which a religion like, say, Catholicism, can relate to liberalism (on this see White). 1) One can be a fundamentalist Catholic, for whom a conception of political justice is right only when it overlaps perfectly with traditional Catholic doctrine. On this view, of course, 'liberal Catholic' is an oxymoron. This is because Catholic doctrine presents a hierarchy of wrongs, according to which divorce, contraception, abortion, and many other acts not thought by nonCatholics to be wrong, are very very wrong, so wrong in fact, that they should be criminalized. Being a liberal Catholic would be an oxymoron because being Catholic requires wanting these acts to be criminalized -- that is sanctioned with the coercive power of the state -- whereas being a liberal requires wanting these acts to be permitted, regardless of one's own moral evaluation of them.

2) Instead of being a fundamentalist Catholic, you might be what I'll call a pragmatic Catholic liberal. A pragmatic Catholic liberal thinks that many of the basic rights protected by the liberal state -- the right to abortion, and even the right to freedom of conscience -- are morally wrongheaded. But this Catholic liberal believes that the costs involved in making the law conform to Catholic doctrine are too high. That is, in order to make abortion illegal or to make everyone worship the right god the state would

have to violate many other values that this Catholic holds dear, like human life and peace. This Catholic I call a pragmatic Catholic liberal because she endorses liberalism not on principle but just prudentially, as a means to an important end. If a better means were found, she's surely abandon liberalism.

3) The third kind of Catholic I'm interested here is what I'll call the principled Catholic liberal. This Catholic endorses liberals ideals, like that citizens should be treated as free equals -- and endorses the list of rights that the liberal state protects, including the right to abortion, freedom of conscience, etc. -- on principle. That is, this Catholic has Catholic reasons for directly endorsing political liberalism.¹⁸ For example, this Catholic finds freedom of conscience and respect for citizens as free equals strongly implied in the Bible or Catholic teaching. I find this third Catholic very interesting. Because she endorses political liberalism for inherently Catholic reasons, and not just pragmatic reasons, her endorsement is enduring. What's more, it is a moral endorsement.

We can similarly lay out three kinds of feminisms. The first kind is the fundamentalist feminist. She thinks that her own substantive feminist moral view is the measure of the appropriate use of state power (perhaps MacKinnon is an example of such a feminist?). Of course, can't endorse liberalism as a political doctrine. This is because her moral doctrine includes a hierarchy of wrongs vastly out of step with what her fellow citizens can be expected to endorse. So she'll want to use state power to further an agenda that is not defensible to her fellow citizens who hold other, very different, moral views.

¹⁸ In a more extensive version of this paper, I explore Vatican II's exploration of this issue. On this see White (1997).

The second kind of feminist is the feminist with a pragmatic relationship to liberalism. This feminist signs on to liberalism's core values because they happen to be helpful at times to feminist causes. Think here of the feminist who endorses a freedom of speech argument to defend pornography, but only because she worries that state regulation of pornography will stop lesbian and feminist porn from being made -- lesbian and feminist porn being crucial to women's liberation. Think here also of the feminist who endorses limits on state interference with people's personal lives only because she thinks that patriarchal state would botch any attempt at fixing injustices in the family, but not because she believes that citizens have a right to live their lives as they see fit, within reasonable bounds. This endorsement of liberalism is pragmatic. It serves feminist interests at the moment. But should liberalism fail to serve those interests, the endorsement would cease.

The third kind of feminist is the principled feminist liberal. Of course, I'm most interested in the viability of her position here. The principled feminist liberal endorses core liberal values for inherently feminist moral reasons. To introduce this idea, I quote Sarah Lloyd at some length. Lloyd tells us that

"it's true that confining the argument to talk of socially recognized values [like freedom and equality] requires operating with one hand tied behind one's back... Conclusions that would be quite easy to reach from stronger feminist principles, or other comprehensive egalitarian principles, are much harder to reach using the sparse ... toolbox. But it also means that if we can reach the same conclusions,

we will have established them in a way that makes it much more difficult for opponents of strong feminist principles to reject them. Of course one might not care about legitimating one's conclusions to those who endorse comprehensive doctrines incompatible with strong feminist principles. One might say, "such people are not worth convincing". I think that attitude is not only imprudent given what women stand to lose if feminists cannot put our recommendations into effect, *but also suspect on moral grounds*" (Lloyd 210)(my emphasis).

