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A Capacious Account of Liberal Feminism¹

Amy R. Baehr

Abstract

This paper presents an account of liberal feminism as a capacious family of doctrines. The account is capacious in the sense that it sweeps in a wide variety of doctrines, including some thought to be challenges to liberal feminism, and allows us to refer to doctrines with more than one label—so we can identify, for example, care-ethical liberal feminism, socially conservative liberal feminism, and liberal socialist feminism. The capacious account also provides a conceptual framework to allow us to think with greater clarity about the scope of liberal feminist claims to justice, and about how that justice is to be secured and sustained. Since there is such variety within the liberal feminist family of doctrines, it makes little sense to criticize or defend liberal feminism simpliciter. The capacious account both requires and makes it possible for us to eschew such talk and focus instead on the particular doctrines we have in mind.

Keywords: Liberalism, political liberalism, liberal feminism, Susan Okin, John Rawls, care ethics, socialist feminism, classical liberal feminism, libertarian feminism, social conservatism, the basic structure, liberal ethos, gender, gender justice, sex equality

As feminist theory became part of academic philosophy in the 1980s and 1990s, influential work was done distinguishing kinds of feminist political philosophy; taxonomies were proposed and sharp distinctions drawn.² But the accounts of liberal feminism in such taxonomies tended to be caricatures, their

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² See for example Jaggar (1983).

criteria for counting as liberal feminist overly restrictive.³ While recent liberal feminist work—exploring varieties of liberal feminism⁴ and synergies between liberal and other kinds of feminism⁵—puts the lie to the caricature, it runs the risk of being vague, of failing to offer clear inclusion criteria. This paper presents an account of liberal feminism that avoids both vagueness and caricature.

At the core of the account is a definition. A doctrine is liberal feminist if it holds that: A) whatever else it does, society's basic structure⁶ should satisfy liberal values⁷—that is, should be just—and a just basic structure requires justice in what I will call 'internal workings';⁸ as well as B) just coercive power is the people's power exercised through and constrained by the institutions of constitutional democracy.⁹ Ideas A and B are necessary and sufficient; a doctrine that denies either of them is not liberal feminist, and a doctrine that includes both of them is liberal feminist. Some liberal feminist doctrines add that C) the internal workings of some social arrangements should be just apart from or beyond what is necessary for a just basic structure.

The basic idea of this definition is that liberal feminists endorse constitutional democracy and hold that the internal workings of arrangements of associational life should be just because this is necessary if society is to have a just basic structure. In addition, according to the definition, some liberal feminists hold that—apart from the demands a just basic structure puts on internal workings—justice simply is the right value to guide many parts of associational life.

³ Suggesting, for example, that liberal feminism can insist only on formal equality—on treating women the same as men are or should be treated—or that liberal feminism is committed to atomistic individualism. Such overly restrictive understandings allow liberalism and liberal feminism to function as a foil in feminist political and legal theory. For discussion, see McClain (1991) and Baehr (2002).

⁴ See for example Abbey (2011) and Baehr (2004b, 2013a, 2013b).

⁵ See for example, Cornell's liberal feminism informed by psychoanalytic feminism (1998); Nussbaum's liberal feminism informed by radical feminism (1999); and Bhandary's liberal feminism informed by care ethics (2016).

⁶ I discuss how the basic structure is understood in liberal feminism in section 3.3. Until then we must rely on an intuitive sense of the distinction between society's basic structure and its many parts.

⁷ The values I have in mind are liberty and freedom, self-determination and autonomy, and equality and fairness.

⁸ By 'internal workings' I mean the way a social arrangement distributes the benefits and burdens of that arrangement. I discuss internal workings in section 1.

⁹ Such as the rule of law, democracy, and prioritized equal basic rights.

Stated in this way, the definition will probably not surprise anyone. I show, however, that the definition has quite surprising and significant implications (which I explore in section 2). It implies that some doctrines commonly thought to be challenges to liberal feminism may actually be versions of it, and that some disagreement presented as disagreement *with* liberal feminism might be better described as disagreement *within* liberal feminism; and it allows that more than one label may be appropriate for a given doctrine, so a doctrine can be both a kind of liberal feminism and a kind of care ethics, a kind of liberal feminism and a kind of social conservatism, a kind of liberal feminism and a kind of socialist feminism, and so on. Indeed, the definition suggests that liberal feminism is neither one doctrine nor a narrow range of doctrines; it is, instead, a capacious family of doctrines.

Three ideas are important to the capacious account's definition: the idea of just internal workings, the idea of a just basic structure, and the idea that just internal workings are necessary to a just basic structure. Section 1 introduces the idea of internal workings. Section 3 explores all three ideas, showing that there are at least three ways internal workings may be thought to be just, two ways we might conceive of the relationship between just internal workings and a just basic structure, and four ways we might conceive of a just basic structure. I also distinguish, in section 3, between ideal and non-ideal theory, that is, between liberal feminist accounts of a fully just society on the one hand, and liberal feminist accounts of permissible or required remedial measures on the other. I present these as options for liberal feminist theory. Which options a liberal feminist endorses determines, first, how she understands *the scope of the liberal feminist claim to justice* and, second, what she believes about *how liberal feminist justice is to be secured and sustained*.

