

Speaking Up, Talking Back

Joan Scott's Critical Feminism

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I confess that this is not an easy task—to think *about* Joan W. Scott as a thinker—since it is different from what I usually do, which is thinking *with* Joan. This doesn't mean that we always share each other's view, but it does mean that I always have her in mind. How does one, then, transform one's interlocutor into the topic of an essay? She is the one I write with or to, not about, so I am stumbling as I try to think about Joan Scott's work outside this interlocutory frame. The only way to do this, it seems, is to think about the scene of interlocution itself, and to ask myself not only why I write to Joan, for Joan, but also why I write with Joan, and how the circuit of this conversation has sustained and vexed me for the last twenty years. One reason I write *to* her and *with* her has to do with her own relation to the scene of interlocution. And so I want to begin in a way that might seem odd, might seem initially, at least, to be at a distance from the concerns of social history, the history of feminism, feminist critique and the problem of history, or the politics of equality and difference. Scott is, of course, known not only for her central engagements in all those fields, and I want to consider what we mean when we say she is centrally *engaged*. One way she is centrally engaged is that she speaks to, speaks out, and even speaks or talks back in ways that tend to cause excitement and consternation. My suggestion is that Scott's own mode of address—understood as a way of engaging critically with the presumptions of her audience—actually has everything to do with the questions of social history and left-liberal principles. I even want to suggest that we might trace a certain pattern of address from *The Glassworkers of Carmaux* to her recent work on academic freedom.¹

Before I attempt to make clear this mode of address, let me recount in a summary way some of the major turns in her publishing career. If one conducts a quick review of her major works, one finds general acclaim for her first book, an effort to understand the glassworkers of Carmaux as a socially constituted group that took up a specific labor struggle. The subsequent move into feminist questions of history, known predominantly through her work with Louise Tilly in *Women, Work, and Family*, surprised some historians who noted that there was but one endnote dedicated to a woman in the first book.² The work with Louise Tilly very clearly began her influential argument that the collective subject of history could not be thought as uniform or homogenous, and that the subject in question was riven by inequalities that were essential to its formation. Moreover, if one were to move from a consideration of the formation of the subject to an account of the transformative action of the collective subject, it becomes clear that, for Scott, opportunities for action are not determined, but result from contingent and converging historical effects. In both of these early works, the question that Scott posed is, how does change take place over time? Where causal notions of action and the unity of the subject used to reign, we find that questions of inequality, of difference, and of historically shifting and open-ended chances for action came to the fore. Thus, the monolithic (uniform or homogenous) concept of the collective subject as well as the causal notion of agency suffered some setbacks in the course of those two early works.

Just as the relative absence of women in her first book surprised critics, the subsequent turn to “women” was surprising to others. And yet, the next turn was even more surprising: in *Gender and the Politics of History*, Scott made her strong and provocative case for the linguistic turn within history, a move that scandalized some historians who expected a different version of social history, but clearly incited others to new directions in research. In this landmark text, Scott also formulated a certain paradoxical condition of politics that came to structure her writing from the Sears case through her work on the French feminist struggle for political rights and *parité*. She made this paradoxical condition clear in *Only Paradoxes to Offer*:

Feminism was a protest against women’s political exclusion; its goal was to eliminate “sexual difference” in politics, but it had to make its claims on behalf of “women” (who were discursively produced through “sexual difference”). To the extent that it acted for “women,” feminism produced the “sexual difference” it sought to eliminate. This paradox—the need both to accept and to refuse sexual difference—was the constitutive condition of feminism as a political movement throughout its long history.³

Let us try to understand how sexual difference is that for which there is a need “both to accept and refuse.” Feminism is understood as that movement which had to make its claims on behalf of women and which had to oppose those forms of sexual difference that produced the exclusion of women. If we are to narrow in on what the claim of feminism actually is, it is invariably two-fold: it speaks on behalf of women, it understands and avows that the category of women is produced through sexual difference; and it seems to refuse a version of sexual difference. If we ask which version of sexual difference this is, Scott makes clear that it is produced through historical and cultural means, indissociable from power, and so not only or exclusively a biological difference. This is a tricky claim to make, since it difficult to imagine any version of biological sexual difference that is not articulated through one matrix of power or another. So, to the extent that sexual difference is understood as biological difference, it is invariably seized upon by cultural and historical forces; in other words, biological difference cannot be thought apart from that seizure by forms of power operative in culture and history. This last thought, of course, has consequences for how we understand the biological sciences as well as theories of power, culture, and history. Sexual difference is not a term that belongs over there, with biology, and then gets transformed in the course of a subsequent and separable cultural and historical articulation over here.⁴ Rather, sexual difference is precisely that which, whether in the biological or the cultural sciences, occasions a set of shifting articulations. If we conclude further that no one articulation of sexual difference exhausts its meaning, that is because we never find this difference outside of an articulation, and yet, no single articulation seizes it for all time. Moreover, sexual difference is as much articulated by forms of power as it is a matrix for actively articulating such modes of power. We are not only talking about sexual difference as a “constructed” difference (though some do that), but in Scott’s work, sexual difference is a matrix through which and by which certain kinds of articulation take place. If that seems like a conundrum, it probably is; but it is a conundrum without which we cannot function, and it is even a constitutive conundrum of feminist theory. Scott’s point, though, goes further than this, since, you will remember, feminism has to do with making a claim.