Lloyd does not tell us what she means when she says that there are moral grounds for feminists to limit their arguments to those capable of meeting with the agreement of those "who endorse comprehensive doctrines incompatible with strong feminist principles". I'll venture to interpret Lloyd like this: There *are inherently feminist reasons*, and not just pragmatic reasons, for couching feminist arguments for the use of state power in terms that others -- with whom we have serious moral disagreements -- can be expected to find acceptable. Or, put another way, there are inherently feminist reasons for not grounding our political claims in a particular conception of the good life. The inherently feminist reasons are at least this. Feminists, if they have learned anything, it is that difference must be respected. And instead of requiring that people change so that we can live with them, we ought to strive to live with others under conditions which they can be reasonably expected to find acceptable. Feminists make this demand of men with respect to women, or of whites with respect to nonwhites. Surely it extends also to us with respect to nonfeminists.

IV. CONCLUSION

By addressing Kimberly Yuracko's feminist perfectionism, I have argued that nonperfectionist, liberal feminist arguments can be made to explain feminist concerns with such things as sexual commodification and women's subordination in the home. This was an attempt to show that nonperfectionist feminism, particularly in the form of liberal feminism, though not a robust feminist theory likely to conflict with many of the ways people choose to live, is still strong enough to ground feminist concerns. I argued also, that a feminist liberal may support using the power of the state to address these feminist concerns. And finally, I suggested that, just as there are Catholic liberals, there can also be feminist liberals. These are feminists who, while perhaps using the idea of people as free equals to criticize the traditional family and other parts of the traditionally 'private' realm, also endorse liberalism as a political doctrine for inherently feminist reasons. If I am right that there is a coherent position that we might call feminist liberalism, then we are in luck. We would be in luck because we'd be able to show that feminism is not a partisan political position, but is part of the mainstream of liberalism and thus should be endorsed by those who claim to not be feminists, indeed by those who would claim to reject many feminist demands.

Recall that I have been presenting a feminist liberal position, arguing against Yuracko's robust feminist perfectionism. It remains to be seen whether feminist liberalism can succeed without some sort of, albeit minimalist and, perfectionist foundation, such as the moral idea that people really are free equals. Jean Hampton, for

one, suggests that a feminist liberalism needs such minimal and weak perfectionist grounding. I leave the examination of that claim to another paper.

SOURCES CITED

- Baehr, Amy. Forthcoming (2002). *Varieties of Feminist Liberalism*. New York: Rowman and Littlefield Press.
- Baehr, Amy. Forthcoming. "A Feminist Liberal Approach to Hate Crime Legislation". *Journal of Social Philosophy*.
- Basile, Kathleen C. (1999). Rape by acquiescence: The ways in which women "give in" to unwanted sex with their husbands. *Violence Against Women*, 5,1036-1058.
- Brennan, Samantha. Forthcoming (2002). "Liberalism, Feminism, and Rights" in Baehr 2002.
- Cornell, Drucilla. 1998. *At the Heart of Freedom: Feminism, Sex and Equality*. Princeton: Princeton University Press.
- Cudd, Anne. 2002. "The Paradox of Liberal Feminism: Preference, Rationality, and Oppression." In Baehr 2002.
- Lloyd, Sarah. Forthcoming (2002). "Toward a Liberal Theory of Sexual Equality". In Baehr 2002.
- MacKinnon, Katherine. Cited in Yuracko.

- McClain, Linda. 2002. "The Domain of Civic Virtue in a Good Society: Families, Schools and Sex Equality" in Baehr 2002.
- Nussbaum, Martha. 1999. *Sex and Social Justice*. New York: Oxford University Press.
- Okin, Susan. 1989. *Justice, Gender and the Family*. New York: Basic Books.
- Radin, Margaret. 1987. "Market-Inalienability," *Harvard Law Review* 100 (1987): 1849, 1906.
- Raz, Joseph. Cited in Yuracko.
- Singer, Peter. 19???. "All Animals are Equal". In Singer and Regan (19???).
- Singer, Peter and Tom Regan. 19???. *Animal Rights and Human Obligations*. ???
- West, Robin. Cited in Yuracko.
- White, Michael J. 1997. *Partisan or Neutral? The Futility of Public Political Theory*. New York: Rowman & Littlefield Publishers Inc., 1997.
- Williams, Joan C. 2000. *Unbending Gender*. New York: Oxford University Press.
- Yuracko, Kimberly. 2002. *Feminist Perfectionism: The Values that Drive Contemporary Feminism*. Indiana University Press.