There is a substantial literature on the scope of the liberal feminist claim to justice and on how liberal feminist justice is to be secured and sustained.¹⁰ But the discussion in section 3 shows that significantly greater precision is both possible and advisable. For example, while liberal feminism is associated with the claim that the family must be just, the literature does not make clear whether that means a liberal ethos must guide the conduct of family members or whether family members' responding to coercive state incentives suffices; nor does the literature make clear whether just families are constitutive of a just basic structure, or whether injustice in families might be compatible with a just basic structure so long as the injustice is compensated for. And while there is much discussion in the literature of measures the state might take, it is often unclear whether such proposals emerge from ideal or non-ideal liberal feminist theory, that is, whether they should be understood as claims about what a fully just liberal feminist society might look like or about what

¹⁰ For overviews of liberal feminism, see Abbey (2011) and Baehr (2013b).

remedial measures are permitted or required to bring us closer to such a society. Finally, it is unclear whether the claim that the family is part of the basic structure entails that the state should secure justice in the family; that is, there is, in the literature, an ambiguity concerning the relationship between the demand that the basic structure be just and the claim that such justice should be secured with the state's coercive power. The discussion in section 3 provides a conceptual framework with which we can think with more precision about these issues going forward.

The capacious account of liberal feminism consists in the definition explored in section 2 and the conceptual framework laid out in section 3.¹¹ The account is capacious in the sense that—in contrast to accounts that caricature—it conceives of liberal feminism as a family of doctrines encompassing diverse views and theoretical commitments. At the same time—and as an antidote to the vagueness one might expect from a capacious account—it provides a fine-grained conceptual vocabulary with which to think further about liberal feminism.

Perhaps the most important implication of the capacious account is that there is little sense in criticizing or defending liberal feminism simpliciter. The capacious account both requires and makes it possible for us to eschew such talk. It forces us, advocates and critics of liberal feminism alike, to choose our targets carefully. The hope is that the greater specificity afforded by this account will support the work of feminist political philosophy, which is to think carefully about the aims and strategies of the women's movement.

Section 1

I begin by introducing the idea of internal workings. By 'internal workings' I mean the way a social arrangement distributes the benefits and burdens of that arrangement, where 'the way' refers to both the mechanism responsible for the distribution (as in 'How did benefits and burdens get to be distributed like that?') and the distribution that results (as in 'Who has how much of which benefits and burdens?'). Consider these examples of internal workings: the way families distribute educational resources, leisure, and domestic and caregiving work; the way workplaces distribute decision-making power, tasks, and wages; the way religious associations distribute shame and esteem.

All liberal feminist doctrines hold that, for society's basic structure to be just, the internal workings of all social arrangements must lack coercively enforced gender hierarchy or traditional gender roles. By a 'coercively enforced' arrangement, a liberal feminist could mean that some agent makes choosing against it either

¹¹ The aim of the paper is to present the capacious account and to offer some reasons for thinking it plausible. I do not mount a full defense of the account here—so, for example, I do not compare it to others in the literature.

physically impossible or issues a credible threat to take away something to which one is entitled.¹² We will call ‘minimally just’ those social arrangements that lack gender hierarchy and traditional gender roles that are coercively enforced in this sense either by the state or, by omission of state action, by private actors. Some liberal feminists add to this that a social arrangement is coercively enforced when failure to comply means serious informal social sanction, when failure to comply will result in serious material deprivation, and/or when the capacity to assess one’s own preferences and imagine life otherwise is lacking.¹³ In contrast to internal workings being minimally just, internal workings that also lack coercion in this broader sense may be called ‘procedurally just.’ (While internal workings being minimally just depends on what the state does, internal workings being procedurally just depends also on a host of features of the larger society in which they are situated, for example on the availability of material resources, on the homogeneity of the culture, and on the readiness of society’s members to mete out informal sanctions.) However, a liberal feminist could mean a third thing by ‘just internal workings’: that benefits and burdens are distributed in a particular way, say equally or fairly, in a way that is acceptable to all parties (Hampton 1993), or in a way that does not track gender (Okin 1989, 103). Call internal workings that are just in this way ‘substantively just.’ If internal workings must be substantively just, then some internal workings could be unjust even if coercion of either kind mentioned above is absent.

Here are some examples to illustrate these three different things a liberal feminist might mean by ‘just internal workings.’ First, imagine a family in which benefits and burdens are distributed in a gender hierarchical way—men monopolize authority, leisure, and educational resources, for example—but which adults are neither physically unable to exit nor are they threatened with the loss of something to which they are entitled as the cost of exiting. Such a family counts as minimally just. Now imagine a family which women and men can exit without serious informal social sanction or material deprivation, and imagine that alternatives to the arrangement are available to the imaginations of all family members. Such a family is procedurally just. Finally, imagine a family that distributes benefits and burdens equally or fairly or in a way that does not track gender, for example, a family in which members share domestic and caregiving work, enjoy equal shares of educational resources and leisure, and so on. Such a family is substantively just.¹⁴

¹² There are, of course, a range of views about what people are entitled to.

¹³ See, for example, Chambers (2008, 263–264), Cudd (2006, 234–235), MacKenzie (2000), and Meyers (2002, 168).

¹⁴ Workplaces, religious associations, and other parts of associational life can also be just in these ways.

We explore justice in internal workings because a key claim of liberal feminist doctrines is that the justice of the basic structure¹⁵ depends (in part) on justice in internal workings. All liberal feminist doctrines hold that minimal justice in internal workings of all parts of associational life is necessary for a just basic structure, and some liberal feminist doctrines hold that procedural and/or substantive justice in some internal workings is also necessary. This is one liberal feminist meaning of the feminist slogan ‘the personal is political.’ We explore justice in internal workings also because some liberal feminists add that internal workings should be procedurally or substantively just apart from or beyond what is necessary for a just basic structure. This is another liberal feminist meaning of the slogan ‘the personal is political.’

