

## DECONSTRUCTING EQUALITY-VERSUS-DIFFERENCE: OR, THE USES OF POSTSTRUCTURALIST THEORY FOR FEMINISM

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That feminism needs theory goes without saying (perhaps because it has been said so often). What is not always clear is what that theory will do, although there are certain common assumptions I think we can find in a wide range of feminist writings. We need theory that can analyze the workings of patriarchy in all its manifestations-ideological, institutional, organizational, subjective-accounting not only for continuities but also for change over time. We need theory that will let us think in terms of pluralities and diversities rather than of unities and universals. We need theory that will break the conceptual hold, at least, of those long traditions of (Western) philosophy that have systematically and repeatedly construed the world hierarchically in terms of masculine universals and feminine specificities. We need theory that will enable us to articulate alternative ways of thinking about (and thus acting upon) gender without either simply reversing the old hierarchies or confirming them. And we need theory that will be useful and relevant for political practice.

It seems to me that the body of theory referred to as poststructuralism best meets all these requirements. It is not by any means the only theory nor are its positions and formulations unique. In my own case, however, it was reading poststructuralist theory and arguing with literary scholars that provided the elements of clarification for which I was looking. I found a new way of analyzing constructions of meaning and relationships of power that called unitary, universal categories into question and historicized



concepts otherwise treated as natural (such as man/woman} or absolute (such as equality or justice). In addition, what attracted me was the historical connection between the two movements. Post-structuralism and contemporary feminism are late-twentieth-century movements that share a certain self-conscious critical relationship to established philosophical and political traditions. It thus seemed worthwhile for feminist scholars to exploit that relationship for their own ends.<sup>1</sup>

This article will not discuss the history of these various "exploitations" or elaborate on all the reasons a historian might look to this theory to organize her inquiry.<sup>2</sup> What seems most useful here is to give a short list of some major theoretical points and then devote most of my effort to a specific illustration. The first part of this article is a brief discussion of concepts used by poststructuralists that are also useful for feminists. The second part applies some of these concepts to one of the hotly contested issues among contemporary (U.S.) feminists-the "equality-versus-difference" debate.

Among the useful terms feminists have appropriated from post-structuralism are language, discourse, difference, and deconstruction.

*Language.* Following the work of structuralist linguistics and anthropology, the term is used to mean not simply words or even a vocabulary and set of grammatical rules but, rather, a meaning-constituting system; that is, any system-strictly verbal or other-through which meaning is constructed and cultural practices organized and by which, accordingly, people represent and understand their world, including who they are and how they relate to others. "Language," so conceived, is a central focus of poststructuralist analysis,

Language is not assumed to be a representation of ideas that either cause material relations or from which such relations follow; indeed, the idealist/materialist opposition is a false one to impose on this approach. Rather, the analysis of language provides a crucial point of entry, a starting point for understanding how social relations are conceived, and therefore-because understanding how they are conceived means understanding how they work-how institutions are organized, how relations of production are experienced, and how collective identity is established.

Without attention to language and the processes by which meanings and categories are constituted, one only imposes oversimplified models on the world, models that perpetuate conventional understandings rather than open up new interpretive possibilities.

The point is to find ways to analyze specific "texts"-not only books and documents but also utterances of any kind and in any medium, including cultural practices-in terms of specific historical and contextual meanings. Poststructuralists insist that words and texts have no fixed or intrinsic meanings, that there is no transparent or self-evident relationship between them and either ideas or things, no basic or ultimate correspondence between language and the world. The questions that must be answered in such an analysis, then, are how, in what specific contexts, among which specific communities of people, and by what textual and social processes has meaning been acquired? More generally, the questions are: How do meanings change? How have some meanings emerged as normative and others have been eclipsed or disappeared? What do these processes reveal about how power is constituted and operates?

*Discourse*, Some of the answers to these questions are offered in the concept of discourse, especially as it has been developed in the work of Michel Foucault. A discourse is not a language or a text but a historically, socially, and institutionally specific structure of statements, terms, categories, and beliefs. Foucault suggests that the elaboration of meaning involves conflict and power, that meanings are locally contested within discursive "fields of force," that (at least since the Enlightenment) the power to control a particular field resides in claims to (scientific) knowledge embodied not only in writing but also in disciplinary and professional organizations, in institutions (hospitals, prisons, schools, factories), and in social relationships (doctor/patient, teacher/student, employer/worker, parent/child, husband/wife). Discourse is thus contained or expressed in organizations and institutions as well as in words; all of these constitute texts or documents to be read.<sup>3</sup>