How do we understand this feminist claim? It speaks on behalf of the category of women; it seems to eliminate established understandings of the category of women according to which women are excluded from the concept of the social subject, or conceived only through a matrix of presumptive inequality. At first it seems that feminism seems to have given itself the task to speak on behalf of the category that it simultaneously seeks to eliminate. What first appears to be a contradiction, however, is reformulated in more

promising ways when this procedure of representation and negation is understood as a temporal development. If what the claim seeks to oppose, even to eliminate, are certain historically specific modes of sexual difference, that claim does not seek to negate every form of that difference. On the contrary, it seems to show that those versions of difference are historical, subject to change and to alteration. Time, it turns out, is crucial to Scott's understanding of feminism, and to the kind of history she writes, and writes about. To negate the mode of sexual difference that is bound up with inequality, for instance, is not to obliterate sexual difference per se. And even if there is no sexual difference per se, that is no reason to identify sexual difference with its historically established versions. After all, sexual difference is not only made or constructed, but is itself a matrix for articulating domains of life we may not immediately associate with sexual difference, such as culture, history, and power, to give a few of the most salient examples. To seek to negate a mode of sexual difference that reinstitutes inequality, for instance, is not only to expose its historical status, but to try to intervene in the historical process that sexual difference names, forms, and activates. To negate that established and problematic mode of sexual difference is thus at once to try to establish a new mode; at this point, we move from an apparent impasse that requires that we accept and refuse sexual difference to a process of social and historical transformation, a mode of re-articulation that goes by the name of sexual difference as well. Only if we approach the problem statically does it appear that speaking on behalf of the very category of "women" to eliminate that category culminates in the awkward (but not impossible) situation of seeking to eliminate the condition of one's own speaking—the very social designation that makes one's claim intelligible. But this contradiction would follow only if the conditions of one's own speaking were so highly restrictive that to speak from that condition no longer makes sense or had become effectively impossible. At such a limit, one is compelled to *speak back* to the historical conditions articulated by and through sexual difference; in other words, one is compelled to *speak up* for a new way of speaking, to enact that speaking and so to negate one thing and affirm another, in the very same act of speech.

Let's reflect upon this paradox that follows from a consideration of sexual difference in the kind of formulation in Scott's work. In her extremely influential essay on a 1988 sex discrimination suit against Sears, Scott sought to understand whether feminists had to choose between two apparently incompatible sets of arguments.⁵ There were those who thought that women ought to be treated the same as men, and that questions of sexual difference should be set aside in order to establish egalitarian work conditions, including compensation scales. And others used a "difference" argument to suggest that the

history of women's work produced distinct and differentiated patterns of socialization and employment trajectories, suggesting that women's work is not the same as men's, and ought to be restrictively conceived as a consequence. The argument was waged in court in 1986 with two feminist historians, with Alice Kessler-Harris taking the first position in favor of equality and Rosalind Rosenberg taking the second in favor of difference. Scott arrives on the scene with her trenchant analysis two years later to suggest that the stand-off between equality and difference is unnecessary. Actually, what Scott does is to make a highly nuanced intervention, suggesting that what appears as a necessary stand-off does not have to culminate in a static impasse, but rather in a paradox—a term that will become increasingly central to Scott's subsequent work—that cannot be thought outside the problem of time and the operation of a specific mode of historical transformation.

So one point I am hoping to make here is that what might seem like contradiction or impasse becomes paradox, and paradox itself is a mode or mechanism of historical change. I began by calling attention to another argument in Scott's work, especially in the first two books on social history: there is no monocausal account of social change, and historical conditions do not act in deterministic ways. Indeed, not only are historical conditions multiple, but the modes of their convergence and contestation are precisely what produce the never fully predictable conditions of change. To put it even more precisely, contestation and convergence are *conditions* for change. This admittedly abstract formulation is meant to illuminate the way change happens: the particular situations of speech, speaking out and speaking back, become more important as Scott's work develops—especially in *Only Paradoxes to Offer*, *Gender and the Politics of History*, *The Politics of the Veil*, and the recent work on academic freedom.⁶ Change also happens by way of paradox, and this seems to have been established in the early work on feminist history in which Scott repeatedly underscored how sexual difference works to institute historical change through the action of paradox. These two dimensions of the work—the transformative situation of speech or expression and the mechanisms of historical change—are related, since they each find a certain promise in a paradoxical situation. The claim to rights, for instance, takes place on the basis of a certain historical condition of women, and yet the claim to rights is itself a disruption, if not an effort to eliminate, those same conditions. One could only take this to be a contradiction if the conditions referred to *as the basis* for the claim are the same as those that would be maintained *as a result* of the claim. But the whole point of the claim is to change the conditions, and so we have to ask how paradox functions as the *modus operandi* of historical change. Political claims have their own historical specificity and development; in this