Section 2

This section explores the capacious account’s definition by showing what sorts of doctrines it sweeps into the family of liberal feminist doctrines. My focus is on some doctrines commonly thought to be challenges to liberal feminism: care ethics, social conservatism, and socialist feminism. I show that some versions of these doctrines may be understood as members of the liberal feminist family and appropriately referred to with compound labels (sections 2.1 and 2.3). I show also that the definition rules out some doctrines informed by care ethics, social conservatism, and libertarianism (section 2.2).

Section 2.1

Consider care ethics. Care ethics has been widely understood as a challenge to liberalism,¹⁶ and thus to liberal feminism. But some construals of care ethics may amount to doctrines that are part of the liberal feminist family. A doctrine may be liberal feminist and take the value of care on board. Recall the first part of idea A: whatever else it does, society’s basic structure should satisfy liberal values—that is, should be just. Now consider a doctrine that holds that a just distribution of care is among the feminist ends that a just basic structure realizes.¹⁷ Let’s say such a doctrine holds that care for those who require it to survive and thrive is a benefit and a burden of social cooperation; it is a benefit to those who require it—all of us at some times in our lives—and to those who care about those who require it; and it is a burden insofar as it is socially necessary labor, and providing it may conflict with other goods to which one is entitled. Consider a doctrine that says that a just basic

¹⁵ We explore the basic structure in section 3.3

¹⁶ See, for example, Held (2005, chapter 5) and Slote (2015).

¹⁷ See, for example, Baehr (2004a, 2014), Bhandary (2016), Hartley and Watson (2010), and Lloyd (1998).

structure assures that each receives the care she or he needs, assures that all have the ability to provide or procure care for their dependents, and distributes the burden of caregiving fairly within families and across society. On our definition, to count as liberal feminist a doctrine that includes these claims must also hold that a just basic structure—including a just distribution of care—may be legitimately realized only through the exercise of the people’s power channeled through the institutions of constitutional democracy. If there are people who hold a view like this—and surely there are—they are liberal feminists, and it would be appropriate to refer to them as care-ethical liberal feminists or liberal care ethicists.

There is indeed a conflict between a liberal feminist doctrine that recommends liberal values in more than a minimal sense for the internal workings of much of associational life and a doctrine that rejects those values in favor of the values of a care-ethical doctrine for those internal workings. Imagine the former recommends that arrangements be mutually acceptable or distribute benefits and burdens fifty-fifty. And imagine that the latter, by contrast, recommends responsiveness and attentiveness to the particular needs of the other. This is indeed a conflict. But our definition of liberal feminism allows that a doctrine can be liberal feminist even if it rejects liberal values—in anything more than the minimal sense—for the internal workings of social arrangements, so long as it holds A and B.¹⁸ So those who endorse care-ethical values for internal workings, but also endorse ideas A and B—and there is no reason to think there aren’t such people—are liberal feminist. It would be appropriate to refer to their doctrines also as care-ethical liberal feminism or liberal care ethics.

Some have argued that care ethics is committed to a relational conception of the self and to a view of society as a system of nested dependencies (Kittay 1999), while liberalism is committed to an individualist conception of the self and a conception of society as a mere aggregate of self-interested, independent individuals (Jaggar 1983).¹⁹ But this is not accurate. Liberals may help themselves to either set of conceptions as an ontological matter, or to some other set. If society is a system of nested dependencies, we may still insist that the system be just. If individuals are relational selves, we may still insist—in fact it may be all the more important to insist—that the relations that constitute them not be unjust.

Consider now classical liberal feminism.²⁰ Classical liberal feminism holds that a just distribution of income and wealth is the distribution that results from the workings of the marketplace (free of force and fraud) with state intervention sufficient to protect public goods such as competitive markets and the institutions of

¹⁸ That is, a doctrine does not have to endorse idea C to be liberal feminist.

¹⁹ McClain argues that this is a caricature of liberalism (1991).

²⁰ Some refer to this as call “equity feminism” (see Baehr 2013b, section 2.2.3).

constitutional democracy. It holds also that a society may be just so long as the internal workings of the arrangements of associational life are minimally just; so, on this view, a society can be just even if traditional gender norms operate in internal workings to produce gendered distributions of benefits and burdens. *Socially conservative* equity feminism adds that individuals should voluntarily accept traditional gender roles in workplaces, families, etc.²¹ The capacious account's definition allows us to see that this doctrine counts as liberal feminist: while it rejects idea C, it endorses ideas A and B. One might resist calling this view feminist. But it does insist on one feminist end: the repudiation of the coercive enforcement of gender hierarchy and traditional gender roles. That is surely a very minimal feminist end, but it is a feminist end all the same.²²

Finally, consider this additional way a doctrine can count as liberal feminist: A comprehensive doctrine can be liberal feminist if it gives adherents reason to endorse a *political liberal doctrine* that has feminist content (Baehr 2013a, 151). A political liberal doctrine is one that is narrow and shallow; it is narrow in the sense that it applies only to the basic structure of society, and shallow in the sense that it is grounded not in the particular values of some comprehensive doctrine but in values shareable by citizens holding diverse but reasonable comprehensive doctrines.²³ We may call the feminist content of a political liberal doctrine "political liberal feminism."²⁴ Its role "is to guide efforts to use state power to feminist ends" (2013a, 165n1). A care-ethical doctrine or a socially conservative doctrine (or even an ecofeminist or a radical feminist doctrine) could have reason to endorse a political liberal doctrine with feminist content simply because the latter is merely an account of the just uses of coercive state power (including to feminist ends) and not a full account of the proper aims of the women's movement, of associational life generally, or of good lives. The point here is not to insist that there are people who hold such versions of these doctrines; it is rather to show that, if there are, such people count as liberal feminists.

