

Il tema: Potere/poteri

The Concept of Liberty and the Place of Power: A Feminist Perspective

Il concetto di libertà e il ruolo del potere: una prospettiva femminista

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Abstract. This paper examines the relationship between freedom and power from a feminist perspective. Arguing for a social constructivist approach to freedom that questions the givenness of subjectivity and desire, I argue for a concept of freedom that simultaneously accepts the importance the subject-generated choice and questions how far freedom can rely on such a conception.

Keywords: feminism, freedom, power, social construction, subjectivity.

Riassunto. Il saggio esamina la relazione tra libertà e potere in prospettiva femminista. Nel difendere un approccio sociale costruttivista alla libertà che metta in questione la dataità di soggettività e desiderio, argomento in favore di un concetto di libertà che, allo stesso tempo, accetti l'importanza della scelta generata da parte del soggetto e interroghi fino a che punto la libertà possa fondarsi su tale concezione.

Parole chiave: femminismo, libertà, potere, costruzione sociale, soggettività.

The relationship between freedom and power is one that has concerned feminists from the seventeenth century to today. Feminists have sought to free both men and women from the constraints of gendered roles, rules, expectations, and stereotypes, but have noted that women are

generally more constrained than men, who generally have more power than women (if we hold race and class constant). As Locke's contemporary Mary Astell asked, "If all Men are born free, how is it that all Women are born slaves?"¹ and she attributed women's lack of freedom to the power that laws, norms, and institutions gave men over women's lives. Such concerns continued into the eighteenth century with Mary Wollstonecraft's calling women's condition in the family and society one of "slavery" because of their lack of education and rights to their own property, a theme that John Stuart Mill continued in the nineteenth century with his advocacy of women's suffrage and the Married Women's Property Act.²

But it was not until the late twentieth century that second-wave feminists began to complicate the relationship between freedom and power, with the "linguistic turn" that was ushered in by the widespread influence of Michel Foucault. Freedom was seen by feminists to be intertwined with many other concepts, such as justice, autonomy, equality, and difference.³ But its relationship with power is arguably the most complex, if not most significant. In this paper I will use the postmodern understanding of how desire and subjectivity are socially constructed through relationships, practices, and language to show that the simplistic understanding of freedom often proffered in the West – doing what I want without interference – is inadequate to understand the role of power in women's struggle for freedom, as well as that of other subordinated groups. But social construction also entails a paradox that presents a philosophical challenge for politics that must be recognized if we are to have a theory of freedom that does not perpetuate sexism and racism. This paradox entails the necessity of recognizing the role of "internal barriers" to freedom, and simultaneously that such barriers are never solely internal.

1. The Meaning of Freedom

In saying that freedom is about "doing what I want," there are three parts: the doing; the wanting, or desire; and the I, or subjectivity. The doing first and foremost involves attention to the barriers or obstacles that prevent me from acting as I wish or forcing me to do something I do not want to do. It is a fundamental idea in the West, brought to caricatured absurdity, if not horror, in the United States and Europe during the COVID-19 pandemic when people refused to wear masks under claims

¹ Astell, "Reflections on Marriage," 76.

² Wollstonecraft, *Vindication of Rights*; Mill, "On Subjection of Women."

³ See Hirschmann and DiStefano, *Revisioning Political*; Hirschmann, *Subject of Liberty*.

of “freedom.”⁴ But this idea has a history, emerging from the seventeenth century “social contract” theory. Thomas Hobbes famously declared: “By liberty, is understood, according to the proper signification of the word, the absence of external impediments: which impediments, may oft take away part of man’s power to do what he would.”⁵ John Locke similarly noted that ‘we must consider what State all Men are naturally in, and that is a *State of perfect Freedom* to order their Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other Man.’⁶ And John Stuart Mill, in his well-known essay *On Liberty*, argued for the primacy of pursuing “our own good, in our own way.”⁷ These classic statements of liberty are so well-known because they cohere with how we think of freedom in our everyday lives: I am most categorically free when I can do as I like, and most obviously unfree when I am prevented from doing what I want to do.