Discursive fields overlap, influence, and compete with one another; they appeal to one another's "truths" for authority and legitimation. These truths are assumed to be outside human invention, either already known and self-evident or discoverable through scientific inquiry. Precisely because they are assigned the

status of objective knowledge, they seem to be beyond dispute and thus serve a powerful legitimating function. Darwinian theories of natural selection are one example of such legitimating truths; biological theories about sexual difference are another. The power of these "truths" comes from the way they function as givens or first premise\* for both sides in an argument, so that conflicts within discursive fields are framed to follow from rather than question them. The brilliance of so much of Foucault's work has been to illuminate the shared assumptions of what seemed to be sharply different arguments, thus exposing the limits of radical criticism and the extent of the power of dominant ideologies or epistemologies.

In addition, Foucault has shown how badly even challenges to fundamental assumptions often fared. They have been marginalized or silenced, forced to underplay their most radical claims in order to win a short-term goal, or completely absorbed into an existing framework. Yet the fact of change is crucial to Foucault's notion of "archaeology/" to the way in which he uses contrasts from different historical periods to present his arguments. Exactly how the process happens is not spelled out to the satisfaction of many historians, some of whom want a more explicit causal model. But when causal theories are highly general, we are often drawn into the assumptions of the very discourse we ought to question. (If we are to question those assumptions, it may be necessary to forgo existing standards of historical inquiry.) Although some have read Foucault as an argument about the futility of human agency in the struggle for social change, I think that he is more appropriately taken as warning against simple solutions to difficult problems, as advising human actors to think strategically and more self-consciously about the philosophical and political implications and meanings of the programs they endorse. From this perspective, Foucault's work provides an important way of thinking differently (and perhaps more creatively) about the politics of the contextual construction of social meanings, about such organizing principles for political action as "equality" and "difference"

*Difference.* An important dimension of poststructuralist analyses of language has to do with the concept of difference, the notion (following Ferdinand de Saussure's structuralist linguistics) that meaning is made through implicit or explicit contrast, that a

positive definition rests on the negation or repression of something represented as antithetical to it. Thus, any unitary concept in fact contains repressed or negated material; it is established in explicit opposition to another term. Any analysis of meaning involves teasing out these negations and oppositions, figuring out how (and whether) they are operating in specific contexts. Oppositions rest on metaphors and cross-references, and often in patriarchal discourse, sexual difference (the contrast masculine/feminine) serves to encode or establish meanings that are literally unrelated to gender or the body. In that way, the meanings of gender become tied to many kinds of cultural representations, and these in turn establish terms by which relations between women and men are organized and understood. The possibilities of this kind of analysis have, for obvious reasons, drawn the interest and attention of feminist scholars.

Fixed oppositions conceal the extent to which things presented as oppositional are, in fact, interdependent—that is, they derive their meaning from a particularly established contrast rather than from some inherent or pure antithesis. Furthermore, according to Jacques Derrida, the interdependence is hierarchical with one term dominant or prior, the opposite term subordinate and secondary. The Western philosophical tradition, he argues, rests on binary oppositions: unity/diversity, identity/difference, presence/absence, and universality/specificity. The leading terms are accorded primacy; their partners are represented as weaker or derivative. Yet the first terms depend on and derive their meaning from the second to such an extent that the secondary terms can be seen as generative of the definition of the first terms.<sup>4</sup> If binary oppositions provide insight into the way meaning is constructed, and if they operate as Derrida suggests, then analyses of meaning cannot take binary oppositions at face value but rather must "deconstruct"<sup>11</sup> them for the processes they embody.

*Deconstruction.* Although this term is used loosely among scholars—of ten to refer to a dismantling or destructive enterprise—it also has a precise definition in the work of Derrida and his followers. Deconstruction involves analyzing the operations of difference in texts, the ways in which meanings are made to work. The method consists of two related steps; the reversal and displacement of binary oppositions. This double process reveals the interdependence of seemingly dichotomous terms and their mean-

ing relative to a particular history. It shows them to be not natural but constructed oppositions, constructed for particular purposes in particular contexts.<sup>5</sup> The literary critic Barbara Johnson describes deconstruction as crucially dependent on difference.