This subsection has shown that the capacious account's definition allows some doctrines that recommend non-liberal values for the internal workings of much of social life—and for that reason are thought to be challenges to liberal

²¹ See, for example, Morse (2001) and Sommers (2000).

²² Note that there is also 'socially liberal equity feminism.' It holds A, B and C in this way: significant internal workings should be more than minimally just, but the basic structure can be just even if internal workings are only minimally just.

²³ On political liberalism, see Rawls (1993).

²⁴ For related work on political liberal feminism, see Hartley and Watson (2010) and Schouten (2013).

feminism—to count as liberal feminist. It follows that, on the capacious account, some disagreement presented as disagreement *with* liberal feminism is better described as disagreement *within* liberal feminism. This suggests that multiple labels may be appropriate for a given doctrine; for example, on the capacious account, we may speak of care-ethical liberal feminism, socially conservative liberal feminism, perhaps even liberal radical feminism, and so on.

Section 2.2

The capacious account does not sweep in all feminist doctrines, of course. I lack space for a comprehensive discussion. But note that a care-ethical doctrine is not liberal feminist if it holds that justice is not the first virtue of the society's basic structure, if it holds that the first virtue is instead the presence of caring relationships.²⁵ And note that a socially conservative doctrine is not liberal feminist if it permits or requires that the state coercively enforce gender hierarchy or traditional gender roles, or permits or requires omission of state action aimed at preventing private actors from coercively doing so.

Libertarian feminism is an interesting case. I argued above that classical liberal feminism counts as liberal feminist. In an earlier work I equated classical liberal feminism and libertarian feminism (Baehr 2013b, section 2). This would suggest that any and all libertarian feminisms are liberal feminist. But this is a mistake. Before I can show this, we must fix terms. By 'libertarianism,' let us mean a family of doctrines prioritizing liberty and endorsing only a small state, and by 'liberalism,' let us mean a family of doctrines holding that society's basic structure must be just and endorsing constitutional democracy. Classical liberalism falls within both families; it prioritizes liberty and endorses a rather small state, but also endorses constitutional democracy. In contrast, some libertarian feminisms do not endorse constitutional democracy; such doctrines are not liberal feminist.

To see this, imagine that a man and an impoverished woman draw up a contract (uncoerced in the minimal sense) in which the woman promises obedience in perpetuity in exchange for the man's financial support of her and her children. Let's say the contract provides, among other things, that the woman grant him sexual access, develop her talents in ways that further his ends, and vote for candidates he prefers—all in perpetuity. State enforcement of this contract would deprive the woman of many of the protections to which the institutions of constitutional democracy entitle her, for example the right to vote her conscience, to equality of opportunity, and to bodily integrity. A doctrine that says such a contract is enforceable is not liberal feminist. Some libertarian doctrines hold that

²⁵ For exploration of such a view, see Held (1987).

such subordination contracts are indeed enforceable.²⁶ Those that do don't count as liberal feminist.

This subsection has shown that while the capacious account sweeps in a number of doctrines commonly thought to be challenges to liberal feminism, it excludes doctrines that reject justice as the first virtue of the basic structure, doctrines that endorse or allow coercive enforcement of gender hierarchy or traditional gender arrangements, and doctrines that deny the protections of constitutional democracy.

Section 2.3

As we have seen, classical liberal feminists hold that a just distribution of income and wealth *simply is* what results from the operations of a particular allocative mechanism, namely the marketplace (adjusted to promote competitive markets, to assure no force or fraud, and to sustain the institutions of constitutional democracy). There are of course other, more demanding liberal accounts of justice in the distribution of income and wealth. Think, for example, of Rawls's difference principle that says that inequalities in income and wealth are just only if they are to the benefit of the least well off (2001, 42–43). Liberal feminists who endorse a demanding account, like this Rawlsian principle (or some other), could endorse the free market as the proper allocative mechanism if the free market consistently allocated income and wealth in ways that satisfy a demanding account of income and wealth equality. But short of that unlikely event, liberal feminists who endorse a demanding account of justice in the distribution of income and wealth may find themselves choosing between other allocative mechanisms, for example welfare-state capitalism, liberal socialism, and property-owning democracy. In welfare state capitalism, the results of the marketplace, adjusted as described above, are subject to ex post redistribution downwards from the rich and affluent to the less well off. In property-owning democracy, ownership of productive assets is, ex ante, spread widely across society's members. In liberal socialism, there is shared ownership and democratic stewardship by the people of society's productive assets (2001, 138–139).

²⁶ For a libertarian argument in favor of voluntary slavery, see Block (2003). Block provides a nice overview of the libertarian debate about voluntary slavery (see especially 41n5). Of interest is also Samuel Freeman's discussion; Freeman's view seems to be that libertarianism *entails* that one may alienate one's freedom through contract (2001, 131; see also 133–134). I claim here only that there are versions of libertarianism that do so, and that they are not liberal.