way, they are not like most philosophical arguments (*pace* Hegel and Marx). This means that the paradoxical formulations that Scott comes to see as essential to feminism are not to be understood as syllogisms, as purely logical conundrums—formal and ahistorical—but as modes of discourse, broadly construed, functioning in the service of social and historical change.

As far back as Scott's graduate work in social history and in her first book, on the glassworkers of Carmaux, Scott was interested in the problem of historical change. In my view, this has never ceased to be her academic interest and goal. Further, ever since that early work, Scott was arguing with those who sought to understand change monocausally. The monocausalists, as we might call them, took at least two forms. There were the historical determinists who thought some inexorable force in history would work its way toward change according to the laws of dialectic. There were, as well, those who believed in heroic narratives, seeking to understand change as the effect of extraordinary exercises of individual will. Scott's problem with both of these views is that they failed to think historically enough about the problem of change, and that a closer scrutiny of how change happens shows that both the idea of deterministic history and the extraordinarily volitional subject were better understood through the complex interplay of various historical forces. If the deterministic explanation contravened the subject entirely, the volitional explanation presumed a subject not only derived from the historical resources of individualism, but emphatically masculinist. The early work sought to show that the revolutionary subject, presumptively masculine, was not singlehandedly responsible for revolutionary change. This was as true of the idealized revolutionary personality as it was for the idealized collective subject. The second and third parts of *Gender and the Politics of History* make this case in a successive way, first through the critique of E. P. Thompson and then through the careful study of women's work in mid-nineteenth-century Paris.⁷ The problem with Thompson's account of the agency of the working class was not only that it subordinated or effaced women's work. Scott was not trying to make a claim for the simple inclusion of a consideration of women in the existing framework; rather she made the much stronger argument that the very framework depended upon that exclusion. To show this, Scott asked a different kind of question, one that relied on Thompson's formulation, but also opposed it. Thompson asked after the historical conditions under which the "working class" was discovered and elaborated. The concept of the working class comes into existence at a certain point in history, and that emergence entails certain consequences. We are not to take the working class for granted as a point of departure for thinking about historical change, asking what the working class did, what effects their actions had. We have to ask first: Through

what means does the “working class” emerge as a historical category? If the working class is itself a historically specific emergence, and its arrival as a historical category is the consequence of a certain change in our understanding of history, then the emergence of the category (or concept) is itself a historical change worth noting. According to this formulation, the working class is not to be taken for granted merely as an agent of historical change (though it may well become such an agent), but the concept itself is an effect of historical change. If it becomes agentic, as it surely does, we are under a new obligation to regard that agency as the effect of this historical change, the agentic consequence made possible by certain historical effects. This formulation has implications for how we understand agency to emerge within historical processes rather than as a deterministic cause that mobilizes and structures a historical sequence or as a consequence of volitional acts that presuppose an already formed volitional subject with occasionally extraordinary capacities.

Scott’s way of insisting on the historical status of such categories has been to pose the question of “how.” One of her major criticisms of Thompson was that he managed to historicize class, in the sense that he could show *that* it came into being as a historical concept in certain specific times and places, but he was not able to attend to the mechanisms by and through which the category of class came into being. In drawing attention precisely to these mechanisms, Scott brings us back to the problem of sexual difference, recalling the difficulty of conceptualizing women’s work. The exclusion of women’s work from the dominant narratives of the working class were, for Scott, clear signs that the conceptualization of the working class both relied upon and restaged this exclusion. In asking how the conceptual field within which the working class became thinkable relied upon a presumptively masculinist conception of agency as well as the marginalization of women’s work, Scott showed how the exclusion of women’s work and participation in political struggles were essential to the narratives of working class history. Hence, the historical problem is thus larger than the one that Thompson identified. The question is not simply when and where the idea of the working class came into being, but, more specifically, *through what means*, and whether the means through which the dominant ideas of the working class emerged were the same means through which women’s work was marginalized and effaced. These conceptual schemes not only come into being historically, but they actively constrain our ideas of what history can and will become. Thus, we cannot seek recourse to a taken-for-granted notion of women’s experience to rebut a masculinist narrative; rather, we have to see how a certain kind of conceptual scheme has come to organize that mode of social life we call

“experience.” This is not only an epistemological problem, but a historical one, since such schemes become contested and changeable, taking and losing form, taking and losing hold, extending and losing their hegemony. And Scott’s writing, we might say, not only describes this process, but enacts it; in rewriting history, she enters this historical process precisely to contest and undo that hegemony. In this sense, the writing of women’s history *depends upon* the preliminary efforts of Thompson and others to historicize labor and the working class, but it also *speaks back* to such histories, showing how they fail to consider the mechanisms by which certain conceptions of class are installed and, subsequently, how gender difference functions as one of those key mechanisms. These are not timeless mechanisms, but specific historical modalities that produce intelligible historical phenomena through means of marginalization and exclusion. To ask historical questions rigorously and well means asking the question of how gender difference functions in the making not only of the working class, but of what counts as history itself.