The starting point is often a binary difference that is subsequently shown to be an illusion created by the working of differences much harder to pin down. The differences *between* entities ... are shown to be based on a repression of differences *within* entities, ways in which an entity differs from itself.... The "deconstruction" of a binary opposition is thus not an annihilation of all values or differences; it is an attempt to follow the subtle, powerful effects of differences already at work within the illusion of a binary opposition.<sup>6</sup>

Deconstruction is, then, an important exercise, for it allows us to be critical of the way in which ideas we want to use are ordinarily expressed, exhibited in patterns of meaning that may undercut the ends we seek to attain. A case in point of meaning expressed in a politically self-defeating way is the "equality-versus-difference" debate among feminists. Here a binary opposition has been created to offer a choice to feminists, of either endorsing "equality" or its presumed antithesis "difference." In fact, the antithesis itself hides the interdependence of the two terms, for equality is not the elimination of difference, and difference does not preclude equality,

In the past few years, "equality-versus-difference" has been used as a shorthand to characterize conflicting feminist positions and political strategies.<sup>7</sup> Those who argue that sexual difference ought to be an irrelevant consideration in schools, employment, the courts, and the legislature are put in the equality category. Those who insist that appeals on behalf of women ought to be made in terms of the needs, interests, and characteristics common to women as a group are placed in the difference category. In the clashes over the superiority of one or another of these strategies, feminists have invoked history, philosophy, and morality and have devised new classificatory labels: cultural feminism, liberal feminism, feminist separatism, and so on,<sup>8</sup> Most recently, the debate about equality and difference has been used to analyze the Sears case, the sex discrimination suit brought against the retailing giant by the Equal Employment Opportunities Commission (EEOC) in 1979, in which historians Alice Kessler-Harris and Rosalind Rosenberg testified on opposite sides,

There have been many articles written on the Sears case, among them a recent one by Ruth Milkman. Milkman insists that we attend to the political context of seemingly timeless principles: "We ignore the political dimensions of the equality-versus-difference debate at our peril, especially in a period of conservative resurgence like the present," She concludes:

As long as this is the political context in which we find ourselves, feminist scholars must be aware of the real danger that arguments about "difference" or "women's culture" will be put to uses other than those for which they were originally developed. That does not mean we must abandon these arguments or the intellectual terrain they have opened up; it does mean that we must be self-conscious in our formulations, keeping firmly in view the ways in which our work can be exploited politically,<sup>9</sup>

Milkman's carefully nuanced formulation implies that equality is our safest course, but she is also reluctant to reject difference entirely. She feels a need to choose a side, but which side is the problem. Milkman's ambivalence is an example of what the legal theorist Martha Minow has labeled in another context "the difference dilemma." Ignoring difference in the case of subordinated groups, Minow points out, 'leaves in place a faulty neutrality'<sup>1</sup> but focusing on difference can underscore the stigma of deviance. "Both focusing on and ignoring difference risk recreating it. This is the dilemma of difference,"<sup>10</sup> What is required, Minow suggests, is a new way of thinking about difference, and this involves rejecting the idea that equality-versus-difference constitutes an opposition. Instead of framing analyses and strategies as if such binary pairs were timeless and true, we need to ask how the dichotomous pairing of equality and difference itself works. Instead of remaining within the terms of existing political discourse, we need to subject those terms to critical examination. Until we understand how the concepts work to constrain and construct specific meanings, we cannot make them work for us,

A close look at the evidence in the Sears case suggests that equality-versus-difference may not accurately depict the opposing sides in the Sears case. During testimony, most of the arguments against equality and for difference were, in fact, made by the Sears lawyers or by Rosalind Rosenberg. They constructed an opponent against whom they asserted that women and men differed, that "fundamental differences"-the result of culture or long-standing patterns of socialization - led to women's presumed lack of interest



in commission sales jobs. In order to make their own claim that sexual difference and not discrimination could explain the hiring patterns of Sears, the Sears defense attributed to EEOC an assumption that no one had made in those terms—that women and men had identical interests,<sup>11</sup> Alice Kessler-Harris did not argue that women were the same as men; instead, she used a variety of strategies to challenge Rosenberg's assertions. First, she argued that historical evidence suggested far more variety in the jobs women actually took than Rosenberg assumed. Second, she maintained that economic considerations usually offset the effects of socialization in women's attitudes to employment. And, third, she pointed out that, historically, job segregation by sex was the consequence of employer preferences, not employee choices. The question of women's choices could not be resolved, Kessler-Harris maintained, when the hiring process itself predetermined the outcome, imposing generalized gendered criteria that were not necessarily relevant to the work at hand. The debate joined then not around equality-versus-difference but around the relevance of general ideas of sexual difference in a specific context.<sup>12</sup>

