WOMEN AND POLITICAL OBLIGATION

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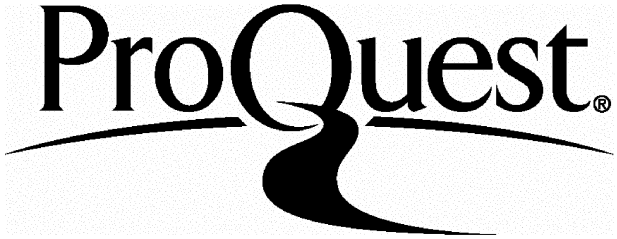

ABSTRACT

The project is to examine the problem of political obligation, as commonly expressed in political theory, from a feminist perspective. The contention I am concerned with is that social contract theories, as accounts of political authority, are structurally gender biased, towards the masculine. By critically analysing early social contract theories, and the contemporary theorising that has emerged in their wake using contractual notions, I aim to reveal the structural gender bias, and to rethink the focus of the problem of political obligation in the light of this. Using gender psychology and feminist standpoint theory, as well as the influence of postmodernism, I critically examine the "individualist" assumptions of voluntary notions of consent, exposing the particularity of social contract theory and revealing the way it functions to maintain and reproduce patriarchal social relations. Finally, I participate in a feminist project to build new theory, based on feminist assumptions and always wary of totalising fictions, as a contribution to feminism's emancipatory aims.

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INTRODUCTION

My position is that political philosophy needs a feminist perspective. The historical mass of political philosophical writing has been largely dominated by the male voice; it has only been very recently that feminist analysis has made it possible for us to see the distortions and inequalities this has led to. I want to look closely at the areas where such a bias occurs in political philosophy, and question how it might be corrected. In this thesis I am mainly concerned with uncovering gender-bias in political philosophy, in particular examining social contract theories which feminist analysis can show have been constructed based on masculinist assumptions.

Morwenna Griffiths (1988) has said that feminist ideas are interrelated with philosophical ideas, but that most feminist writing would not be recognised as 'philosophy', as much of it is "personal, polemical, poetical or allusive" (pp1). However, part of the practice of feminism is concerned with the philosophical activities of "redrawing concepts, reclaiming language, redefining what counts as significant or important" (Griffiths 1988, pp1). This all has a very direct impact on central philosophical issues, not just in political philosophy, but also in ethics, ontology, epistemology and the philosophy of mind.

Anglo-American philosophy has been shown by feminist work to consist of a male-dominated and male-biased content and practice, generally speaking, although of course philosophers do not all speak with a single voice - the point is that philosophy itself has been conceptualised in a certain way, that is as 'analytic'. Griffiths reminds us that from about 1955 to 1975, analytic philosophy was the main method used in the West in the form of 'conceptual analysis' or 'linguistic philosophy' in which it was axiomatic that any 'empirical' question was not philosophical. Philosophy was held to be a 'second order subject' concerned only with reason, logic, and the clarification of thought. It could be of use to 'first order', empirically based subjects, but it could learn nothing from them. Clearly then, any questions about sex or gender are necessarily non-philosophical, if philosophy is taken to be conceptual analysis in this narrow sense. Conceptual analysis cannot treat gender as a theoretical or methodological category, and so it cannot examine its own discourse for masculine bias. Unless the category of gender is explicitly seen as of methodological importance, the questions cannot even be raised.

Recently, the analytic tradition in philosophy has begun to recognise that the concepts people use are related to the changing circumstances in which they live. But it is still relatively controversial to suggest the possibility of male and female 'voices' or 'points of view' in philosophy. In this thesis I am going to make use of feminist standpoint epistemology, which asserts that one's 'point of view', or standpoint, directly affects one's entire epistemological

framework. That is, one's standpoint structures one's epistemology in a particular way that reflects one's experience.

Whilst I accept that men's experiences and their ideas about masculinity have not remained exactly the same over history, class, race and culture, it is the case that the *symbolic* division of the world by gender is a *constant* way of describing human experience. It is true that the experience of women too will vary over time, place and circumstance, but differently from the experience of men. And where masculinity is associated with particular attributes, femininity will be associated with the opposite, and where women are oppressed, taken to be inferior.

I wish to examine a part of what I hold has long been masquerading as a gender-neutral conceptual framework in political philosophy, in order to reveal its masculinist gender-bias. This may help to explain the continuing oppression and exclusion of women from the political, despite certain contingent changes made to end this.

Feminist criticism has shown that Western political philosophy has been consistently masculine in orientation even while it has changed its methods. However, we cannot simply add on the 'other half of the story', that of the feminine. As Grimshaw (1984) says "Rather, what is needed is a critique of the polarisation of masculine and feminine qualities, and in particular a critique of the way in which such qualities may be interpreted or clustered" (pp38). So to suggest giving equal status to what is currently thought to be feminine or masculine is to ignore the way in which one is defined by the other. In our

culture, to give equal status is a contradiction in terms, so long as gender is an expression of power relations and the masculine continues to be the superior term.

What is needed is a critical methodology, in order to expose the biases and continue by reformulating concepts and practices in a more inclusive way. I believe this methodology to exist at this time in the form of feminist analysis, and I intend to utilise this methodology in the course of the following thesis, in order to uncover gender bias in the particular aspect of political theory traditionally known as social contract theory.

Specifically, my project in this thesis is to utilise feminist critical method in an attempt to provide an analysis of voluntarist theories of political obligation (most commonly referred to as consent theories or social contract theories). I will explore the feminist contention that the definition of the concept of political obligation as an exclusively voluntarist principle is especially problematic for the social group known as women. I will provide readings of early social contract theories that uncover their structural gender bias, and will explore whether the contemporary concept of political obligation, derived from the Enlightenment, still contains this bias.

Feminist critical method can provide a deep theoretical analysis of dominant theories, exposing their assumptions and the way these masquerade as truths. I will use such critical method here to reveal the assumptions of social contract theory, which forms an integral part of

the dominant Western political discourse of liberalism.

Social contract theories traditionally are accounts, using contractual notions, of *political authority*. They presume certain individualist assumptions, leading to particular notions of how social life should be organised.