Scott’s writing asserts that difference, and so makes a difference in the very account of historical change that is at issue for social historians. I want to suggest that she does this by speaking back to established modes of historiography, but often through turning and revising lexicons she has received from those established modes. This speaking back is a way of opening up a new conceptual field for history. It is a kind of paradoxical speech that calls into question the conditions of its own speaking, enacting one mode of historical contestation. Those conditions—in this case, social history—make this speaking subject possible, but also require a restriction and effacement that any speaking, if it is to be speaking, must speak against. And the point of the speaking against is not to become locked in battle, but to expose and undo the exclusionary means through which dominant categories are installed, to in-state the new, and to open a different future. This means that paradox is not only a way to account for historical change, but a way of making historical change and opening up a future. This is not a future in which differences are reconciled, but one in which ongoing contestation reveals and enacts the historicity of the terms in question, such as gender, work, and equality.

In *Gender and the Politics of History*, Scott has reviewed the equality/difference debate, and in the course of her critical reflections, has suggested that we have to refuse those ideas of difference that take established social meanings of women’s work for granted as well as those ideas of equality that petition for inclusion in a concept of work that fails to take into account how the very concept has been constructed through sexual difference (the ruling out of women’s work in the making of the relevant ideas of work). She writes,

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 differences, 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.⁸

Scott offers a key distinction here for thinking about difference that effectively differentiates her view from those who represented the “difference” position in the Sears case. There is one idea of difference which takes established meanings of gender as constituting the difference that we call gender difference. This is a normatively constituted notion of difference. Scott is about to give us a different notion of difference, and so is subjecting the term “difference” to a difference, and we are asked to follow precisely here. Notice in what follows how something called a critical feminist position is also differentiated from other forms of feminism:

It seems to me that the critical feminist position must always involve two moves: the first, systematic criticisms of the operations of categorical difference, exposure of the kinds of exclusions and inclusions—the hierarchies—it constructs, and 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) of an equality that rests on differences—differences that confound, disrupt, and render ambiguous the meaning of any fixed binary opposition.⁹

There is then an idea of feminine difference established through socialization and the accumulated effect of received meanings, a notion of feminine difference that presumes the workings of a unilinear and cumulative history of its making. But then there is another kind of difference, one that is plural without being pluralistic (which is after all, just another notion of unity). This second kind of difference names the difference between settled binary oppositions and those historical forces that contest and undo that binarism; and a difference from the binary, rather than a difference within it—a difference that must be multiple, but which cannot be assembled under a single term without reinstalling the binary logic that Scott seeks to undo. It is important, as you can see, that this second sense of “differences” not be given a single or unifying “content”: the second is the difference that gender makes in the course of conducting a critique of binary oppositions, but it can only fulfill this critical operation by not being tied to a single content. If it were, that would be the end of its critical function as difference.

I wrote *Gender Trouble* in the late 1980s in large part at the Institute for Advanced Study in Princeton where, at Scott's invitation, I spent a year in the company of several extremely interesting scholars who were working on the theme of gender.¹⁰ If I remember correctly, the call for fellowship applications stated that the ongoing seminar of the year would be dedicated to "the meanings of male and female." At that time, Scott was in the midst of finishing *Gender and the Politics of History*. It is probably fair to say that the term "gender" was central to both of our thinking at that time, although you can probably see from the quotations I've supplied here today how, for Scott, sexual difference had a critical function, and for me, it tended to be equated with modes of heterosexual presumption that I opposed. In Scott's vernacular, I understood "sexual difference" to be an established, normative framework that one had to oppose. It was always clear that she distinguished between those modes of normatively constituted gender difference (ways of arguing that drew substantial conclusions about what women do, the kind of work that constitutes women's work, on the basis of what they have traditionally done within specific historical and geographical contours) and a critical view on the very construction of those differences. As a result "sexual difference" was, for her, a framework for understanding how historical differences are established and disestablished through time. And in this way, it was only through such a framework that one could criticize those sociological approaches to gender that merely describe what gender is or does and pay no attention to (a) how it is produced differentially, at what cost, and with what implications and (b) what concepts it itself produces. At first, I found in the term "gender" a way of differentiating a mainly culturally constructivist position from an essentialist one, and I identified the essentialist one with "sexual difference." (I see little reason to rehearse those exhausted debates at the present time.) So I was assuming that "sexual difference" was the name for those normatively constituted identities that Joan was subjecting to a critical perspective in the name of sexual difference. Indeed, at the time, if you asked her to define gender, she would seek recourse to sexual difference, certainly not as a naturalistic or metaphysical concept, but as a very specific set of mechanisms for the historical production of socially differentiated relations. Indeed, what tended to be most important were the historical fields that are produced in part through gendered means: the idea of work, the working class, power, culture, history itself. On the one hand, she showed how concepts of class could not be historically understood if we did not understand how sexual difference was functioning in the articulating of the terms of class itself; on the other hand, she was showing that all the terms that we associate with socially critical political analysis—work, politics, universality, equality, to name a few—were them-