To make the case for employer discrimination, EEOC lawyers cited obviously biased job applicant questionnaires and statements by personnel officers, but they had no individuals to testify that they had experienced discrimination. Kessler-Harris referred to past patterns of sexual segregation in the job market as the product of employer choices, but mostly she invoked history to break down Rosenberg's contention that women as a group differed consistently in the details of their behavior from men, instead insisting that variety characterized female job choices (as it did male job choices), that it made no sense in this case to talk about women as a uniform group. She defined equality to mean a presumption that women and men might have an equal interest in sales commission jobs. She did not claim that women and men, by definition, had such an equal interest. Rather, Kessler-Harris and the EEOC called into question the relevance for hiring decisions of generalizations about the necessarily antithetical behaviors of women and men, EEOC argued that Sears's hiring practices reflected inaccurate and inapplicable notions of sexual difference; Sears argued that "fundamental" differences between the sexes (and not its own actions) explained the gender imbalances in its labor force.

The Sears case was complicated by the fact that almost all the

evidence offered was statistical. The testimony of the historians, therefore, could only be inferential at best. Each of them sought to explain small statistical disparities by reference to gross generalizations about the entire history of working women; furthermore, neither historian had much information about what had actually happened at Sears. They were forced, instead, to swear to the truth or falsehood of interpretive generalizations developed for purposes other than legal contestation, and they were forced to treat their interpretive premises as matters of fact. Reading the cross-examination of Kessler-Harris is revealing in this respect. Each of her carefully nuanced explanations of women's work history was forced into a reductive assertion by the Sears lawyers' insistence that she answer questions only by saying yes or no. Similarly, Rosalind Rosenbergs rebuttal to Alice Kessler-Harris eschewed the historian's subtle contextual reading of evidence and sought instead to impose a test of absolute consistency. She juxtaposed Kessler-Harris's testimony in the trial to her earlier published work *Jin* in which Kessler-Harris stressed differences between female and male workers in their approaches to work, arguing that women were more domestically oriented and less individualistic than men) in an effort to show that Kessler-Harris had misled the court.<sup>13</sup> Outside the courtroom, however, the disparities of the Kessler-Harris argument could also be explained in other ways. In relationship to a labor history that had typically excluded women, it might make sense to overgeneralize about women's experience, emphasizing difference in order to demonstrate that the universal term "worker" was really a male reference that could not account for all aspects of women's job experiences. In relationship to an employer who sought to justify discrimination by reference to sexual difference, it made more sense to deny the totalizing effects of difference by stressing instead the diversity and complexity of women's behavior and motivation. In the first case, difference served a positive function, unveiling the inequity hidden in a presumably neutral term; in the second case, difference served a negative purpose, justifying what Kessler-Harris believed to be unequal treatment. Although the inconsistency might have been avoided with a more self-conscious analysis of the "difference dilemma" Kessler-Harris's different positions were quite legitimately different emphases for different contexts; only in a courtroom could they be taken as proof of bad faith.<sup>14</sup>

The exacting demands of the courtroom for consistency and "truth" also point out the profound difficulties of arguing about difference. Although the testimony of the historians had to explain only a relatively small statistical disparity in the numbers of women and men hired for full-time commission sales jobs, the explanations that were preferred were totalizing and categorical.<sup>15</sup> In cross-examination, Kessler-Harris's multiple interpretations were found to be contradictory and confusing, although the judge praised Rosenberg for her coherence and lucidity.<sup>16</sup> In part, that was because Rosenberg held to a tight model that unproblematically linked socialization to individual choice; in part it was because her descriptions of gender differences accorded with prevailing normative views. In contrast, Kessler-Harris had trouble finding a simple model that would at once acknowledge difference *and* refuse it as an acceptable explanation for the employment pattern of Sears. So she fell into great difficulty maintaining her case in the face of hostile questioning. On the one hand, she was accused of assuming that economic opportunism equally affected women and men (and thus of believing that women and men were the same]. How, then, could she explain the differences her own work had identified? On the other hand, she was tarred (by Rosenberg) with the brush of subversion, for implying that all employers might have some interest in sex typing the labor force, for deducing from her own (presumably Marxist) theory, a "conspiratorial" conclusion about the behavior of Sears.<sup>17</sup> If the patterns of discrimination that Kessler-Harris alluded to were real, after all, one of their effects might well be the kind of difference Rosenberg pointed out. Caught within the framework of Rosenberg's use of historical evidence, Kessler-Harris and her lawyers relied on an essentially negative strategy, offering details designed to complicate and undercut Rosenberg's assertions, Kessler-Harris did not directly challenge the theoretical shortcomings of Rosenberg's socialization model, nor did she offer an alternative model of her own. That would have required, I think, either fully developing the case for employer discrimination or insisting more completely on the "differences" line of argument by exposing the "equality-versus-difference" formulation as an illusion.