This conception of freedom was given the label “negative liberty” by Russian-born Oxford professor Isaiah Berlin in the 1950s. It is accepted as the classic liberal view that arose with social contract theory in the seventeenth century and dominates in Western societies today. Berlin argued that freedom meant that an individual is not restrained by external forces, primarily viewed as law, physical force and other obvious forms of coercion. So, for instance, if I wanted to leave the house but my husband blocked the door, he would be restricting my freedom. “By being free in this sense I mean not being interfered with by others. The wider the area of non-interference, the wider my freedom.”⁸ This interference must be intentional and purposive; my husband has to know what he is doing when he blocks my way, and intend to do it. If he passed out and blocked the exit by accident, that would not count as a restraint on my freedom in Berlin’s account. Rather, other humans’ direct – though in some cases, indirect – intentional participation “in frustrating my wishes” is the relevant criterion in determining restraint.⁹

Similarly, desires must be “mine” in the sense that I know that I have them. They may be reactions to external stimuli – I may want to leave the house because I feel compelled to buy a new outfit for a party I will be attending– but the important fact that negative libertarians point to is that this desire is *mine*, and I am responsible for acting on or resist-

⁴ Vargas and Sanchez, “American individualism,” Wong, “Coronavirus.”

⁵ Hobbes, *Leviathan*, 189.

⁶ Locke, *Two Treatises of Government*, 2.4.

⁷ Mill, “On Liberty.”

⁸ Berlin, *Four Essays on Liberty*, 123.

⁹ *Ibid.*

ing the desire; nobody is forcing me to shop. Similarly, they are *conscious* desires in the sense that I have to know *that* I have them, whether or not I know *why* I have them. For instance, my desire for a new outfit may be an expression of subconscious anxiety about my appearance. Many (though not all) feminists would argue that such a motivation is far from “liberating,” but what is relevant to negative freedom is *that* I want it, and that I *know* I want it, rather than *why* I want it. It forbids others’ judgement from determining what I “truly” want or what is in my “best interest;” only I can determine that. Thus, negative liberty draws clear-cut lines between inner and outer, subject and object, self and other.

And yet consider the possibility, for instance, that my husband blocked the door because if I went to the store I would run up thousands of dollars more on our credit cards, which we already cannot pay off; we have been forced to sell our house because I bankrupted us, and have had to move twice since then because we fell behind in our rent, all because of my compulsive shopping. Do we still think that my husband restrained my freedom? Certainly, his freedom would be impeded by my behavior, and of course my interference with his freedom is a legitimate reason for his interfering with mine, as Mill adamantly declared. But might we also think that his actions were intended to help liberate me from my compulsive spending? What if, instead of dress shopping, I was leaving the house to meet my drug dealer, after months of struggling to remain clean and sober? What if my husband tried to prevent me leaving not because my addiction was impoverishing us – and thereby affecting his individual interest – but simply because he loves me and is trying to help me beat my addiction? We certainly can understand the attractiveness of the position that in preventing me from taking drugs, my husband might be preserving my freedom rather than inhibiting it.

2. An Alternative Conception?

This leads us to a different conception of freedom, which Berlin called “positive liberty.” It is not a conception that he approved of, nor did he describe it in a complete or even accurate way. But I maintain that it reveals some important dimensions of what freedom encompasses. It expands the classical liberal “negative liberty” view in three ways. The most common and basic idea concerns provision of the conditions necessary to take advantage of negative liberties, such as providing wheel-chair access to buildings or scholarships for education. This goes hand in glove with the idea of enlarging our understanding of what counts as a “barrier” or “restraint” to include conditions that we tend to accept as “normal” or

even “natural,” but which are revealed to be socially produced and even arbitrary. Adopting a more contextual and communal notion of the self, positive liberty is able to view individual conditions such as disability, as well as social conditions such as poverty, as barriers to freedom that can be overcome by positive action, or the provision of conditions the individual cannot create on her own. Some examples might be the low-cost university education that Italy provides its citizens—or the free education provided by other EU countries such as France or Germany—in contrast to the United States where higher education is often expensive; or building adaptations like wheelchair ramps for entry into buildings by persons with mobility impairments.