The contention I am concerned with is that social contract theories are structurally gender-biased, and that when they are applied to social life create social relations in which the masculine is overvalued, while the feminine is devalued, leading to male domination. The assumption of individualism is one place where masculinist gender bias is located. In the course of this work I shall unpick the dominant usage of the concept of political obligation to reveal the individualist assumptions upon which it rests, and the gender inequality this creates in social and political life.

I hold that social contract theories have been produced within a context of patriarchy (i.e.the domination of women by men), and that they uphold, reinforce and reproduce patriarchy. They organise social life in such a way as to ensure the creation of personalities (gendered personalities) who in turn reproduce patriarchy. I have looked at gender psychology and feminist standpoint theory in this work in order to explore how far the liberal construction of social life participates in reproducing patriarchal social relations, and to examine the possibilities for redressing the imbalance of power by utilising a feminist perspective.

I am mainly concerned in these pages with the critique of social contract theory and its use of the concept of political obligation. However, I have also included a chapter concerned with revising the concept and revisioning the theory. I leave a more detailed explanation for doing this in the chapter itself; suffice it to say, here, that I hold that the process of deconstructing dominant theories can lead to laying a new conceptual foundation on which to build new substantive theories.

The project, then, is to critique social contract theories, and their definition of political obligation, in order to reveal a masculinist gender bias in the structure of the theories. And then it is to consider whether a feminist theory of the political can be constructed, using a feminist definition of obligation - and whether this would constitute a progressive theory, leading to the possiblity of the creation of a social order that allows for the fair and equal treatment of all persons, regardless of their sex or gender, or indeed other differences, while at the same time not denying the existence of differences.

CHAPTER ONE

The problem of political obligation concerns the conditions under which citizens are morally required to obey the authority of the state. i.e. the problem can be stated as how can we justify citizens' obligations to obey the authority of the state?

Contemporary liberal-democratic theorists often answer this question by referring to voluntarism, which says that obligations are self-assumed by individuals. They are moral commitments that are freely entered into, and freely taken on by the actions of the individuals. These obligations exist in addition to duties, which may be requirements that exist naturally (that is, independently of any will or choice), but anyhow are not explicitly chosen by the person who has the duty. The paradigm for obligations on the liberal model is the promise and contract, and its political counterpart is the social contract.

Political obligations exist only because the citizens of a state *consent* to the authority of the government, according to voluntarist obligation theory (also known as consent theory). After divine right and patriarchal theories of obedience and legitimacy were rejected in the Seventeenth and Eighteenth centuries, the new theories that evolved placed emphasis on individual choice as a necessary and/or sufficient condition for legitimacy. Consent theorists created a new concept of political legitimacy which was based on a view of human beings as able

to exercise choice and possessing an independent will of their own. They were no longer naturally subject to the will of their governors, as had been the tradition previously. The starting point for these ideas was a specific conception of individuals as 'naturally' free and equal, and so it follows that the only justification for authority over them must be that they consented to it. Consent theory argues that relationships of authority and obligation *must* be grounded in the voluntary acts of individuals to be legitimate.

However, consent theories have been criticised over the past three centuries, for differing reasons, ranging from Bentham calling the Social Contract a "chimera" (in The Collected Works, Ch.1, pp439), to A. John Simmons (1979) saying that political obligations do not exist, cannot exist, and that the whole concept of political obligation is confused and should be rejected. Hume (see Hume's Moral and Political Philosophy, 1948 edition) rejected social contract theory because he said it does not describe actual political societies, as well as being full of inconsistencies. More recently, Carol Pateman (1979) has criticised the Lockean and Hobbesian views of consent and political obligation in some depth, while John Rawls (1971) has argued for a different conceptualisation of obligations altogether, one where political obligations are irrelevant since the justice of a society is enough to generate a natural duty of obedience.

There are, it seems, problems with making consent the focus of political obligation. Everyone appears to agree that consent theory is implausible (mainly because of the universalism/voluntarism dilemma, i.e. no one can

show that individuals would both universally and voluntarily consent to authority in any state) - however, how are we to then account for the continued discussion of consent theory when trying to solve the problem of political obligation? Why, after the general rejection, particularly of the principles of consent theory, do theorists try so hard to keep the concept of voluntaristic obligation, even of consent?

It is Nancy Hirschmann's contention in "Rethinking Obligation", (1992), that political theory has not made further progress on the problem of political obligation because consent theory has been designed to mask certain *assumptions* that are central to it, resulting in the problems it presents being self-perpetuating.

To assess this view we must ask: what is it about consent theory that contributes to rather than resolves the problem? And what other way is there of approaching the questions of political obligation that would be less problematic, would be less likely to lead us back to consent? I will attempt to explore the possible answers to these questions in the course of this thesis.

According to Hirschmann it is not consent per se that needs to be questioned, but the *assumptions* motivating the consent theory of political obligation. What are those assumptions? The most central is the thesis of *abstract individualism.* The crux of this is to model individuals in abstraction from their social circumstances, and Hirschmann argues that this ignores the reality that social relationships do in fact influence, shape and make possible the human capacity for autonomy, which clearly is a

pre-requisite for a genuine contract of any sort. The 'individual' in consent theory is disembodied, and as such can be presented as universal. Theorists have tended to ignore the complex dynamics of human development and social relations in their readiness to assert man's independence from the rule of monarchs, and the concept of the abstract individual obviously helps with this aim.

However, these theorists also recognised that to ignore these things completely was impossible, because it is in fact desirable to have certain relationships in order to fulfil each individual's interests. Attempting to remain consistent with the doctrine of abstract individualism, the theorists added consent on the part of each individual in order to legitimise their relationship of obedience to the state which was seen as the primary arena of the 'social'. In fact we can see that the *desirability* of such relationships was considered by the theorists to be a *necessity*. Their view seemed to be that although government ostensibly is created by, depends on, and derives legitimacy from human choice, in fact humans have no choice at all: government must exist. What occurs beneath the notion of voluntary consent is coercion by the government. The theories try to insist on the priority of *freedom* over *authority* - but in fact the need for authority takes precedence over freedom. As a result, almost all the voluntarist theories of obligation do what Rousseau is so well known for (albeit in a slightly different context) - force citizens to be 'free'. It seems that the assumptions of the abstract individual and the necessity of authority may well be where consent theory contributes to the perpetuation of the problem of political obligation. I intend to

examine the possibility of characterising both the individual and government in a different way, with the intention of exploring an alternative understanding of political obligation and the problem traditionally associated with it.