In the end, the most nuanced arguments of Kessler-Harris were rejected as contradictory or inapplicable, and the judge decided in Sears's favor, repeating the defense argument that an assumption

of equal interest was "unfounded" because of the differences between women and men.<sup>18</sup> Not only was EEOC's position rejected, but the hiring policies of Sears were implicitly endorsed. According to the judge, because difference was real and fundamental, it could explain statistical variations in Sears's hiring. Discrimination was redefined as simply the recognition of "natural" difference (however culturally or historically produced), fitting in nicely with the logic of Reagan conservatism. Difference was substituted for inequality, the appropriate antithesis of equality, becoming inequality's explanation and legitimation. The judge's decision illustrates a process literary scholar Naomi Schor has described in another context: it "essentializes difference and naturalizes social inequity."<sup>19</sup>

The Sears case offers a sobering lesson in the operation of a discursive, that is a political field. Analysis of language here provides insight not only into the manipulation of concepts and definitions but also into the implementation and justification of institutional and political power. References to categorical differences between women and men set the terms within which Sears defended its policies *and* EEOC challenged them. Equality-versus-difference was the intellectual trap within which historians argued not about tiny disparities in Sears's employment practices, but about the normative behaviors of women and men. Although we might conclude that the balance of power was against EEOC by the time the case was heard and that, therefore, its outcome was inevitable (part of the Reagan plan to reverse affirmative action programs of the 1970s), we still need to articulate a critique of what happened that can inform the next round of political encounter. How should that position be conceptualized?

When equality and difference are paired dichotomously, they structure an impossible choice. If one opts for equality, one is forced to accept the notion that difference is antithetical to it. If one opts for difference, one admits that equality is unattainable. That, in a sense, is the dilemma apparent in Milkman's conclusion cited above. Feminists cannot give up "difference"; it has been our most creative analytic tool. We cannot give up equality, at least as long as we want to speak to the principles and values of our political system. But it makes no sense for the feminist movement to let its arguments be forced into preexisting categories and its political disputes to be characterized by a dichotomy we did not

invent. How then do we recognize and use notions of sexual difference and yet make arguments for equality? The only response is a double one: the unmasking of the power relationship constructed by posing equality as the antithesis of difference and the refusal of its consequent dichotomous construction of political choices,

Equality-versus-difference cannot structure choices for feminist politics; the oppositional pairing misrepresents the relationship of both terms, Equality, in the political theory of rights that lies behind the claims of excluded groups for justice, means the ignoring of differences between individuals for a particular purpose or in a particular context. Michael Walzer puts it this way: The root meaning of equality is negative; egalitarianism in its origins is an abolitionist politics. It aims at eliminating not all differences, but a particular set of differences, and a different set in different times and places"<sup>20</sup> This presumes a social agreement to consider obviously different people as equivalent (not identical) for a stated purpose. In this usage, the opposite of equality is inequality or inequivalence, the noncommensurability of individuals or groups in certain circumstances, for certain purposes. Thus, for purposes of democratic citizenship, the measure of equivalence has been, at different times, independence or ownership of property or race or sex. The political notion of equality thus includes, indeed depends on, an acknowledgment of the existence of difference. Demands for equality have rested on implicit and usually unrecognized arguments from difference; if individuals or groups were identical or the same there would be no need to ask for equality, Equality might well be defined as deliberate indifference to specified differences.

The antithesis of difference in most usages is sameness or identity. But even here the contrast and the context must be specified. There is nothing self-evident or transcendent about difference, even if the fact of difference-sexual difference, for example-seems apparent to the naked eye. The questions always ought to be, What qualities or aspects are being compared? What is the nature of the comparison? How is the meaning of difference being constructed? Yet in the Sears testimony and in some debates among feminists (sexual) difference is assumed to be an immutable fact, its meaning inherent in the categories female and male. The lawyers for Sears put it this way: The reasonableness of

the EEOC's a priori assumptions of male/female sameness with respect to preferences, interests, and qualifications is ... the crux of the issue."<sup>21</sup> The point of the EEOC challenge, however, was never sameness but the irrelevance of categorical differences.