A second contribution positive liberty makes involves its focus on ‘internal barriers.’ According to positive liberty, we can have conflicting desires, where I want two mutually exclusive things at the same time. For instance, I may truly want to quit smoking, but having an argument with my department chair sends me out of the building to smoke. We can also have “second order desires,” or “desires about desires,” as Charles Taylor put it: “We experience our desires and purposes as qualitatively discriminated, as higher or lower, noble or base, integrated or fragmented, significant or trivial, good and bad.”¹⁰ For instance, I want to *not* want that cigarette every time my department chair annoys me (as he so often does). Indeed, I want to be the kind of person who just does not react, who is calm and in control: a desire about my desires. Because of these conflicting capacities, it is not enough to experience an absence of external restraints, because the immediate desires I have may frustrate my true will.

3. Knowing Desire

But that also implies that other people might actually be a better judge of what I want than I am myself, such as my husband seems to be when he prevents me from meeting my drug dealer. But this aspect of positive freedom makes people uneasy – it introduces an idea that Charles Taylor called “second guessing,” where other people know what I “really” want better than I do myself. The idea is that they can help me understand myself better, to be more self-aware. It is the most troubling aspect of positive liberty: determination of the will by others – not just preventing you from doing what you want ‘for your own good’, but claiming that such prevention is actually what you “truly” want even if you are not aware of that fact.

¹⁰ Taylor, “Negative Liberty,” 184.

In the history of political theory, this idea is illustrated most infamously by Jean-Jacques Rousseau's general will; since the laws embody the true will, he says, then by forcing me to obey the law the state is only "forcing me to be free;" that is, to follow my true will, whether I know it or not.¹¹ But Berlin really had in mind the Soviet-era nightmare of Stalinism and subsequent state socialism where propaganda reclassified citizens' restrictions as a condition that they freely and happily accepted. Indeed, it is because of the context of Cold War politics that the internal dimensions of freedom were generally ignored—and even feared—by twentieth-century freedom theorists; they were associated with totalitarian mind-control, whereas Western liberal democracy was seen as providing for the maximum amount of freedom from restriction to develop one's own individual personality all by oneself.

This concern about others evaluating your own desires is one many feminists share. Feminists from Wollstonecraft to de Beauvoir have criticized a long history of men's asserting that they know better than women what women really want, because women are supposedly too emotional and irrational to know what they want.¹² The point of this paternalism was hardly that of enhancing freedom; women's exclusion from voting, from education, from inheriting property and from a wide variety of professions, particularly if married, as well as the marriage "contract" itself, where women were sworn to "obey" their husbands, who entirely subsumed their wives' "civil personality," have all been seen by feminists as oppression, not freedom, much as Berlin argued about state socialism.¹³ A parallel history has been experienced by African Americans in the United States, with the argument that slavery was justified because Africans could not think for themselves, an argument commonly made about colonized peoples; and by disabled persons, who have been institutionalized on the assumption that they are rationally incapable of caring for themselves.¹⁴ All of these arguments have served to justify the *denial* of freedom, so the positive liberty claim that second guessing can *enhance* freedom is rightly viewed with suspicion.

¹¹ Rousseau, "Social Contract." I should note that many, including myself, believe that this is a simplistic and inaccurate reading of Rousseau's infamous phrase. See Hirschmann, *Gender, Class, Freedom*, Chap. 3.

¹² Wollstonecraft, *Vindication of Rights*; de Beauvoir, *Second Sex*. See also Lange, *Feminist Interpretations*.

¹³ Blackstone, *Commentaries on Laws of England*; Pateman, *Sexual Contract*; Hirschmann, *Gender, Class, Freedom*.