At this point, I would like to point out that the main criticisms that have been levelled at consent theory,

(i.e. -

1. The non-voluntary aspects of tacit consent;

2. That there is no real input and choice in supposedly participatory acts such as voting;

3. That coercive restrictions on political choice exist by virtue of political and economic disempowerment),

are at least *twice as severe* in the light of *women's* relation to obligation, consent and citizenship.

Women are not, in fact, free to consent in the way required by consent theory - they are prescribed a set of roles deemed fitting to their gender which precludes their autonomy as freely choosing citizens- and this highlights women's oppression and exclusion from the political. The premise is that all men are born free and equal, and so there are no natural relations of superiority and subordination between them. Therefore, the only justification for government is that men signify their consent to it - but women are said to be subordinate to men 'by nature'. Their consent in the political sphere is not required. Their nonconsensual contributions in the domestic realm are.

The cultural biases against women in contemporary western society have recently been widely discussed in feminist circles, with the contingent sexism in the laws surrounding the issues of rape, marriage, and abortion, as well as the domestic practices of mother-only child rearing and female-only housework, and the public issues of citizenship and human rights, provoking analysis and activity. It seems that masculine-dominated (patriarchal) political and social relations have not been seen by mainstream political philosophy to require justification. They have not been scrutinised for legitimacy, for they have been cast as 'natural' relations. Women have not been constructed as citizens in the same way as men, and as such are not free to consent in the same way that men are, and this has remained an unquestioned assumption in political discourse, until the contribution of feminist inquiry.(N.B. I include under the heading 'feminist inquiry' the work of John Stuart Mill, whose writings in the nineteenth century attempted to apply the liberal principles of freedom and equality to women as well as men. His ommission to consider the injustice of the institution of the family, and the limitations of this for his work, are well documented in Susan Moller Okin's Women in Western Political Thought, reprinted 1992).

Of course the consent tradition represents an important historical move in its initial rejection of authority based on patriarchalism and divine right, and consent theorists did emphasise some previously obscured human qualities - the notion of the will, voluntary action, self-rule, choice, self-creation. But the problems with it are large. The contention I am concerned with here is that they are resultant of a particular *epistemological*

framework, a particular way of conceiving, defining and representing the 'individual' and indeed the world.

Hirschmann argues that the dominant vision of humans and of the political concepts that define our lives is flawed, and, at least in part, a product of gender bias. She puts it to us that political theory has been written mostly by men, and "citizens" have always actually been male until the present century, so political theory mainly represents a male viewpoint, male interests, and male concerns. In response it may be said that justice is a gender neutral concept, and that the problem of political obligation exists despite gender relations, but according to Hirschmann this is to fail to look deeply enough. Most of the other critics of consent theory that I have cited have not appealed to feminist critique, and it does appear that social contract theory, at least in its classical form, would fail to justify political obligation even if all its individuals were men. But this is to ignore the fact that social contract theory is constructed around the assumption of abstract individualism, an assumption that I will show is *masculinist*. (That is, it arises from a masculine perspective - later in this work I will look to gender psychology in order to examine the way such a perspective arises, and how, in a context of patriarchy, the definitions it creates to describe the world have taken precedence over other perspectives, and contributed to the maintenance of patriarchy).

Hirschmann claims that there are contradictions and inconsistencies within consent theory, and that these arise from an epistemological masculine gender bias. Her view is

that there are two dimensions to this bias; first that social contract theory is sexist(in favour of males), and second that it is not merely *contingently* sexist, but *structurally* sexist also.

I am going to look closely at Hirschmann's suggestions here, and consider their validity in a critical manner. However, I will admit quite freely that my intuition is that her views should be taken very seriously indeed. This thesis is, in some ways, a sympathetic presentation of Hirschmann's views, which have (along with those of a number of other feminist theorists some of whom I mention directly in these pages) greatly inspired the development of my own work on the problem of political obligation. I will draw together some threads in current feminist theory, in order to present a clear argument to support the notion that social contract theory and its focus on voluntarism is structurally gender-biased and that it leads to a definition of political obligation that is problematic for us all.

There is an important distinction between contingent and structural sexism that I would like to outline here:

(a) *Contingent* sexism allows cultural biases against women to deny them opportunities for consent, perverting consent theory as a result. Assuming that social contract theory is only contingently sexist goes hand in hand with believing that a fully consistent consent theory would allow women full opportunities to choose their political obligations.

(b) *Structural* sexism is located in the very structure of social contract theory, which is itself reflective of a masculinist perspective, and automatically excludes women from political obligation on a conceptual level.

Hirschmann's claim is that the structure of the concept of political obligation is masculinist in that it is defined solely in voluntarist terms. The claim that a voluntarist theory of political obligation is masculinist may seem surprising, but by declaring that all political obligations, to be obligations, must be taken on voluntarily, consent theory ignores or denies what women's experience actually reveals - that obligations do in fact exist that are not chosen, but stem from the history of human relationships. A fully consistent consent theory would have to include, perhaps paradoxically, the recognition that not all obligations are self-assumed.

In ignoring this point, Hirschmann says we need to question whether:

1. existing political theory, created predominantly by males, reflects specifically masculine experience;

2. it therefore reflects specifically masculine orientations towards reality, ontology, epistemology;

3. the problems are specific to the historical experience of men, including especially the experience of and the concern to perpetuate sexual and gender domination.

Hirschmann emphasises that these questions should not be confused with the claim that all

notions of choice, individuality, freedom and consent are somehow masculine or male-derived. It is more complex and subtle than that. What she is saying is that a masculinist framework underwrites modern understandings and definitions of these notions. *Masculinism* refers to ideas and theories that take masculine experience as the given generic experience, and indeed overvalue men's experience at the expense of women's experience.