The opposition men/women, as Rosenberg employed it, asserted the incomparability of the sexes, and although history and socialization were the explanatory factors, these resonated with categorical distinctions inferred from the facts of bodily difference. When the opposition men/women is invoked, as it was in the Sears case, it refers a specific issue (the small statistical discrepancy between women and men hired for commission sales jobs) back to a general principle (the "fundamental" differences between women and men). The differences within each group that might apply to this particular situation—the fact, for example, that some women might choose "aggressive" or "risk-taking jobs or that some women might prefer high- to low-paying positions—were excluded by definition in the antithesis between the groups. The irony is, of course, that the statistical case required only a small percentage of women's behaviors to be explained. Yet the historical testimony argued categorically about "women." It thus became impossible to argue (as EEOC and Kessler-Harris tried to) that within the female category, women typically exhibit and participate in all sorts of "male" behaviors, that socialization is a complex process that does not yield uniform choices. To make the argument would have required a direct attack on categorical thinking about gender. For the generalized opposition male/female serves to obscure the differences among women in behavior, character, desire, subjectivity, sexuality, gender identification, and historical experience. In the light of Rosenberg's insistence on the primacy of sexual difference, Kessler-Harris's insistence on the specificity (and historically variable aspect) of women's actions could be dismissed as an unreasonable and trivial claim.

The alternative to the binary construction of sexual difference is not sameness, identity, or androgyny. By subsuming women into a general "human" identity, we lose the specificity of female diversity and women's experiences; we are back, in other words, to the days when "Man's" story was supposed to be everyone's story, when women were "hidden from history," when the feminine served as the negative counterpoint, the "Other," for the construction of positive masculine identity. It is not sameness or identity

between women and men that we want to claim but a more complicated historically variable diversity than is permitted by the opposition male/female, a diversity that is also differently expressed for different purposes in different contexts. In effect, the duality this opposition creates draws one line of difference; invests it with biological explanations, and then treats each side of the opposition as a unitary phenomenon. Everything in each category (male/female) is assumed to be the same; hence, differences within either category are suppressed. In contrast, our goal is to see not only differences between the sexes but also the way these work to repress differences within gender groups. The sameness constructed on each side of the binary opposition hides the multiple play of differences and maintains their irrelevance and invisibility.

Placing equality and difference in antithetical relationship has, then, a double effect. It denies the way in which difference has long figured in political notions of equality and it suggests that sameness is the only ground on which equality can be claimed. It thus puts feminists in an impossible position, for as long as we argue within the terms of a discourse set up by this opposition we grant the current conservative premise that because women cannot be identical to men in all respects, we cannot expect to be equal to them. The only alternative, it seems to me, is to refuse to oppose equality to difference and insist continually on differences-differences as the condition of individual and collective identities, differences as the constant challenge to the fixing of those identities, history as the repeated illustration of the play of differences, differences as the very meaning of equality itself.

Alice Kessler-Harris's experience in the Sears case shows, however, that the assertion of differences in the face of gender categories is not a sufficient strategy. What is required in addition is an analysis of fixed gender categories as normative statements that organize cultural understandings of sexual difference. This means that we must open to scrutiny the terms women and men as they are used to define one another in particular contexts-workplaces, for example. The history of women's work needs to be retold from this perspective as part of the story of the creation of a gendered workforce. In the nineteenth century, for example, certain concepts of male skill rested on a contrast with female labor (by definition unskilled). The organization and reorganization of work processes was accomplished by reference to the

gender attributes of workers, rather than to issues of training, education, or social class. And wage differentials between the sexes were attributed to fundamentally different family roles that preceded (rather than followed from) employment arrangements. In all these processes the meaning of "worker" was established through a contrast between the presumably natural qualities of women and men. If we write the history of women's work by gathering data that describes the activities, needs, interests, and culture of "women workers," we leave in place the naturalized contrast and reify a fixed categorical difference between women and men. We start the story, in other words, too late, by uncritically accepting a gendered category (the "woman worker") that itself needs investigation because its meaning is relative to its history.