¹⁴ On slavery, see Franklin, *From Slavery to Freedom*; on disability, see Baynton, *Forbidden Signs*.

4. The Importance of the Internal

Despite this history, however, I maintain that internal barriers are important to recognize, for several reasons. The first is the depth to which I can have *conflicting* desires and a *divided* will: I really want to quit drugs, but I really want to take them, too. I really want a new outfit, but I really want a stable life with my husband where we are not always in debt. Most people would probably agree that quitting (both drugs and shopping) would be a better choice, a choice that would be more consistent with my continued freedom. In fact, we might argue that such a choice would liberate me, and therefore it must be the choice I really prefer to make. So it is at least an open question whether the person who prevents me from pursuing such desires impedes my liberty, or enhances it.

The second reason that considering internal barriers is important is that they are *not just internal*: they are created, at least in part, by social relations around us. Factors like sexism, racism, and ableism create structures that limit and restrain us from the inside. In my example, it may be difficult to say that clothes shopping is oppressive, but the fashion industry is nevertheless structured by sexist ideals of what makes women attractive and desirable and these affect many women's self-image. Similarly, the forces of global capital that make it advantageous for some to exploit the labor of others, leading to a consumerist economy where the impetus for new clothes is perceived as a "need," manufactures desire and traps us in a cycle of working to earn more money so that we can accumulate things. It also produces a credit economy where we are encouraged to buy things that we cannot afford, trapping us in a cycle of debt.

Third, and closely related, considering internal barriers is important because they relate to the constitution of subjectivity: that is, how I become the person I am with the desires I want, and how forces that shape my desires impact on the production of my identity as a choosing subject. In the standard liberal or negative liberty model, who I am determines what I want: subjectivity determines desire. But the reverse is also true: what I want also shapes who I am, desire shapes subjectivity. And what I want is always shaped by my experience with a large range of social factors operating at once: family, nation, culture, language, sex, gender, race, ability, body type, and so on. In shaping our desires, however, these forces and practices also shape our subjectivity.

This is called "social constructivism," and by considering internal barriers in a social constructivist framework, we can understand that not only are internal barriers *not just internal*, but they also are *not just barriers*: they also produce us, they create our subjectivity through which we identify ourselves and our vision of the kind of life we want to live.

This demands attention to history, relationship, and context, all of which in turn require the deep interrogation of the self. But understanding the self is a social process. It presupposes language, a conceptual vocabulary, a system of signs with which to formulate and represent my own experience to myself, let alone to others; and it requires others with whom I can be in conversation, to analyze and determine what desires are really mine, and really better for me. This raises the question of where to draw the line between the internal self and the external world, because our self-understandings, our desires and choices, always need to be understood in context. Without such specificity of context, the individual is an abstraction.

5. The Social Construction of Freedom

I maintain that social construction offers an important expansion of the standard understanding of freedom, and shows the inadequacy of the standard liberal view. I also maintain that social construction is entailed in a positive liberty perspective, but that is not something that other positive liberty theorists, such as Taylor, or Christman, have explicitly recognized.¹⁵ Instead, I believe it comes out of a critical assessment of how positive liberty works. But this is not necessary to the importance of social constructivism for freedom, and so the term “positive liberty” should not be seen as some sort of clear “model” for freedom but rather should be seen only as a shorthand term to represent this complicated matrix of internal and external factors that produce and form desire and subjectivity, just as “negative liberty” is a convenient label for the dominant liberal view of freedom. For me, the relevant point is not that there are two competing models, but rather that these two approaches reveal different aspects of what freedom is.