selves also produced in specific ways through the production of sexual difference. Sexual difference was not the cause, but rather, the means for articulation, and the mechanism for historical reproduction and change. As a result, it has no necessary content, but it always carries some historical content or another. It is always in the business of producing one historical reality or another.

I point this out since it probably should be said, especially within the context of a volume called *The Question of Gender*, that both Joan and I have found ourselves in semi-private moments saying, “enough already with gender!”¹¹ The reason for such exasperation has to do with the way gender has become operationalized in “gender research projects” under the auspices of the European Union, or some ways of defining gender studies in the United States. In many of these instances, gender is taken for granted as the point of departure for a set of descriptions of social practices, understood as an adjective that qualifies established objects of social science: gendered work, gendered performance, gendered play. In fact, there is little inquiry on the *production* of difference, and little inquiry on how difference works in the production of other kinds of categories. When Scott sought to show that sexual difference was both produced and productive, and queried the region that binds those two modalities, she sought to establish a specifically *critical* feminism, that is, one that would *not* take normative renditions of gender for granted and that maintained a historical skepticism with respect to established binary modes of conceptualizing men and women. And though I certainly set out to upset normative accounts of gender, and to question the restriction of binary thinking on our conceptualization of gender, I worried that sexual difference was itself normative within feminism and that it worked to install heterosexuality as the presumptive mode of conceptualizing difference. Although these were, and remain, different approaches, the commitment to coming up with a critical feminism clearly bound us together in a common project, one that we understood at the time to require and to specify poststructuralism.

If there is now some exasperation with the term “gender,” it may be that it has lost its purchase on a certain kind of critical thinking. So someone working in pedagogy can say that they are interested in studying young girls, their relation to emergent sexuality, the media, race relations, and more. But they may embark on this project thinking that they already know who “girls” are, that the category is itself taken for granted, without ever asking how gender is established—if and when it is. The very category by which we identify a certain group of subjects is normative—restrictive and enabling—and has to be part of any critical feminist project that does not want to rely on a field of gender meanings already established and taken for granted. To do the latter

is, among other things, to ratify the status quo of gender as a consequence of one's "descriptive" procedure.

When Scott turns to the study of revolutionary French feminisms in *Only Paradoxes to Offer*, she does not simply identify her subjects through their gender. She asks how the norms and conventions of gender produce sites for the enunciation and articulation of certain kinds of revolutionary feminisms; moreover, she considers the available lexicons through which political projects are formed, and tries to understand both the constraints and the agentic possibilities that follow from those historically specific discourses (indeed, agency emerges within the field of constraint, paradoxically). When Olympe de Gouges famously speaks in radically paradoxical ways, defying available standards of consistency and coherence, we are asked to understand the convergences and discontinuities in discourse that produce, incite, and limit this speaking subject. We are not exactly invited to return to the heroic revolutionary characters who were the presumptive subjects of Scott's graduate school seminars with Harvey Goldberg at the University of Wisconsin–Madison.¹² Further, the point is not to show that there were women, too, who count as heroic revolutionary characters. In fact, these women, caught up in discourses not fully of their own making, trip and fall, emerge with political anger and rhetorical claims at the same time that they sometimes undo their own efforts by resisting dominant languages of political enfranchisement. They are different; they are the same; in other words, they mobilize discourses of specificity and of egalitarianism without being able to provide a dialectical reconciliation of the two. In this sense, the revolutionary feminists of the eighteenth and nineteenth centuries may well have prefigured the debates of the Sears case, and offered a way around that debate between equality and difference *avant la lettre*. The resistance to dialectical closure marks this radicalism off from those derived from Hegelian or Marxist histories in which the logic of resolution wins out in the end. Although that kind of closure and reconciliation is not an option here, this is less tragic than it is comic, radical, and hopeful.