On Hirschmann's view (and that of other feminists, myself included) men and women, masculine and feminine are socially constructed concepts (and thus should be distinguished from the perhaps coextensive biological concepts 'female' and 'male'). Neither sex are 'naturally' or 'essentially' any particular way. However it can be noted that in every culture there are social continuities and similarities among people labelled 'women' and 'men'. Importantly, men have historically dominated women, and have had more control over how they construct both themselves and women. So it is not just that there are institutions which socially and politically privilege men over women, but also the structure of meaning and reality, categories of knowledge, is pervaded by the socially constructed masculine epistemology. It is imposed upon women; and it preserves male privilege, and the social practices that enable men to continue to consider their own experience to be <u>the</u> human experience.

Clearly these remarks require more detailed examination (which will be undertaken, in part, in later chapters), but the immediate consequence for the case of consent theory, according to Hirschmann, is that the gender of those who created the discourse has meant we have not

considered other ways of defining obligation. If the centrality of consent to obligation stems from "man's nature", then what about woman? Where does she fit into things? Women are human beings and therefore entitled to freedom and equality under liberalist ideals. But they are often said to have "by nature" an incapacity to act in public life. This means they cannot consent and therefore what happens is their consent is taken for granted or given by men who supposedly speak for them. But without any chance to make choices, to consent for themselves, how can women be said to have political obligations at all under the dominant voluntarist formulation of political obligation? While women are seen as "naturally" more suited to certain tasks, for example caring for children, they are excluded from practising free choice in the public arena, the place in society where political activity is said to occur. The dominant epistemological structure is designed to devalue their responses and prevent their full participation in public life.

It is important to note that the definition of obligation as always and only consensual ignores or denies the realm of private sphere domestic activity which has historically defined women's obligations. Such a conceptualisation does not explain many aspects of social relations and bonds that women's experience in particular reveals. Women's experience suggests that the voluntarist definition of political obligation needs to be widened to include some nonconsensual aspects of life, if it is to accurately reflect human social relations.

As an example of women's nonconsensual obligations, Hirschmann points out that women have

historically had little to say about whether and when to have children, yet have always been considered to be obliged to care for them. Is such an obligation invalid without consent? If so, does a woman have a right to abandon a baby whose gestation and care she does not consent to? Certainly not legally. Women, of course, have themselves actually recognised the obligation to care, for a variety of reasons - from socialisation to conscious choice. But recognising an obligation is not the same as consenting to it.

Perhaps the concept of *duty* will help here, that is, perhaps women's nonconsensual bonds are actually moral duties, analogous to the unchosen duties of emergency aid many people believe we have to eachother. Although plausible, this suggestion reinscribes the sexism of consent theory, for "duty" as a concept has a gendered history itself, with its use being split between the public and the private worlds of human life. That is, women have been said to have "natural duties" in the private sphere,(specifically in the home and family) and men have "freely chosen obligations" in the public sphere. This has partly resulted from and partly contributed to the differences between the sexes in personal freedoms and powers, and what choices they can make.

The fit, then, between women's experiences and consent theory is problematic. Why has political obligation been defined as it has? Consent theory does not recognise women's historically nonconsensual bonds as obligations, because its epistemological framework precludes it, according to Hirschmann.

Hirschmann contends that the epistemology underlying consent theory is structurally sexist, but also that consent theory displays a masculinist psychic dependence on women's political powerlessness and private sequestration. This dependence, she says, gives rise to a political ideology that requires the separation of *public* and *private*, and also creates an entire epistemology that supports this ideology as well as definitions of female and male, private and public. It is impossible in this epistemology to call a nonconsensual relationship an obligation. A nonconsensual bond would seem to be a duty, instead. I will discuss exactly why Hirschmann asserts all this later, and the implications it presents.

The project here is to introduce the possibility of a feminist critique of consent theory, and it may help to point out that feminist theory does not maintain that men are the problem and women are the solution, but rather that the problem is patriarchy and we all share it. Feminism is a political position, but it is also a method, and it will be used here to explore the tensions between the public ideology of consent theory and the private practices of women, so that we can arrive at a clearer understanding of concepts such as political obligation, that accounts for the experiences of both men and women. Methodological feminism works to uncover the myths that dominant political theory has created to reveal the assumptions that lie beneath. But also it can, to my mind, build new theories and is positive, and not just critical.

The important thing here will be to contribute to the possible beginnings of a new understanding

of political obligation in the process of going deeper into the analysis of the old. The problem is that within dominant political theory's framework, feminist theory becomes pretty incomprehensible in the epistemology that it defines. Hirschmann suggests that it is necessary to develop a new conceptual language through the existing one, when the latter is the barrier to be overcome. This may appear extremely difficult, even hardly possible. (Those benefiting from the dominant set-up may not even see the need for attempting it.)

One approach would be to identify and value so-called feminine experience, and structure a theory using it. We can view the problem of political obligation in a new way and come up with some new answers to some old questions - but also, we can get to ask new questions that could not have been conceived of before.

We can question the supposed "universality" of the dominant conception of political obligation as voluntary by suggesting that the epistemology that casts it as such is created and influenced by material experience including the experience of being a certain gender within a particular culture.

However, one question begs answering at this point, and that is why should we turn to feminist theory in particular, when the theory being critiqued may also be shown to be classist, racist, ethnocentric and imperialist? Why not turn to Marxist theory, socialism, postmodernism, or some other thought that is critical of the dominant political theory that can embrace all of these different biases?

The feminist answer as I see it is that the purpose in the critique of voluntarist theories of obligation is not merely to criticise the dominant political theory in general, as that is not enough. There is a specifically **gendered** bias (masculinist) to consent theory, and it is this that must be addressed, since it is the central (but not the only) aspect of consent theory. The feminist approach does not preclude analysis by class, race or other category, but sees its focus as the central one. I see it as, indeed, a useful place to begin. For the purposes of this project, then, I am concerned with examining and revealing the gender bias of consent theory. As Anne Phillips has said, in Engendering Democracy, "In denying the pertinence of gender, previous...theorists have reinforced the position of the sex that is historically dominant" (1991, pp6).