In short, social constructivism entails a focus on how it is that I have the desires I have: why do I make the choices I do? The idea of social construction is that human beings and their world are in no sense given or natural; rather, they are produced by and through social relations, particularly the emergence and development of practices, customs, institutions, economic structures, social structures, gender relations, familial configurations, and various other kinds of relationships. Our desires,

¹⁵ It is also something that so-called “republican” theories of freedom ignore; see Pettit, *Republicanism*, and my critique of republican freedom in Hirschmann, *Subject of Liberty*, 26-28, 206-07, and *Gender, Class, Freedom*, 9-12. From a feminist perspective, this approach to freedom ironically depends on a liberal subject who may be “dominated” by particular others but ignores the ways in which social structures can produce the kinds of structural barriers to choice and action that I discuss below.

preferences, beliefs, values, indeed the way in which we see the world and define reality, are all shaped by the constellation of personal, institutional, and social relationships that constitute our individual and collective identities. Understanding them requires us to place them in their historical, social, and political contexts. Such contexts make meaning possible.¹⁶

But social construction is a term that is sometimes misused; or rather, it is conceptualized in a superficial and incomplete way. I argue that social construction has several dimensions to it; each dimension is seen by different scholars as the sum total, but I maintain that all three dimensions must be understood at one and the same time as constitutive of the concept.

I call the first dimension “ideology.”¹⁷ This entails large scale generalizations and social norms that become widely accepted beliefs that restrict or encourage particular behaviors. The idea that women should be wives and mothers, for instance, has been a central aspect of patriarchal ideology throughout history, though varying by class and race in different cultures and historical periods.¹⁸ This ideology makes declarations about social relations that can most often be seen as distortions of the truth. Again, drawing on gender as an example, the idea that women are naturally irrational and that men are naturally rational, or the idea that women are too emotional for the public sphere, which is properly the domain of men, are ideological claims that have served as a foundation for patriarchy and men’s ability to exert power over women. Theorists such as Wollstonecraft implicitly deploy such an understanding.¹⁹

The second dimension of social construction is ‘materiality,’ and it entails the ways that ideological norms and beliefs translate into concrete effects. That is, ideology produces material relations, institutions, practices, and customs that embody the world view expressed in the ideology. For instance, if female irrationality is used as a justification for not sending girls to school, girls will be less likely to develop habits of rational thinking: if women are barred from participation in politics and discouraged from learning about current events, they will be apolitical. So the ideology makes itself true, it produces and guarantees what it assumes. Catherine MacKinnon’s work clearly deploys this understanding of social construction, arguing that through patriarchal practices such as pornog-

¹⁶ Derrida, *Positions*. Foucault, *Language, Countermemory, Practice*; Rabinow, *Foucault Reader*, esp. 381–2.

¹⁷ I describe the three dimensions of social construction more fully in Hirschmann, *Subject of Liberty*, chapter 3.

¹⁸ Hirschmann, *Gender, Class, Freedom*.

¹⁹ Wollstonecraft, *Vindication of Rights*; Hirschmann and Regier, “Mary Wollstonecraft,” 645–670.

raphy and sexual assault, men control, dominate, and produce women's sexuality and self-conceptions.²⁰

This, however, is made possible because of 'discourse,' a third dimension of social construction. If ideology were simply a matter of claims that could be readily disproved, it would not have the power that it has. Discourse is an important aspect of ideology's power. It involves the ways in which this ideologically-produced reality shapes how we see and understand ourselves in the world around us, and thereby shapes our desires, and our freedom, in a broader, perhaps 'macro' sense. If 'women' are claimed to be irrational; if that claim is used to justify their lack of education; and if this lack of education causes women not to learn how to think rationally: then the rare woman who educates herself by reading the books in her father's library, and can engage in rational discourse with men, is seen as 'unfeminine' or 'manly' by definition.²¹ Her lived reality is at odds with our understanding of what it means to be a woman. Going further, if women are excluded from education, it is logical to assume that many women (though not all, obviously) did not even develop a *desire* to educate themselves because of such norms. That is, the possibility that women in previous centuries were simply oppressed, and only oppressed, because they 'naturally' wanted all the things that were denied to them, is counterfactual; poor and peasant women were at least as oppressed, if not more so, by class and poverty, and had their imaginations and self-images foreshortened thereby, whereas many upper class white women enjoyed their gender roles and the lack of responsibility their privilege ensured. And of course women of color who lived in majority-white societies were oppressed by race as well as class and sex. Discourse both shapes and follows from these material conditions because our understanding of femininity becomes embedded in culture and the ways in which men and women think of themselves and learn their gender.