Paradoxical efforts such as these continue in a different form in the book *Parité! Sexual Equality and the Crisis of French Universalism*, in which complex and sometimes logically inconsistent strategic positions are occupied in an effort to establish equal representation for women in the *Assemblée Nationale*. In neither book do we find women who simply transcend their circumstances in heroic ways; rather, we find complex and discontinuous political strategies that are enabled by historically specific forms of political rhetoric, and that produce the situation in which those who are disenfranchised criticize the exclusionary and masculinist character of the model of enfranchisement at the

same time that they insist on enfranchisement for women. This dual operation of refusing the terms by which political enfranchisement is offered, and yet insisting on enfranchisement, produces a powerful resistance to the logic of non-contradiction. The point is not that one refutes and affirms enfranchisement at the same time. Rather, the form of enfranchisement that is developed and articulated on the basis of the exclusion of women proves to be a false and insufficient form of enfranchisement. Over and against such a form, one thus calls to be enfranchised, liberated from “enfranchisement,” thus introducing a second conception of enfranchisement that overcomes the exclusion by which the first was defined. Such a paradoxical strategy relies on the temporality of citation and disputation, and it leads to positions that are at once whimsical and radical, mischievous and critical, rebellious, insistent, and hopeful. How does one *break out* of a framework and *break in* at the same time that one *breaks it up* and still make a legible claim? Whereas we might expect that political efforts that traffic in paradox will culminate in impasse, defeat, or self-negation, it turns out that such paradoxical rhetorical strategies do two things: they allow for a critical perspective that also makes rights claims; and they mobilize paradox for the production of an open future which is constrained neither by the inevitable structural reproduction of masculinism nor by the dialectical closures of certain forms of historical materialism.

One can see the term “critique” embedded in Scott’s earlier work, and it seems time and again to lead us to question how sexual difference operates to produce and maintain notions of class, work, family, and to specify the mechanism for that production. Paradox also comes up when she tries to take account of historical change. I want to suggest that in more recent years, Scott has written precisely on the concept of critique, on what is critical, as she has reflected on the university and the claims of academic freedom, but also on the history of French feminism as a history of paradox.¹³ We can see the incipient formulations for this more recent work in the earlier publications on gender, work, and the family, the Parisian garment workers, and the Sears case, to be sure. But can we also understand how these concerns have made their way into her work on Committee A on Academic Freedom and Tenure of the American Association of University Professors (AAUP), her testimony regarding academic freedom before the Pennsylvania legislature, and her struggles to come to terms with the inheritance of certain liberal principles regarding public speech and religious expression? In the final section of this essay, I want to trace what I take to be a set of recurrent figures in these works, returning first to the critique of revolutionary heroism that informs her early work, and then to the efforts to rethink the revolutionary actor in *Only Paradoxes to Offer*. This return to thinking about agency in history is

clearly addressed again in her recent work on the *parité* movement in France, a work that chronicles in great detail the actions and proclamations of a variety of feminist actors in the French political scene. In relation to these more recent works, I want to point out that speech acts, forms of writing, modes of public expression, all become crucial to revolutionary action and to understanding and fomenting social change. It wasn't just that women took up a position in public space, but that public space also became configured in such a way that women could find themselves speaking; and it wasn't just that women found sites from which to speak, but that women, as a category, became established as a site of enunciation. As a result, there is no agency *in* the subject, but we might find the potential for historical change in the sometimes convergent and sometimes divergent sites of enunciation that shifting historical forces make possible. Historical French feminists such as Jeanne Deroin and Olympe de Gouges, or indeed, contemporary French feminist activists Françoise Gaspard and Claude Servan-Schreiber, are no doubt persons, subjects, and we name them as such. But such names also belong to a concatenation of names that precede them as well as a set of discursive conditions that make their name-ability and speaking possible. That in each of these instances they are accused of betraying principles of French republicanism is all the more interesting given that they are also regarded as extending principles of equality that are clearly derived from republicanism. Such radical mischief is not just a play with words or a flirtation with impasse, but a modality of historical change, serious, patient, and outrageous.

Finally, then, it makes sense to turn to Joan Scott herself as a speaking subject, and as a scholar whose political work has been dedicated in the last years to defending and arbitrating questions of academic freedom and academic expression. Should we be surprised that this is the direction in which Scott has moved publicly? Let's consider some of the precepts that we've already established.