I believe that gender is just one of the many interlocking socially organising principles that work together in specific ways to order social and political life. But I see it as important in this specific project to challenge the deceptive abstractions of classical and contemporary consent theory, in order to reveal that masculinity has defined the terms.

CHAPTER TWO

In this chapter, I am going to look at various social contract theories of the past, and more generally at contemporary consent theories, in order to determine the place of women within the work. The plan is to see whether there is any truth in Hirschmann's statement that apparently contingent sexism in certain contract theories actually signals a deeper, structural-theoretical dependence on women's exclusion from politics.

HOBBES:

I shall begin with the theory of Hobbes, as written in his "Leviathan". Hobbes clearly emphasises the necessity and sufficiency of consent for obligation, and, perhaps more obviously than any other social contract theorist, bases his theory on a notion of abstract individualism. He begins with an idea of men as free and equal, establishing their equality in bodily strength and mental capacity. His idea of freedom presents a classic statement of negative liberty. He says :

"By liberty, is understood, according to the proper significance of the word, the absence of external impediments: which impediments may oft take away part of man's power to do what he would."(Leviathan, pp189).

He has it that obligation can exist only by the exercise of will, saying :

"there being no obligation on any man which ariseth not from some act of his own; for all men equally are by nature free."(pp268).

For Hobbes, then, some form of consent is necessary for obligation. The Sovereign can derive authority only from the agreement of subjects to transfer the rights they have in nature (i.e. the right to acquire whatever they can by any available means), in exchange for the rights of civil society, which in turn derives from other members giving up the same rights.

However, consent, according to Hobbes' theory, is in many ways not voluntary in the way we usually understand the term. Forming the social contract to obey the Sovereign is the only way to end the state of war, for only the Sovereign can enforce the laws of nature and ensure that they rule over men's otherwise unbridled passions. Since the social contract is the only way to achieve security, men must consent. Or rather, men must have consented, since they seek to avoid a state of war, and as free and equal beings cannot be forced to do anything they do not wish to do. But this descriptive, justificatory account is backed up by a prescriptive account of logical necessity. That is, given that humans rationally wish to escape the state of war, and survive, and given that the Sovereign is the only means of achieving this goal, they have no choice but to consent. It would be irrational of them not to; the benefits of doing so far outweigh those of being absolutely free in the state of nature.

Such a theory goes very well with Hobbes' conception of people as isolated units with who do not naturally form social relations. In "De Cive"

Hobbes describes men as springing forth, separate, discrete and fully formed, with no natural relationships, and also no natural obligations. Obligation is prudential, instead: one obeys because one wishes to avoid punishment. Rationality enables humans to see they want to avoid punishment, so they consent to obey the Sovereign. So consent is all that is required on Hobbes view to justify political obligation. It is both necessary and sufficient.

Hobbes conceives of individuals in the state of nature as isolated units, saying that men must preserve their freedom in order to preserve the essence of their humanity. Relationships threaten that freedom, because there is no guarantee that the other person will not try to harm you. Alliances are suspect, and everyone must be on guard. Of course, sometimes alliances are rational, but they must end as soon as whatever common purpose caused them to exist has been achieved, given mutual distrust. Hobbes believes trust to be impossible among men unless the sword of the Leviathan hangs over them ready to punish anyone who breaks the social contract or violates a trust. Trust for Hobbes does not exist naturally.

What place does Hobbes give to women in all of this? In his description of the state of nature, women and men are equals. Yet, in his picture of civil society, women simply are not mentioned! Hobbes defines a family as :

"a man and his children; or of a man and his servants; or of a man and his children and his servants together; wherein the Father or Master is the Sovereign"(pp257).

There does not seem to be any clear reason for Hobbes to do this. Women would be just as subservient to the Sovereign as men.

Hirschmann offers a reason for Hobbes' behaviour by saying that in instituting the patriarchal family in civil society Hobbes eliminates the potential for conflict not just between individuals, but between classes of individuals, namely men and women. She points out that this contradicts Hobbes' theory of individualism by treating men and women as a class. The differentiation between groups of individuals based solely on sex is categorically discriminatory. This all points to the structural sexism of Hobbes' theory, i.e. his theory is structured around the basic assumption that men and women are "naturally" different, and should therefore be treated differently. He excludes women from his political framework, and denies the importance of their historical role as child bearers and child rearers. If we accept Hobbes notion of "natural woman" we are led to view women's exclusion from Hobbes' state as being because of their "natural powers" of reproduction. That is, just as "natural man" has his powers taken away by the creation of the social contract, so Hobbes has it that "natural woman" needs an extra restraint in the form of the patriarchal family in order to curb her powers. Women have more natural power than men, on this conception; the power to give life as well as the power to take it away. However, while men would readily consent to the sovereign, because of the benefits this would afford them, it is difficult to see why women would consent to the patriarchal family. Reproduction does not threaten women so they have no need to consent to this family.

Why is it women in particular who need this extra layer of authority, unless they are naturally more powerful? Hobbes structures his theory to reveal the logic of men's consenting to give up so much power to the Sovereign, but he does not provide a parallel argument of why women would want to give up even more power to their husbands. In fact, it does not make sense to say that Hobbesian women consent to the family in its patriarchal form. Hobbes has created "man" so as to require dominance over "woman", so he needs women to consent to the family. But he cannot show that they would, on his argument, do so. He simply omits a discussion about them at all.

The important thing to note, as Hirschmann says, is that Hobbes' theory cannot merely be amended to include women by re-interpreting "man" as "man and woman", because his conception of political society requires the exclusion and subordination of women. His theory casts men and women as two distinct classes, and is structurally dependent on the assumption that women are "naturally" unsuited to political activity, while men are "naturally" suited to it.

LOCKE:

In John Locke's "Two Treatises of Government", the description of the state of nature is a contrast to that in Hobbes' theory. Men are described as peaceful because they are rational, desiring only what they need, not as much as they can get, as they do in Hobbes. Yet, Locke does share some central assumptions with Hobbes concerning the meaning of freedom. Also, Locke seems to make consent even more essential to political obligation than Hobbes does.