I call these three aspects of social construction 'dimensions' because they are not only interactive, but mutually constituting.²² In my example, for instance, the ideological claim (women are irrational) created the material conditions (women barred from education) that reinforced a discursive understanding of gender (educated women are not real women, but perversions of nature) that in turn legitimates and reinforces the ideology (women are irrational).²³ Understanding freedom from a feminist per-

²⁰ MacKinnon, *Feminism Unmodified*.

²¹ For example, when *A Vindication of the Rights of Men* was first published anonymously, it sold out. When it was reissued with its author Mary Wollstonecraft's name, she was pilloried for involving herself in "men's" affairs. See Hunt Botting, *Family Feuds*.

²² Hirschmann, *Subject of Liberty*, chapter 3.

²³ This same relationship between ideology and materiality holds for class as well, as it is

spective requires cutting through the layers of desire, limit, and possibility to understand the complicated ways in which women and men alike are simultaneously restricted from and compelled toward particular expressions of will and desire.

6. Power and Subjectivity

Taking this social constructivist approach that I have described reveals the complicated ways in which power intersects with freedom. Just as social construction has three “dimensions,” power has four “faces:”²⁴ it is conceptualized first as restriction and domination, which forces someone to do as you like; as management, which entails getting people to do what you want them to do by more indirect means such as rule-setting and agenda-setting; and manipulation, or getting people to think that what you want them to do is what they themselves want to do.²⁵ These three faces of power are straightforward and relatively easy to understand. But the fourth face, power as production, is more complex, for it involves the totalizing constitution of selves such that the purposiveness and agency of manipulation is made invisible; we not only cannot see that we are being manipulated, the people using the forces that manipulate us – such as an individual woman’s husband or parents, or an employer – cannot see this either, they are unaware of their role. And in truth, “manipulation,” with its implication of identifiable agents engaged in specific sorts of action, is itself an inaccurate term, too strong and purposive. Instead, we all engage in a process of social interaction that constantly, in an ongoing manner, makes us who we are and produces our desires.

This multi-level understanding of power works in complex ways with the various aspects of social construction. Certain aspects of social construction would seem to act in line with the first face of power when active restrictions are spelled out, such as rules limiting admission by gender or racial categories to schools, clubs, and workplaces are proliferated. But such restrictions lead to the second face, similar to what Paul Benson calls “oppressive socialization,”²⁶ namely, individuals are made to conform to social categories like gender by adherence to norms, regardless of

assumed that the poor are poor because they are irrational, which leads to policies the force them to labor rather than educating them. However, the exceptional poor man who breaks through the assumptions of his inferiority is the founding myth of modern capitalism and the “self-made man,” whereas the exceptional woman of any class or race is an affront to nature.

²⁴ Digereser, “Fourth Face of Power,” 977–1007.

²⁵ Bachrach and Baratz, “Two Faces of Power,” 947–952; Lukes, *Power: Radical View*.

²⁶ Benson, “Autonomy and Oppressive Socialization,” 385–408.

what they would want if they were left to themselves. This occurs through direct restrictions as well as more indirect restrictions, such as treatment that make excluded categories of people aware that they are transgressing norms, such as hostile attitudes and treatment to women in male-dominated professions or people of color who move into predominantly white neighborhoods. Like socialization, the notion of social construction opens up the possibility that the inner self – our preferences, desires, self-conceptions – is constructed by and through outer forces and social structures, such as patriarchy, colonialism, capitalism, and so forth.