If in our histories we relativize the categories woman and man, it means, of course, that we must also recognize the contingent and specific nature of our political claims. Political strategies then will rest on analyses of the utility of certain arguments in certain discursive contexts, without, however, invoking absolute qualities for women or men. There are moments when it makes sense for mothers to demand consideration for their social role, and contexts within which motherhood is irrelevant to women's behavior; but to maintain that womanhood is motherhood is to obscure the differences that make choice possible. There are moments when it makes sense to demand a devaluation of the status of what has been socially constructed as women's work ('comparable worth'<sup>1</sup> strategies are the current example) and contexts within which it makes much more sense to prepare women for entry into "non-traditional" jobs. But to maintain that femininity predisposes women to certain (nurturing) jobs or (collaborative) styles of work is to naturalize complex economic and social processes and, once again, to obscure the differences that have characterized women's occupational histories. An insistence on differences undercuts the tendency to absolutist, and in the case of sexual difference, essentialist categories. It does not deny the existence of gender difference, but it does suggest that its meanings are always relative to particular constructions in specified contexts. In contrast, absolutist categorizations of difference end up always enforcing normative rules,

It is surely not easy to formulate a Reconstructive" political strategy in the face of powerful tendencies that construct the



world in binary terms, Yet there seems to me no other choice, Perhaps as we learn to think this way solutions will become more readily apparent. Perhaps the theoretical and historical work we do can prepare the ground. Certainly we can take heart from the history of feminism, which is full of illustrations of refusals of simple dichotomies and attempts instead to demonstrate that equality requires the recognition and inclusion of differences. Indeed, one way historians could contribute to a genuine rethinking of these concepts, is to stop writing the history of feminisms as a story of oscillations between demands for equality and affirmations of difference. This approach inadvertently strengthens the hold of the binary construction, establishing it as inevitable by giving it a long history. When looked at closely, in fact, the historical arguments of feminists do not usually fall into these neat compartments; they are instead attempts to reconcile theories of equal rights with cultural concepts of sexual difference, to question the validity of normative constructions of gender in the light of the existence of behaviors and qualities that contradict the rules, to point up rather than resolve conditions of contradiction, to articulate a political identity for women without conforming to existing stereotypes about them,

In histories of feminism and in feminist political strategies there needs to be at once attention to the operations of difference and an insistence on differences, but not a simple substitution of multiple for binary difference for it is not a happy pluralism we ought to invoke. The resolution of the "difference dilemma" comes neither from ignoring nor embracing difference as it is normatively constituted. Instead, it seems to me that the critical feminist position must always involve *two* moves. The first is the systematic criticism of the operations of categorical difference, the exposure of the kinds of exclusions and inclusions-the hierarchies-it constructs, and a refusal of their ultimate "truth," A refusal, however, not in the name of an equality that implies sameness or identity, but rather (and this is the second move) in the name of an equality that rests on differences -differences that confound, disrupt, and render ambiguous the meaning of any fixed binary opposition. To do anything else is to buy into the political argument that sameness is a requirement for equality, an untenable position for feminists (and historians) who know that power is constructed on and so must be challenged from the ground of difference.

## NOTES

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1. On the problem of appropriating poststructuralism for feminism, see Biddy Martin, "Feminism, Criticism, Foucault," *New German Critique* 27 (Fall 1982): 3-30.
2. Joan W. Scott, "Gender: A Useful Category of Historical Analysis," *American Historical Review* 91 (December 1986): 1053-75; Donna Haraway, "A Manifesto for Cyborgs: Science, Technology, and Socialist Feminism in the WBQs" *Socialist Review* 15 (March-April 1985): 65-107.
3. Examples of Michel Foucault's work include *The Archaeology of Knowledge* (New York: Harper & Row, 1976), *The History of Sexuality*, vol. 1, *An Introduction* (New York: Vintage, 1980), and *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977* (New York: Pantheon, 1980). See also Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: University of Chicago Press, 1983).
4. The Australian philosopher Elizabeth Gross puts it this way: "What Derrida attempts to show is that within these binary couples, the primary or dominant term derives its privilege from a curtailment or suppression of its opposite. Sameness or identity, presence, speech, the origin, mind, etc. are all privileged in relation to their opposites, which are regarded as debased, impure variants of the primary term. Difference, for example, is the lack of identity or sameness; absence is the lack of presence; writing is the supplement of speech, and so on." See her "Derrida, Irigaray, and Deconstruction," *Leftwright, Intervention* (Sydney, Australia): 20 (1986); 73. See also Jacques Derrida, *Of Grammatology* (Baltimore: Johns Hopkins University Press, 1976); and Jonathan Culler, *Of Deconstruction: Theory and Criticism after Structuralism* (Ithaca: Cornell University Press, 1982).
5. Again, to cite Elizabeth Gross's formulation: "Taken together, reversal and its useful displacement show the necessary but unfounded function of these terms in Western thought. One must both reverse the dichotomy and the values attached to the two terms, as well as displace the excluded term, placing it beyond its oppositional role, as the internal condition of the dominant term. This move makes clear the violence of the hierarchy and the debt the dominant term owes to the subordinate one. It also demonstrates that there are other ways of conceiving these terms than dichotomously. If these terms were only or necessarily dichotomies, the process of displacement would not be possible. Although historically necessary, the terms are not logically necessary." See Gross, 74.
  - ii. Barbara Johnson, *The Critical Difference: Essays in the Contemporary Rhetoric of Reading* (Baltimore: Johns Hopkins University Press, 1980): x-xi. 7. Most recently, attention has been focused on the issue of pregnancy benefits. See, for example, Lucinda M. Finley, "Transcending Equality Theory: A Way Out of the Maternity and the Workplace Debate," *Columbia Law Review* 86 (October 1986): 1118-83. See Sylvia A. Law, "Rethinking Sex and the Constitution" *University of Pennsylvania Law Review* 132 (June 1984): 955-1040.
  - fc. Recently, historians have begun to cast feminist history in terms of the equality-versus-difference debate. Rather than accept it as an accurate characterization of anti-1 helical positions, however, I think we need to look more closely at how feminists used these arguments. A close reading of nineteenth-century French feminist texts, for