Locke begins with a concept of freedom that is not as negative as Hobbes', but still fits Isaiah Berlin's formulation of negative liberty quite well(Berlin's formulation being that freedom consist in an absence of external constraints). Locke says:

"To understand political power right, and derive from it its Original, we must consider what State all men are naturally in, and that is a state of perfect Freedom to order their Actions, and dispose of their possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other man." (Locke, "Two Treatises of Government", pp309).

So for Locke, men are naturally free. He also says that the state men are naturally in is:

" A State also of Equality, wherein all the Power and Jurisdiction is reciprocal, no one having more than another." (Locke "Two Treatises of Government", pp 309).

He is here saying that each man has equal rights in the state of nature, which would mean that each man has an equal right to freedom. Since Locke's conception of freedom is negative, this would limit a man's freedom to enslave another; but on Locke's theory, humans are rationally not interested in violating any laws of nature, for the laws of nature are moral maxims representing man's essence, and as such do not curtail freedom so much as enhance man's true self. These laws are decreed by God, as the guidelines that must be followed to be human.

When individuals leave the state of nature and form a civil society, Locke depicts law as not so much a restriction on freedom as an enhancement of it. Also, he is clear that consent must be given to government for it to exercise legitimate authority. So, altogether, we might seem to have a somewhat 'positive' liberty here, a 'situated' freedom (i.e. a freedom defined by certain parameters, that enhance human abilities rather than limiting them). However, this is not really 'positive' liberty , because although people are afforded autonomy in choosing their actions, they are still bound by the limits of natural law. It is just that creating an environment for fulfilling their own rational desires is the purpose of natural law and should be the point of civil laws.

The most obvious of these civil laws are the laws of property. For Locke, the permission to acquire property, by undergoing certain procedures, is said to follow from the Law of Nature. Anyone who adds labour to the things in nature becomes the owner of those things. One purpose of civil government is to protect that property, and people consent to such a protective government. They give up their natural liberty in exchange for a more effective freedom, regulated by rules that are chosen by the participants to the social contract. The goal of the rules that protect property is to preserve the self and to treat individuals as entitled to their particular interests. This focus on individual interest and negative freedom allows Locke to reject the notion of divine right; individuals are not God's property, and an absolute monarch is not legitimate. Yet the idea of a 'situated' freedom allows Locke to preserve a concept of freedom as

negative within the context of a civil society; he manages to ensure autonomy and self-determination within the limits of government and law, thus neatly avoiding any problems about the tension between authority and freedom, which would seem to lie at the heart of the problem of political obligation.

However, if we look more closely we can see that Locke does not avoid difficulties altogether. In his attempt to allow individuals the freedom to create their own obligations whilst limiting this freedom with the notion of natural law, Locke can show that consent is necessary, but what about sufficiency? Is consent sufficient within the confines of natural law? The laws of nature are not consented to in the same way as civil laws, they come from God. But who is to judge what God says? How do humans know what God has prescribed? It is very unclear where exactly the law of nature ends and men's interpretation of it(which depends on their self-interest, of course), begins. Who is to judge whether a particular circumstance violates a law of nature, if not men themselves? Locke was keen to establish the individual's relationship to God, which would tie in with his struggle to resist the threat of absolute monarchy, but it seems strange that he should then want to bind the majority of the population to civil society by tacit consent. If men are to be free to be self-creating, and are able to see clearly what God's will would be, why is it necessary to tie them to obey the government using (a problematic) notion of tacit consent?

Locke resorts to the notion of tacit consent in order to bind those not expressly consenting, to civil society, thereby legitimising his notion of

the authority of the state, but he does not provide an adequate description of tacit consent as a binding force. This has been well discussed by contemporary theorists. (e.g. Carole Pateman, 1979, pp73, says that Locke's use of tacit consent is flawed since he appears to hold that people's everyday acts count as such consent, even if they do not know it - and this can hardly count as consent.)

These problems with Locke's theory show up the conflict between wanting men to be free while also wanting to bind them to a very specific form of government. Why does Locke have this conflict at all? Hirschmann suggests that the conflict stems from Locke's construct of the *state of nature*. His concept of a state of nature ontologically and epistemologically depends on a conception of humans as autonomous individuals who spring forth fully equipped with rationality, interests and passions, and the physical abilities to fulfil their desires. These individuals owe nothing to anybody for these abilities, least of all to a society that does not yet exist.

These premises and this construct can only produce a concept of the individual as isolated. Such isolated individuals can only form a community by an act of free will, and they will be led by their rationality to do so.

Obviously this conception of persons as abstractly individualistic does not go well with Locke's peaceful state of nature. How can he show that individuals would want to form a social

contract? If they are unconnected, and rationally self-interested, it would be unlikely that they would want to form a society by agreement. Locke's answer depends on his use of God and natural law. He needs to refer to these in order to show that the civil state is legitimate. Dunn (1980) has said that Locke's use of God is intrinsic to his theoretical framework - i.e. for Locke, natural rights come from God and so it makes no sense to speak as if they do not; modern theorists cannot use Locke's theory to develop notions of political obligation by consent, without using God. But it seems that Locke actually used God to help him out of a logical impasse between the notion of abstract individualism and the formation of the social contract from the state of nature (not simply from a belief in God). He needed to provide a reason why abstract individuals would form civil society, and so he based his theory on a patriarchal belief system with God as the father, whilst at the same time refuting the patriarchal monarchical system.

There are links between patriarchy and the use of the notion of abstract individualism, and this can be seen clearly if we look at the place of women in Locke's theory. For Locke, women do not consent directly, or even tacitly to the state; instead they consent intermediately by virtue of being wives and daughters. They consent through their husbands' or fathers' express or tacit consent. Locke has been seen as the kindest to women in comparison to his contemporaries, since he attempts to give women equal status within the family; but we need to remember that even so, the male in the family is always granted the political voice.Although he argues that natural differences between men, such as age or

talents, are irrelevant to their political equality, he holds the patriarchal view that natural differences between men and women entail the subjection of women to men. He holds that a wife's subordination to her husband has a " Foundation in nature".(Locke's "Second Treatise", pp47). Natural subordinates cannot be free and equal, so women are effectively excluded from the status of individuals, and thus from participating in the public world of consent. Patriarchy requires that women are not cast as individuals in the same way that men are.