Both of these faces fit a standard liberal (or negative liberty) model in which power, conceptualized as coercion, force, and restraint, is the opposite of freedom. The third face of power operates more at the second dimension of social construction, materialization: the norms and rules create a reality that makes people think that they want what racist patriarchy wants them to want. So, if women are treated badly enough in certain professions, most women will prefer not to pursue those professions; if people of color are treated badly enough in certain neighborhoods, fewer people of color will seek to move into those neighborhoods. But this goes beyond “oppressive socialization,” where explicitly racist or sexist norms are encoded into “normal” behavior. For whereas socialization is conceived as specific psychological and behavioral responses to conditions that could be changed or avoided, and implies standards that we can step back from and evaluate objectively, social construction is the more complicated and deeply layered processes in which we are embedded that create those evaluations. As Kathy Ferguson puts it: “It is not simply that [we are] being socialized; rather, a subject on whom socialization can do its work is being produced.”²⁷

Discourse, which involves the ways that social categories of gender, race, class, and sexuality are conceptualized, and which I have labeled the third dimension of social construction, is an essential part of that process, and reveals the fourth face of power. Discourse sets the terms of possibilities of action, for it defines the limits of how we see and understand ourselves.

This fourth face entails a much more complicated conception of power and its relation to freedom. If social construction characterizes our entire social identity and being, if everyone is always and unavoidably socially constructed through the very language that we speak, then not only our restrictions, but our abilities as well – our powers – must have been produced by this very same process. This is the paradox of social construction. Who we are – the “choosing subject” – exists within and is formed

²⁷ Ferguson, *Man Question*, 129.

by particular contexts; the ideal of the naturalized and unified subject utilized by most freedom theory is thus deeply problematic and simplistically overdrawn. The contexts in which we live, patriarchal, sexist, racist, and classist though they may be, have produced women's, indeed everyone's, agency. As Shelley Tremain observes about Foucault's theory, "social power is productive of the objects on which it acts and is diffused throughout society and culture rather than first and foremost repressive and centralized."²⁸ She adds:

Foucault's insight that knowledge-power relations are constitutive of the very objects that they are claimed to merely represent and affect dissolves the binary distinctions between (for instance) description and prescription, fact and value, and form and content. Among other things, the insight indicates that any given description is indeed a prescription for the formulation of the object (person, practice, or thing) to which it is claimed to innocently refer.²⁹

This conception of power, commonly found among scholars of Foucault and so-called "postmodern" feminists in particular, such as Judith Butler, recognizes that power takes many forms simultaneously, as forms of domination and coercion not only create subjectivities in their victims, but also possibilities for agency.³⁰

7. The Paradox of Social Construction

It may immediately strike the reader, however, that this creates a paradox. If women happen to be constructed in ways that are different from (white) men, so what? How can feminism claim that this construction is worse than any other construction of identities? This might lead us to assume that there is nothing to be done about the way that we are socially constructed; we are inevitably determined by these large social forces that nobody can change. In this sense, freedom becomes at best an anemic realm in which we can make small, unimportant choices, but the larger questions in life are determined for us, even if they seem to be determined arbitrarily. Such an interpretation would be incorrect, however, and feminism provides a particularly clear example. For if patriarchy is not simply an unmitigated restriction on women's otherwise natural desires, neither is it a neutral or even positive productive source of powers and abilities. Avoiding the helpless relativism of a deconstructive post-structuralism, a

²⁸ Tremain, *Foucault and Feminist Philosophy*, 21.

²⁹ *Ibid.*, 26.

³⁰ Butler, *Bodies That Matter*.

feminist approach to social construction reveals that the dichotomy between negative and positive liberty, and between internal and external restraint, is itself constructed; and moreover, that this construction can be seen as motivated by particular power structures that favor men over women. That is, feminism allows us to see that the way we think about freedom is political, and not just philosophical; feminism's political and ethical commitment to the importance of the different historical experiences of women and other excluded groups leads us to argue that freedom is generally defined in ways that continue the privilege of the definers, who have historically been white men of economic means (even if those means often came from wealthy patrons). The fact that these power structures themselves were socially constructed, in a seemingly endless devolution, is what makes it a paradox: but it does not prevent us from acknowledging and critiquing the ways in which power operates within any given social context, and to make political evaluations of those power relations. Though our contexts make women's agency possible, they often simultaneously put restraints on women's freedom not suffered by men, and those differences can be identified and critiqued. This duality of social construction permits, even requires, a more complicated engagement of the question of freedom.