I lack space to explore these in any depth.²⁷ But note that a liberal feminist holding a demanding account of income and wealth equality may think that democratic socialism or property-owning democracy are superior to both the free market and the welfare state. Following Rawls, she may think that the latter mechanisms violate “a principle of reciprocity” by permitting economic inequalities that are not to everyone’s benefit, and by allowing a few to control economic and political life (2001, 138). She may argue that free markets unjustly reward those who have access to the unpaid domestic labor of others. She may also note that (at least extant) welfare states perpetuate gender hierarchy by entrenching the lower status of care work—reducing women’s opportunities and increasing gendered income and wealth disparities—and moralistically regulating the lives poor women (Abramovitz 1996).

But a liberal feminist may also think that aspects of gender hierarchy could endure under property-owning democracy²⁸ or democratic socialism as well.²⁹ This is because they do not aim at reducing inequalities within families or at addressing the myriad ways gender hierarchy is sustained in the internal workings of the many parts of associational life. For example, they do not address female primary parenting and the inequalities within families born of this distribution of domestic labor, nor do they address the inequalities between families produced by female primary parenting plus single motherhood and workplaces arranged around the “male breadwinner model” (Fraser 1994). So while a liberal feminist could endorse democratic socialism or property-owning democracy—and be a liberal socialist—she may do so while insisting on additional mechanisms to ensure that the internal workings of families, workplaces, and other key social arrangements are more than minimally just.

This subsection has shown that while those who endorse markets as the proper allocative mechanism can count as liberal feminists, liberal feminists can also endorse more demanding accounts of distributive justice and thus endorse other allocative mechanisms, effectively making them liberal socialist feminists. That there are liberal socialist feminists is not altogether clear from the literature. Those of us who call ourselves liberal feminists and endorse robust accounts of income and wealth equality have not written much about equality in wealth and income,

²⁷ For a debate between feminist advocates of welfare state capitalism and democratic socialism, see Cudd and Holmstrom (2011).

²⁸ Ingrid Robeyns (2012) argues that arrangements of property-owning democracy might run at cross-purposes to arrangements required for a just distribution of care work.

²⁹ For relevant concerns, see Ferguson and Hennessey (2016).

perhaps leaving the impression that we endorse the free market or the welfare state.³⁰ Our focus on examples like fifty-fifty sharing of domestic labor—as somehow key to gender equality—has not helped. Focus on the fifty-fifty sharing example (which I indulge in below!) may leave the impression that liberal feminists think that inequalities between families in income and wealth are not a problem. Also, focus on fifty-fifty sharing of domestic and caregiving work assumes a resident domestic partner and thus ignores the substantial numbers of women who are raising children and caring for other relatives without a resident partner, perhaps—given how class tends to track marital status—revealing class bias.

Section 2 has shown that the capacious account's definition of liberal feminism sweeps in a variety of doctrines, including some thought to be challenges to liberal feminism, and allows us to use more than one label to describe liberal feminist doctrines—for example, care-ethical liberal feminism, socially conservative liberal feminism, classical liberal feminism, and liberal socialist feminism. Section 2 has also shown that the definition rules out doctrines that reject justice as the first virtue of the basic structure, doctrines that endorse or allow coercive enforcement of gender hierarchy or traditional gender arrangements, and doctrines that deny the protections of constitutional democracy.

Section 3

This section clarifies three ideas at work in the previous section: the idea of just internal workings, the idea that just internal workings are necessary for a just basic structure, and the idea of the basic structure. I show here that there are at least three ways internal workings may be thought to be just, two ways we might conceive of the relationship between just internal workings and a just basic structure, and four ways we might conceive of a just basic structure. I also distinguish here between ideal and non-ideal theory, that is, between liberal feminist accounts of a fully just society on the one hand, and liberal feminist accounts of permissible or required remedial measures on the other. These distinctions allow us to see options for feminist theory that have not been sufficiently appreciated in the literature. These are important because which options a liberal feminist endorses reflects, first, how she understands *the scope of the liberal feminist claim to justice* and, second, what she believes about *how liberal feminist justice is to be secured and sustained*. Attention to these options should lend greater specificity to our discussion of liberal feminism going forward.

³⁰ A notable exception is Anne Phillips's discussion of egalitarianism and markets in goods and labor (Phillips 2008).

Section 3.1

I explained in section 1 that by ‘internal workings,’ I mean the way a social arrangement distributes the benefits and burdens of that arrangement. I also distinguished between internal workings being minimally, procedurally, and substantively just. But what mechanisms could be responsible for a just distribution?

One could think that the internal workings of some social arrangement can count as just *only if individuals in the relevant arrangement hold and act on liberal values*. That is, one might think that internal workings can be just *only if a liberal ethos is at work*³¹—for example only if parents value their daughters’ education as much as their sons’. Alternatively, one could think that a social arrangement could be just as a result of incentives. Incentives could be coercive; for example, the state could require that families distribute educational resources evenly between boy and girl children, so when families do so because of the incentive they are just. Incentives could also be noncoercive; for instance, feminist activists could create institutions that alter others’ incentive structure, say by making family planning services available and changing parents’ expectations for girl children’s opportunities, and thus changing their decisions about allocating educational resources. There is also a third possibility: some social arrangement could be just because, for lack of a better term, some invisible hand is at work.³² So for example women and men might have equal authority within some religious association simply because there is a dearth of willing and able men.