Women only have political representation through their male relatives, who themselves might only give consent tacitly. On Locke's view, tacit consenters were less bound than express consenters, so it would seem to follow that women were even less obligated than unenfranchised males. (This would threaten not only the state, but also men's position in it, by threatening the family as well since women's non-obligated status would logically have to extend to their domestic obligations also!)

Locke suggests that men need to be freed from both the political and the domestic spheres, in order to grow more free, and enrich their humanity by pursuing their material interests in the economic world. So, he suggests they should have representatives both in government and in the home(the latter being women). But, further than this, there is another reason why Locke sees that women's exclusion is necessary, and that comes from the central place of property on his view. Protection of property is the main reason that the social contract is formed, and it is the primary task of the legislature. Its importance explains

why the institution of inheritance is so necessary; property is linked to political power, and is a qualification for voting and holding political office , so men pass on the political to other men through the institution of inheritance. Locke's denial of rights to women suggests that he accepted that women were inferior; he does not give them inheritance rights, and so the result is a patrilinear system of inheritance. Inheritance protects the masculine attempt to pass on power to other men. This reveals a contradiction in Locke's theory; he does not remove inequality at all. He simply accepts women' natural subordination to men, and their unsuitability for participation in the political sphere, thereby maintaining the machinery of patrilinear inheritance of property and power. He does not treat women as equal to men.

His sexism is not just contingently denying women participation in the political sphere; it goes further, to a structural requirement that they be thus denied. For him, property is the primary rationale for the state, and women's exclusion from owning property does not just run together with their exclusion from politics but actually founds it. Men's powerful position in society can be passed on through history, because of inheritance of property and political rights along the male line - and the exclusion of women from the political institutions of society maintains men's powerful status. The continued dominance of men in society rests on the exclusion of women from politics. Locke may have attempted to enhance the position of women as much as he could, but the fact remains that he structured his theory on the assumption of abstract individualism, a doctrine that I will attempt to

show is a masculinist construction, and the acceptance of the notion of women's natural inferiority. Locke himself, it must be pointed out, did not explicitly create the values and assumptions upon which his theory is founded. He was working within a particular political and cultural climate. That he discussed the rights of women as much as he did possibly reveals his personal conflict with the prevailing views.

Actually, it might seem strange, to some, that a critique of Locke's theory is included in discussions of sexism in political theory. He was, in fact, engaged in theorising in a way that was potentially empowering for women. There are places in the "Second Treatise" where Locke pays close consideration to the position of women, where he could have ignored them altogether, as most of his contemporaries did. For example, as Hirschmann points out, in "Of Conquest", Locke says that if a society, A, unjustly invades another society, B, and loses, then B has the right of 'conquest' over A in evey way, EXCEPT they are not entitled to all of A's property. They must leave enough for A's women and children to live on, since these people were not the attackers and therefore did not give tacit consent to the consequences of the attack. Locke need not have considered women's rights here - and he presumably did not do so from feminist motivations - but he did make a point where he need not have.In general, Locke seems unable to reconcile a wish to cast women as 'free and equal beings' with the Biblical notions of women's role prevalent at the time he was writing. Ultimately, he asserts that the man in any family must have the final say and express the family's political voice, for he is the " abler and stronger" (Locke, "Two Treatises of Government" pp358).

It is true that non-propertied males are also excluded from full citizenship, but they can get the vote if they work hard enough to obtain property. Women cannot do that. They are denied the opportunity completely, on Locke's theory, banished to their 'natural' position within the private domain of home and family.

The only way that consent theory has been able to operate throughout history is with the *public-private* dichotomy, i.e. a public realm totally separate from the private, within which all actions are conformable to the model of voluntary consent. All things that do not fit this framework, i.e. nonconsensual obligations, are consigned to the private realm; and, since that is defined as the realm of the politically inessential, consent theorists do not have to worry about, or even include, such activities or considerations when thinking about and defining political obligation.

The denial of non-consensual obligations and the structural division of the public and private are extremely interrelated. The nonconsensual obligations (e.g. family obligations), overlap from that which has been cast as private into other areas of life. But social contract theories have tried to deny this fact, by structuring their theories in such a way as to separate the public from the private, thereby excluding obligations that are not self-assumed from the political arena. Women were assigned to this private world of given obligations particularly in the domestic realm of home and family, and men were allowed to feel powerful, and in control of their lives in the public world, and masters in the private. Hidden beneath the liberal ideals of freedom and

equality we find a set of people who are quite patently treated as unequal to another set, and we find patriarchy not banished at all, just masked and vicariously justified. (The work of Jean Bethke Elshtain in Public Man, Private Woman, 1981, has helped clarify my thoughts here.)

Locke was working within a specific social and political structure that excluded women from power; his theory displays a gender-bias that is a problem for liberal theory as a whole, and for consent theories of obligation in particular.

ROUSSEAU:

Rousseau has been said to have provided a critique of consent theory, rejecting the Lockean liberal social contract and talking instead of the general will. He went further than consent as the basis for political obligation, rejecting the atomistic conception of humans found in Locke and Hobbes, and arguing that society is central to humanity. Rousseau's "The Social Contract" declares that man is "born free", but is "everywhere in chains" (pp 49), and the issue is to determine how this can be made to be a legitimate state of affairs; that is, how can the tension between authority and freedom be reconciled in society? Rousseau's concern is with showing that the state is legitimate. He is not in fact a consent theorist; he does not show that the state is legitimate because people consent to it, rather he shows that people consent because the state is legitimate. Consent and choice do appear in Rousseau's theory, but political virtue is the central concept. That is, that there are some values that are the right ones for a society, and these must be pursued over and above the

particular desires of the people, that being the politically virtuous thing to do.

Rousseau uses the notion of the general will as the factor that leads a society to this political virtue. Practically, the general will is defined through a majority decision; but not just any majority decision. The general will is "constant, unalterable and pure" (pp 150), existing independently of citizens as principles of political right that derive force from natural law. The general will is right. It is people's true will, whether they recognise it or not, and laws are the expression of that will. Citizen's must obey these laws, despite any conflicting particular wills they might have. This may seem to be a very extreme form of communitarianism, but, at the same time, Rousseau also appears to advocate an extreme individualism. Like Hobbes, Rousseau says that the state of nature is populated by totally unconnected beings. This unconnectedness establishes the need to base a legitimate political society on a contract, and because of the need for authority Rousseau attempts to bind people to the state through consent.