Social constructivism reveals that the standard liberal focus on external barriers in defining freedom will fail without attending to internal ones, as well as to the larger social, institutional, and cultural contexts in which such barriers are created and operate. "Inner" and "outer" interact in an interdependent relationship to produce and make us as persons who have desires, express preferences, and make choices. It helps us see how power relations are structured as well as why it is so difficult to see those relations and that structure.

8. Beyond "Two Concepts"

So a social constructivist approach to freedom allows us to transcend Berlin's over-wrought typology by showing that the two seemingly conflicting models of positive and negative liberty actually are not different conceptions of freedom, but rather each illustrate specific aspects of specific occasions when freedom is at issue. It thereby leads to a different way of understanding ourselves as choosing subjects. The approach makes visible the ways in which social institutions, practices, cultural values and roles shape and produce individuals' behavior and self-understandings that formulate and shape desire and choice, including the ways that differently situated individual respond to the choices that we are expected to make and desires we are expected to have.

But at the same time, it is crucial to note that individuals are not *determined* by such constructions. Possibilities of movement, agency, consciousness and choice exist within the parameters that are set for us by specific contexts because multiple contexts co-exist. For instance, within patriarchy, the contradictory ideology that women are inferior, subservient, and sexual objects exists alongside an equally patriarchy ideology that women are pure, pristine, and belong on a pedestal arguably created spaces for women to make a variety of political claims and to seek political goods that undermined the ideology, such as suffrage and education.³¹

Moreover, although we exist within large social formations in which all knowledge, desires, and options are constructed for everyone, a feminist politics that emerges from these contradictions within the existing power structure enables us to see – indeed, sometimes makes it impossible to ignore – that some people (men, whites, the wealthy) systematically have more power than others, including power to affect the social formation itself and conditions within it, and that this contradicts simultaneous ideologies such as modern Western liberalism's claims of natural freedom and equality. A social constructivist framework engaged from a feminist perspective enables us to see that the societies in which most women live are constituted and produced with their particular restriction in mind; and unless we can see that, we will continue to attribute agency and freedom to women when they in fact have little or no choice, and fail to see choice and agency when it is exercised.

Certainly, women are not the only ones affected by these processes; men are arguably constrained in many ways by cultural proscriptions of masculinity.³² Nor is gender the only identity category that is socially constructed; race, sexuality, ethnicity, are all similarly subject to a social constructivist analysis. Yet although the theory of freedom I offer has a potentially universal application, it comes from and out of a feminist perspective. And indeed, gender examples often provide the clearest illustrations of the complexities of freedom, the easiest for people to grasp, whether for good or ill. As women have challenged and rejected the norms of patriarchy – ranging from women's entry into higher education and professional employment in most parts of the world, to the criminalization of spousal abuse and the outlawing of discrimination against gays, lesbians and transgender persons in some countries – the ideology of gender relations has changed, producing changes in material relations, such as men sharing more in household labor, men being treated by female doctors, and the end of divorce stigma. These material changes have created more options

³¹ Flexnor, *Century of Struggle*.

³² See for instance Connell, *Masculinities*.

for women not only to engage in a wider range of activities, but also to participate in the processes of social construction that shape and influence the paths their lives will take. And this in turn has produced changes in the meaning of “man” and “woman” that have opened up a variety of possibilities to all persons, including the changing of gender itself. This is not to say that patriarchy has died – the persistent popularity of figures like Silvio Berlusconi and Donald Trump in politics despite their openly misogynist views and behavior suggests that such views are still widely shared by many. Women of color, poor women, and women in “developing” countries all suffer from a variety of oppressions more than their male counterparts. But the fact that we can see and identify these situations as oppressive, and not merely accept them as natural or inevitable functions of the “facts” of gender, creates space and hope for a future of greater freedom for all.

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