example, leads me to conclude that they are far less easily categorized into difference or equality positions than one would have supposed. I think it is a mistake for feminist historians to write this debate uncritically into history for it reifies an "antithesis" that may not actually have existed. We need instead to "deconstruct" feminist arguments and read them in their discursive contexts, all as explorations of "the difference dilemma."

9. Ruth Milkman, "Women's History and the Sears Case," *Feminist Studies* 12 (Summer 1986): 394-95. In my discussion of the Sears case, I have drawn heavily on this careful and intelligent article, the best so far of the many that have been written on the subject.

10. Martha Minow/Learning to Live with the Dilemma of Difference: Bilingual and Special Education," *law ami Contemporary Problems* 48, no. 2 (1984): 157-211; quotation is from p. 160; see also pp. 202-6.

11. There is a difference, it seems to me, between arguing that women and men have identical interests and arguing that one should presume such identity in all aspects of the hiring process. The second position is the only strategic way of not building into the hiring process prejudice or the wrong presumption\* about differences of Interest,

12. Rosenberg's "Offer of Proof and Kessler-Harris's "Written Testimony" appeared in *Signs* 11 (Summer 1986): 757-79. The "Written Rebuttal Testimony of Dr. Rosalind Rosenberg" is part of the official transcript of the case, U.S. District Court for the Northern District of Illinois, Eastern Division, *EEOC vs Sears*, Civil Action No. 79-C 4373. (I am grateful to Sanford Levinson for sharing the trial documents with me and for our many conversations about them.)

13. Appendix to the "Written Rebuttal Testimony of Dr. Rosalind Rosenberg/" 1-12,

14. On the limits imposed by courtrooms and the pitfalls expert witnesses may encounter, see Nadine Taub, "Thinking about Testifying," *Perspectives* (American Historical Association Newsletter) 24 (November 1986): 10-11.

15. On this point, Taub asks a useful question: "Is there a danger in discrimination cases that historical or other expert testimony not grounded in the particular facts of the case will reinforce the idea that it is acceptable to make generalizations about particular groups?" (p. 11).

16. See the cross-examination of Kessler-Harris, *BEOC vs Sears*, 16376-619,

17. The Rosenberg "Rebuttal" is particularly vehement on this question: "This assumption that all employers discriminate is prominent in her (Kessler-Harris's) work.... In a 1979 article, she wrote hopefully that women harbor values, attitudes, and behavior patterns potentially subversive to capitalism" (p. 11). "There are, of course, documented instances of employers limiting the opportunities of women, But the fact that some employers have discriminated does not prove that all do" (p. 19). The rebuttal raises another issue about the political and ideological limits of a courtroom or, perhaps it is better to say, about the way the courtroom reproduces dominant ideologies. The general notion that employers discriminate was unacceptable (but the general notion that women prefer certain jobs was not). This unacceptability was underscored by linking it to subversion and Marxism, positions intolerable in U.S. political discourse. Rosenberg's innuendos attempted to discredit Kessler-Harris on two counts—first, by suggesting she was making a ridiculous generalization and, second, by suggesting that only people outside acceptable politics could even entertain that generalization.

18. Milkman, 391.

19. Naomi Schor, "Reading Double: Sand's Difference/" in *The Poetics of Gender*, ed. Nancy K. Miller (New York: Columbia University Press, 1986), 256.

20. Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), xii. See also Minow, 202-3.

21. Milkman, 384.