The first is that the conditions for efficacious political speech are both constraining and enabling. This seems true about academic freedom as well, and may be important for distinguishing between academic freedom and freedom of speech.¹⁴ The academy not only permits certain kinds of speech, but also distinguishes the speech it protects on campuses from speech more generally protected under First Amendment principles. In her work in social history, Scott considers discursive venues for enacting social change; in her own political work, she defends precisely those safeguards that allow for the academic pursuit of radical inquiry against reactionary efforts at censorship. Interestingly enough, the kind of academic freedom that Scott defends has everything to do with the notion of the kind of work that academics do. Part of that

work is not only speaking, but critical speaking, the kind that calls into question political and epistemological paradigms, even if this disturbs the sensibilities of those who would sanctify them. The point is not that academics have the right or prerogative to pursue their ideas as they wish, as if academic freedom were a personal right of expression, but that the academy is a privileged and protected site for critical practice. As the Chair of Committee A, the committee charged with overseeing academic freedom at the AAUP, Scott made plain the implications of this notion of critical practice for policy.¹⁵ She insisted, for instance, that academic work requires “the free and open exchange of opposing ideas,” a norm that disputes a single notion of truth at the same time that it disputes specious requirements for balancing political viewpoints. Scott openly opposed the Horowitz Academic Bill of Rights before the state assembly in Pennsylvania. There as elsewhere, she defended a certain idea of conflict, unresolved and irresolvable, at the core of academic work. Note how her view of academic inquiry reanimates the critical potential of paradox and the refusal of easy resolution and reconciliation: “Conflicts of values and ethics, as well as of interpretation, are part of the process of knowledge production; they inform it, drive it, trouble it.”¹⁶ One might hear something of the residual Marxist in the idea that conflict drives knowledge, but consider carefully the obligation she articulates to protect institutional conditions of academic inquiry. Scott states: “It seems to me that scholars and teachers have a responsibility not only to produce and transmit knowledge, but also to protect the institutions within which the free and open production of knowledge takes place. My academic activism is devoted to that end.”¹⁷ Is it possible to say that from the beginning of her work through the present she has been concerned with protecting the conditions of work, and still is? In her writing on academic freedom, speech is considered part of academic work, and the rights of academic freedom pertain to providing safeguards for protecting the institutional conditions for that work. In some ways this follows from her considerations of historical and contemporary French feminists, in which she situated public speech as part of political struggle—one that had to redefine not only who can speak, but what counts as politically meaningful speech. In all of these contexts, Scott is speaking out for speaking out, and making “speaking back” into part of what drives the struggle for creating something new and extending political claims for equality.

Finally, in this latter context, we can see an interesting and paradoxical relationship between liberalism and radicalism that informs Scott’s work, and that has consequences for us today as we try to think through vexed issues such as secularism and academic freedom. In her essay “Academic Freedom as an Ethical Practice,” Scott opens by telling the story of her father, a member

of the New York Teachers Union, who was fired from his job in 1953 as part of the effort to purge Communists and their sympathizers from the public schools.¹⁸ She explains that her father's rights to his views and to his position (both speech and workplace) were radically abrogated, and that she understood from that time on that the struggle to protect him and other such teachers was a struggle for academic freedom. Such liberal principles did not in any way conflict with her radicalism or, indeed, her father's, who was apparently fond of reading Jefferson to anyone who might care to listen. On the contrary, defending the rights of the left, including members of the Communist Party, to their views involved a strengthening of liberal principles, a consequence that might have proven contradictory for some people. After all, if liberal principles were strengthened through the defense of Communists, then does that give liberalism the edge over communism? Following from Scott's views, we misread this situation as contradictory only if we fail to grasp the process as paradox. There is no sustainable radicalism without its conditions, its protections, its institutional venues, and its recourse to rights. This doesn't make liberalism prior to Marxism, but it does establish a liberalism that must serve to protect those institutional venues in which substantive disagreements, such as those between liberalism and Marxism, can and must take place. There is no debate without a site of debate, and it is protection of that site to which academic freedom is dedicated, even if it means hosting the point of view that would trouble its own philosophical presuppositions.

At the end of Scott's tenure on Committee A at the AAUP, she found herself in an interestingly paradoxical position. She was one of the signatories on the AAUP statement opposing academic boycotts, a position that was prompted by the British Association of University Teachers' vote to support a call by Palestinian activists on an academic boycott of the state of Israel in 2005. Although Scott has publicly criticized Israeli politics, she found herself in a principled position against academic boycotts and the specific terms of the boycott in question. She did, however, agree to help coordinate a conference in which individuals with various views on the matter of the boycott might convene to openly air their differing viewpoints. As a result, she was then charged by various Zionist critics of condoning the boycott as a result of her willingness to coordinate a meeting with those whose views she did not share. What became clear in the course of a campaign against her was that her very willingness to include, acknowledge, listen to, consider, and debate the point of view she opposed was considered to be an illicit way of giving standing to the pro-boycott point of view. Some of those who argued, along with Scott, that the boycott defied principles of academic freedom could not follow Scott when, without backtracking on her earlier position, she maintained that

academic freedom also means safeguarding venues for an airing of conflicts over the meaning and implications of academic freedom itself. Such debates, in her view, are part of the process of knowledge production that academic freedom is meant to defend. It was, after all, this last argument that Scott, as a then representative of the AAUP, made against the specious Academic Bill of Rights, and no one at the AAUP objected to the voicing of that principle in that context.