Distinguishing between ideal and non-ideal liberal feminist theory can shed some light on these options. Let us say that liberal feminist ideal theories describe some fully just internal workings and a fully just liberal feminist society; and liberal feminist non-ideal theories describe what justice permits or requires under conditions of injustice, that is, what may or should be done to move from unjust to more just arrangements.³³ One might think that all feminist political theory, including liberal feminist political theory, is non-ideal theory because it emerged as a response to actually existing injustice. To be sure, a main concern of liberal feminist doctrines is proposing remedies for actually existing injustice. But liberal feminist doctrines can be, and indeed some are, concerned with thinking through what a fully just liberal feminist society might be like. So the capacious account includes both non-ideal and ideal liberal feminist theories. Some critics worry that ideal

³¹ For relevant discussion of ethos, see Chambers (2013, 90; 2008); Cohen (2008, 138); Neufeld and Van Schoelandt (2014).

³² By ‘invisible hand,’ I mean a force, other than coercive incentives or a liberal ethos, that produces just internal workings.

³³ There is a substantial literature on the ideal/non-ideal theory distinction. For a selection of feminist work on the distinction, see Tessman (2009).

theory, if it is liberal, must lose sight of gender, and thus any liberal feminist ideal theory will fail to adequately conceptualize a society that lacks gender injustice; and any liberal feminist non-ideal theory will fail to propose adequate remedies.³⁴ This is an important issue; and I lack space to fully address it. For our purposes here, note simply that it is not obvious that a liberal feminist ideal theory cannot be informed by an accurate account of how gender injustice is produced and sustained in real societies; so it is not obvious that a liberal feminist ideal theory cannot include an adequate account of the mechanisms that may be necessary to produce and sustain gender justice in a fully just society; nor is it obvious that a liberal feminist non-ideal theory cannot propose efficacious remedies.

Consider now ethos, incentives, and invisible hands in the light of the ideal/non-ideal theory distinction. One could hold that, for the basic structure to be just, the internal workings of many of the arrangements of social life must be procedurally and/or substantively just, but hold that this more-than-minimal justice is sustained by ethos or noncoercive incentives or invisible hands, but not by coercive incentives, in a fully just society. One could partner this claim in ideal theory with the claim in non-ideal theory that, under conditions of injustice, *coercive measures* (if effective) are indeed permitted or even required.

An alternative is to hold the same ideal-theoretical view as above, but to partner it with the claim in non-ideal theory that coercive measures are not permissible to secure anything more than minimal justice in internal workings. On this view, the more-than-minimal justice in internal workings that ideal theory requires may be pursued only noncoercively in both fully just and not-fully just societies. This view makes achievement of a fully just liberal feminist society a matter of good fortune, since while coercive measures can ensure that a threshold is reached, only if we are lucky will a combination of ethos, noncoercive feminist activism, and invisible hands do the same.

A further option is to hold that in a fully just liberal feminist society some internal workings are procedurally and/or substantively just, and that this justice is guaranteed by coercive measures. On this view, coercive measures are not only part of non-ideal theory—not only permissible as remedies under conditions of injustice—but play a role in maintaining some just internal workings in a fully just liberal feminist society. This is akin to the way liberal theories commonly foresee, in a fully just society, on-going coercive enforcement of a just distribution of liberties, opportunities, and income and wealth.³⁵ So, on this view the fully just society has mechanisms that continually, and where necessary coercively, incentivize more-than-minimal justice in some internal workings.

³⁴ See Schwartzman (2006) and Mills (2012).

³⁵ For Rawls's version of this point, see Rawls (1993, 284).

While the claim that the internal workings of parts of associational life should be just is common in the liberal feminist literature, it is often not clear whether that means that a liberal ethos must be at work or whether conformity due to incentives (or even some invisible hand) may suffice. This ambiguity is exacerbated by the fact that the literature does not sufficiently appreciate the distinction between ideal and non-ideal theory. Thus it is often not clear whether the measures we find defended in the literature are intended as remedial measures to bring us closer to a fully just society, or as descriptions of such a fully just society itself. The distinctions laid out in this section make it possible for us to speak with more specificity about these matters; they are part of the more fine-grained conceptual vocabulary the capacious account provides.

Section 3.2

As we have seen, liberal feminist doctrines hold that internal workings being just is necessary for a just basic structure. But there are at least two ways this necessary relationship may be understood. Consider first that some particular internal workings being just could be partly constitutive of the justice of the basic structure, in which case, the basic structure cannot be just unless those particular internal workings are just.³⁶ Or alternatively, some just internal workings could be contingently necessary for a just basic structure, in which case, some just internal workings are necessary for a just basic structure if they compensate for some other, unjust, arrangements—that is, so long as they cancel out the unjust effects of some other arrangement. For example, you might think that fifty-fifty sharing of domestic and caregiving work is constitutive of a just basic structure so the basic structure is not just unless there is fifty-fifty sharing. But, alternatively, you could think that fifty-fifty sharing is contingently necessary if it compensates for some other arrangement, say workplaces not accommodating caregiving responsibilities.

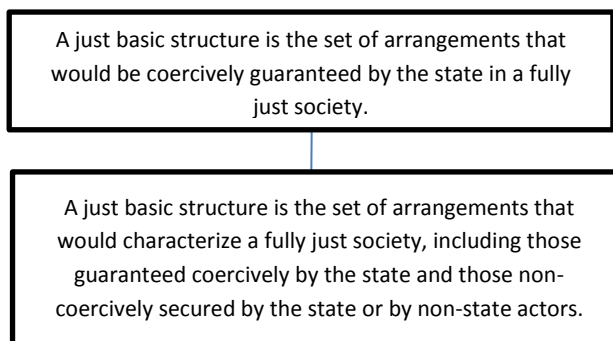
Say you think fifty-fifty sharing of domestic and caregiving work is partly constitutive of a just basic structure. Perhaps you'd think then that a fully just society would have fifty-fifty sharing but that non-ideal theory can settle for a thirty-seventy arrangement, so long as it is compensated for by some other arrangement (such as 'on-ramps' easing the re-entry of caregivers to the workforce after a hiatus), and so long as the compensatory arrangement is likely to move us closer to fifty-fifty. But an alternative is to hold that a fully just society may have compensatory arrangements—so, for example, a fully just society could have thirty-seventy sharing, so long as it also has on-ramps. In this case the compensatory scheme's justness doesn't depend on it bringing about a fifty-fifty distribution.

³⁶ The capacious account says that all internal workings being minimally just is partly constitutive of a just basic structure.

While the claim is common in the liberal feminist literature that justice in internal workings is necessary for the justice of the basic structure, it is often not clear whether what is meant is that some particular just internal workings are constitutive of, or merely contingently necessary for, that just basic structure. This ambiguity is exacerbated by insufficient attention to the ideal/non-ideal theory distinction. The options laid out in this section make it possible for us to speak with greater specificity about these matters going forward; they are also part of the more fine-grained conceptual vocabulary the capacious account provides.

Section 3.3

The capacious account's definition says that the basic structure must be just. But there are a variety of ways liberal feminists may understand a just basic structure. I lay out these four ways on a map with two axes. The north-south axis concerns whether the basic structure is the set of arrangements that would be coercively guaranteed by the state in a fully just society, or whether it includes also arrangements that would be noncoercively secured.



In the north, we have the view that a just basic structure is the set of social arrangements that would be coercively guaranteed by the state in a fully just society. This view of the basic structure makes intuitive sense: coercion is permissible only if just, and just arrangements have an urgency that calls for the kind of guarantee only state coercion can provide. Since one thing a set of coerced social arrangements does is produce social positions, such social positions must be just. And given the urgency of the social positions justice calls for, they must be guaranteed, if necessary coercively. On this view, those “aspects” of the internal workings of social arrangements that deserve to be coercively guaranteed are part of the basic structure (Neufeld and Van Schoelandt 2014, 88). Social arrangements that would not be coercively guaranteed in a fully just society are not part of the basic structure.

In the south, we have the view that the basic structure consists of social arrangements that would characterize a fully just society, whether guaranteed with state power or secured with noncoercive incentives or with ethos (or even some invisible hand). This understanding of the basic structure reflects the insight that social arrangements produce social positions whether coercively secured or not.³⁷ It severs the tie between coercion and justice; it allows that to say that some arrangement is required by justice is not necessarily to say it would be secured with coercion in a fully just society.

The east-west axis concerns whether a just basic structure is the way the internal workings of social arrangements produce the status of equal citizens—call this status an emergent entity, produced by, but not reducible to, a set of internal workings—or whether a just basic structure consists in the internal workings of profoundly influential social arrangements.



In the west, we have what Clare Chambers calls “the whole-structure view,” according to which “the site of justice is the interactive whole, not the isolated component parts” (2013, 87). For the interactive whole to be just, it might be the case that some (or even all) of the parts must be just. But whether some particular internal workings must be just depends on how they interact with others to produce the status of equal citizenship. The view in the east is that the basic structure consists in those profoundly influential internal workings themselves. On this view when we say that the basic structure must be just we mean that the internal workings of each of the profoundly influential social arrangements must be just.

The description of the two axes above allows us to draw a map of possible things liberal feminists could mean when they say that the basic structure must be just.

³⁷ On this issue, see Cohen (2008, 136).

What must be just are those internal workings coercively guaranteed by the state from which equal citizenship emerges.

What must be just are the internal workings of the profoundly influential social arrangements that deserve to be coercively guaranteed by the state.

What must be just are those internal workings—coercively guaranteed by the state, but also noncoercively secured by the state and by non-state actors—from which equal citizenship emerges.

What must be just are the internal workings of profoundly influential social arrangements that deserve to be coercively guaranteed by the state, but also noncoercively secured by the state and by non-state actors.

The liberal feminist view in the northwest says that just coercive state power guarantees the social arrangements that allow equal citizenship to emerge. The view in the northeast says that just coercive power guarantees justice in the internal workings of profoundly influential social arrangements. The view in the southwest says that the basic structure is the way equal citizenship emerges out of the interaction of a set of just arrangements, some coercively and some noncoercively secured. And the view in the southeast says that the basic structure consists in the many internal workings of profoundly influential social arrangements, whether coercively or noncoercively secured, whether by the state or by non-state actors.