When Scott sought to bring together those with divergent opinions on the academic boycott of Israel, and to do so in the name of academic freedom, was Scott's public speaking paradoxical? Or was she holding out for the kind of critical complexity that makes academic freedom worth fighting for? Could she occupy both positions at once? Is it that her position was irrational, or was it that she delivered too strong a challenge to the regime of rationality within which her liberal colleagues were willing to hear? Scott is surely one of those relentlessly innovative and embattled figures whose transformative acts are worthy of historical explanation. It is no wonder that Edward Said called her "an exemplary engaged public intellectual for our time." I'm reminded of a remark she made in 1989 in an interview for *Radical History Review* when asked, "What is your sense of the place of women's history in post-modern left history?" And she replied: "permanent revolution"—a good daughter, she! But then, Scott went on to make sure her interlocutor knew such a revolution was not interested in uncritical allegiances: "Feminism has been, at least for the last two-hundred years, in an embattled, critical position in relation to liberalism and socialism. There are a lot of worse situations to be in than embattled and critical."¹⁹

NOTES

1. Joan W. Scott, *The Glassworkers of Carmaux: French Craftsmen and Political Action in a Nineteenth-Century City* (Cambridge, Mass.: Harvard University Press, 1974); "Academic Freedom as an Ethical Practice," *Academe* 81 (July/August 1995): 44–48; "Joan Wallach Scott on Threats to Academic Freedom," interviewed in *Academe* 91 (Sept/Oct 2005): 39–41; "Middle East Studies Under Siege," *The Link* 39 (Jan–Mar 2006): 1–12; and "Knowledge, Power, and Academic Freedom," *Social Research: An International Quarterly* 76, no. 2, (Summer 2009): 451–480.

2. Louise A. Tilly and Joan W. Scott, eds., *Women, Work, and Family* (New York: Holt, Rinehart and Winston, 1978).

3. Joan W. Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge, Mass: Harvard University Press, 1996), 3–4.

4. See Charles Shepherdson, "The Role of Gender and the Imperative of Sex," in *Vital Signs: Nature, Culture, Psychoanalysis* (New York: Routledge, 2000), 85–114.

5. "The Sears Case" was first published as "Deconstructing Equality vs. Difference; or, the Uses of Post-Structuralist Theory for Feminism," *Feminist Studies* 14 (Spring 1988): 33–50. It appeared later as "The Sears Case" in *Gender and the Politics of History* (New York: Columbia University Press, 1988), 167–177.

6. Joan W. Scott, *The Politics of the Veil* (Princeton, N.J.: Princeton University Press, 2007).

7. See Scott, *Gender and the Politics of History* part 2: Gender and Class, chapter 4, "Women in *The Making of the English Working Class*," 68–92, and part 3: Gender in History, chapter 5, "Work Identities for Men and Women: The Politics of Work and Family in the Parisian Garment Trades in 1848," 93–166.

8. Scott, *Gender and the Politics of History*, 176.

9. Ibid.

10. Judith Butler, *Gender Trouble* (New York: Routledge, 1990).

11. See Judith Butler, Éric Fassin, and Joan W. Scott, "Pour ne pas en finir avec le 'genre' . . . Table ronde," *Sociétés et Représentations* 2, 24 (2007): 285–306.

12. See Elaine Abelson, David Abraham, and Marjorie Murphy, "Interview with Joan Scott," *Radical History Review* 45 (Fall, 1989): 41–59; and Joan W. Scott, "Finding Critical History," in *Becoming Historians*, ed. James M. Banner, Jr., and John R. Gillis (Chicago: University of Chicago Press, 2009), 26–53.

13. Joan W. Scott, "The New University: Beyond Political Correctness," *Boston Review*, (March/April 1992); "The Rhetoric of Crisis in Higher Education," in *Higher Education Under Fire: Politics, Economics, and the Crisis of the Humanities*, ed. Michael Bérubé and Cary Nelson (New York: Routledge, 1995); "Les 'guerres académiques' aux États-Unis" [Academic wars in the United States], in *L'Université en question: Marché des savoirs, nouvelle agora, tour d'ivoire?* [The question of the university: Marketing knowledge, new agora, ivory tower?], ed. Julie Allard, Guy Haarscher, and Maria Puig de la Bellacasa (Brussels: Editions Labor, 2001).

14. On this point, see Matthew W. Finkin and Robert C. Post, *For the Common Good: Principles of American Academic Freedom* (New Haven, Conn.: Yale University Press, 2009).

15. Scott served on the committee of the American Association of University Professors Committee on Academic Freedom and Tenure between 1993 and 2005, and served as chair from 1999–2005.

16. Scott, "Threats to Academic Freedom," also available online at <http://www.aaup.org/AAUP/pubsres/academe/2005/SO/Feat/scot.htm> (accessed May 23, 2010).

17. Ibid.

18. Scott, "Academic Freedom," 44–48.

19. "Interview with Joan Scott," 57.