Which view of the basic structure one adopts reflects what one takes to be the scope of liberal feminist claims to justice. Note also that one’s account of what must be just will effect what remedial measures one will recommend. Remedying coercive arrangements so that they conspire with other coercive arrangements to produce equal citizenship may be quite different from remedying noncoercive arrangements to the same end. And remedying arrangements so that they realize equal citizenship may be quite different from remedying arrangements that are profoundly influential.³⁸

Consider Susan Okin’s (1989) liberal feminism in light of this map. Okin does not distinguish clearly between ideal and non-ideal theory, so this is tricky. If we take Okin to be doing ideal theory, we should say that she thinks the basic structure includes more than the set of arrangements that would be coercively secured in a fully just society. She tells us that principles of justice apply directly to the family, but she also thinks that saying this does not mean endorsing coercive measures to fully realize family justice. For example, Okin endorses coerced paycheck sharing

³⁸ Of course, we are assuming here that ‘profoundly influential’ and ‘necessary for citizenship’ are not synonymous.

(1989, 180–181), but thinks the fifty-fifty sharing of domestic work, which justice also requires, should not be coercively secured (1989, 171). So Okin does not hold a view in the north. Since she suggests that the family is profoundly influential, perhaps she holds the view in the southeast. But Okin says also that the family should be just because of the effect family injustice has on equality of opportunity of citizens more generally; this suggests that she holds the view in the southwest. My own view is that Okin oscillates between the southeast and southwest, but I lack space here to make that case.³⁹

Note that doctrines that fall in the south may include an account of when coercive state power is justly used, but unlike doctrines that fall in the north, they don't use the concept of the basic structure to anchor it. Views in the south conceive of arrangements that must be coercively secured as a subset of just arrangements. Think here of John Stuart Mill's discussion in the fifth chapter of *Utilitarianism*; on Mill's telling, although the idea of justice brings with it a kind of urgency and a sense that coercion might be appropriate, a further test is needed to determine whether coercion is justified in some particular case (Mill 1979). Mill's test, of course, is the utility principle. Okin's liberal feminism falls in the south, but she does not provide us with a principled account of when coercive power is and is not permissible or required. This has led to confusion on the part of critics of Okin who have thought she is endorsing an intrusive feminist state. Work remains to be done to explain how liberal feminist doctrines that fall in the south can respond to this worry.

One might think that political liberal feminism provides a clear contrast with Okin and falls in the northwest. Indeed, my own characterization of political liberal feminism above (section 2.1) suggests that it concerns exclusively the just uses of coercive state power to feminist ends. Blain Neufeld and Chad Van Schoelandt's political liberal feminism does as well (Neufeld and Van Schoelandt 2014, 81–82). Christie Hartley and Lori Watson's political liberal feminism provides an interesting contrast. They take political liberal feminism to concern those arrangements necessary for equal citizenship, and on their view, equal citizenship requires "substantive equality . . . along various dimensions of social life" (Hartley and Watson 2010, 2).⁴⁰ We might understand Hartley and Watson to be saying that a just basic structure consists in the particular mix of coercively secured more-than-minimally just internal workings necessary to allow equal citizenship to emerge. This would place their view in the northwest. But there is reason to believe that Hartley and Watson's view falls in the southwest. If we are doing ideal theory, we might

³⁹ See also Neufeld and Van Schoelandt's related discussion of Okin (Neufeld and Van Schoelandt 2014).

⁴⁰ See also Hartley and Watson (forthcoming).

want to say that at least some of the “substantive equality” Hartley and Watson think necessary for equal citizenship must be secured by ethos and not by coercive incentives. I lack the space to explore this issue further. I note only that if political liberal feminism can fall only in the northwest, it contributes to the women’s movement only an account of those ends the women’s movement should seek to realize through the agency of the coercive state. But if political liberal feminism can fall also in the southwest, it can offer the women’s movement a broader agenda.

The distinctions laid out in section 3 have not been sufficiently appreciated in the literature. Thus, as I show in section 3.1, when liberal feminist doctrines concern themselves with justice in the internal workings of the family—or some other part of associational life—it is not clear whether we are to understand that they are just only if a liberal ethos is at work or whether coercive measures, or even invisible hands, suffice. As I show in section 3.2, when liberal feminist doctrines concern themselves with the necessary relationship between justice in internal workings and the justice of the basic structure, it is often not clear whether we are to understand justice in internal workings as constitutive of, or as merely contingently necessary for, a just basic structure. As I suggest in section 3.1, when liberal feminist doctrines propose measures to secure liberal feminist justice, it is often not clear whether they mean to propose remedial measures to bring society closer to a fully just liberal feminist society or to describe that fully just society itself. And finally, as I show in section 3.3, when liberal feminist doctrines claim that society’s basic structure must be just, it is often not clear whether what is being described is a set of arrangements the state must secure and sustain with its coercive power or a broader set of arrangements, some secured by coercive state action and some by an ethos embraced by non-state actors. By making these distinctions and laying out these options, the capacious account provides a fine-grained conceptual vocabulary with which to think about liberal feminism going forward.

Conclusion

I have presented an account of liberal feminism as an alternative to accounts that suffer from caricature or vagueness. The account avoids caricature by being capacious, conceiving of liberal feminism as a family of doctrines encompassing diverse views and theoretical commitments. The account avoids the vagueness one might expect from a capacious account by providing a fine-grained conceptual vocabulary with which to think about liberal feminism. Since there is such variety within the liberal feminist family of doctrines, it makes little sense to criticize or defend liberal feminism simpliciter. The capacious account both requires and makes it possible for us to eschew such talk. Advocates and critics of liberal feminism alike would do better to focus instead on the particular doctrines they have in mind. The

hope is that the greater specificity afforded by this account will support the work of feminist political philosophy, which is to think carefully about the aims and strategies of the women's movement.

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