Rousseau's project was to reconcile his view of the primacy of political life with a notion of man as individualistic and free. This notion required a voluntary basis for political obligation to establish the legitimacy of any given political state. Rousseau did recognise men as social beings with relationships to others in society, which is a different way of understanding autonomy than Hobbes or Locke did; and he did not abstract individuals from community in the same way as the other theorists. But in trying to

realise the need for people to consent to the right things, he ends up forcing people to consent.

Rousseau does see the difficulty with this 'forcing'. However, he says that true freedom is difficult to obtain and preserve, but it is so valuable that it deserves to be sought. If we do not see the general will, we will lose our chance of freedom, for all other political forms produce slavery. So, Rousseau builds an egalitarian structure into his social contract to prevent particular wills from creating bad laws. People will not be interested in making a law that does injustice to others, as it will do injustice to themselves as well. This binds people together in reciprocal relationships. In thinking of the good to himself, Rousseau says, each citizen thinks of the good to others and to the society as a whole. The participatory process places people in positions in which their interests and well-being are bound up with those of others. The relations among those people involve a shared understanding of eachother's interests, mutual dependence on that understanding, and a recognition of the reciprocal nature of the political process in which all are involved.

Rousseau advocates equality and universal justice, so consent and contract can create obligations because they have the force of right behind them. He provides the Legislator as a device to ensure people do will the good. But the most interesting thing he talks about of relevance here is education. He says that education enables citizens to see the good so that they can and will do it. Only people of a certain kind can ever possibly achieve moral freedom through his social

contract, and these people must be educable. They must be taught how to perceive the good. Rousseau has very specific ideas about the education his citizens will require, and he discusses it in depth in his book "Emile".

In "Emile", Rousseau says that reason creates strength in men, providing firmness of resolve and clear sight to will the good. From strength, virtue can develop. Wickedness comes from weakness. So the virtuous man must be strong and independent of the will of others, able to follow reason to achieve the general will.

However, the education that produces 'good citizens' is sex specific and premised on the exclusion of women from political participation. Emile, the man in Rousseau's book who is taught to be a good citizen, has a wife, Sophie. She too must become virtuous; but what counts as virtuous for one sex does not for the other. For the man, virtuous means independence, autonomy and self-control; for the woman, it means dependence and servility. Sophie's main job is to help Emile control his passions to realise his true will. She helps him overcome the corruption ever present in the public sphere. She sees her obligations as wife and mother as virtuous, and fulfils them.

There are reasons why Rousseau makes woman the guardian of morality, and men the politically active ones. His notion that the two sexes are "separate but equal" hides an inequality that can be seen once those reasons are revealed.

Rousseau describes women as mainly sexual beings who are close to animals in their passions. He makes sex seem dangerous and violent, saying that women can enslave men with their sexual

nature, "her own violence is in her charms,"(pp358). Women could overpower men on this view, unless they are restrained. Men, on the other hand, have reason to govern their passions. Women's passions are only limited through shame, but this very shame stirs men's passions and causes them to become dependent on women. Rousseau says that women reject men's advances because of their shame, yet at the same time they attract them, and trap them.

Clearly Rousseau does not believe that women are inferior to men. In fact he sees them as in some way the superior ones, who must be contained so that men are not threatened. He denies women political power, for they would prevent men from achieving moral freedom if they were allowed to exert their power, because of their sexual passions. Rousseau says it is best for everyone if women are constrained; neither sex can achieve moral freedom if women's passions are unleashed. Women must therefore be controlled, kept in the private sphere, be a wife so that men can have sexual relations, but in a controlled way. Woman cannot participate in the public sphere, and must repress her sexual attraction, in order to be a good person.

The repression and oppression of women is thus essential to Rousseau's theory. His sexism is structural. He has constructed the virtuous citizen in such a way that a woman cannot hold equal power to a man. Through the type of education he advocates, Rousseau creates people who will consent to certain specific things, and his idea of political obligation is premised on women's exclusion from politics. The question of who counts as a citizen in Rousseau's supposed

egalitarian democracy is one that poses serious contradictions for his theory.

The structural sexism of social contract theory means that the problem of political obligation remains unsolved. The public-private split is a function of a specifically masculinist ontology, and it produces theories that reflect gender-biased values. Women's exclusion has become part of the very concept of politics, and political obligation in particular.

It is important to look at the historical theories in order to see how contemporary theory has grown from a tradition of women's exclusion. To achieve true sexual equality, we need to see where the structural sexism existed, and where it still does. Contemporary obligation theories have made improvements to contingent sexism. But their underlying structures remain inherently gender-biased.

Although modern theorists seem to reject the idea of the social contract, on closer inspection we can see that they maintain an emphasis on social contract theory's assumptions of natural freedom and equality. Consent thus becomes the only possible justification for political obligation, as the tension between freedom and authority arises again.

The theorists seem to claim an important role for choice, for voluntary consent to obey the laws of the state. Even the most radical theorists, however, slip obligation and authority into their theories. If these are really so necessary to human life, why do the theorists bother with the notion of choice at all?

I do not have the space to examine fully contemporary consent theory here. But I can draw attention to the fact that so much of it is still grappling with the problem of how to reconcile the liberal notions of freedom and equality with the kind of authority deemed necessary to achieve a stable society; and I can suggest that the inequality between the sexes that is still apparent in modern democracies can be shown to be directly related to the kind of masculinist framework that takes *freedom* as the starting point, the given, for creating theory. As long as theorists persist in describing the individual as fundamentally free, separate, and abstracted from social relations, theory and human development cannot progress, and women will remain in the subordinate position. Contemporary consent theorists appear to have maintained the gender-bias of the Enlightenment theories in their construction of the individual as an *abstract individual*. It has only been recently, from the work of feminism, that a notion that the individual may in fact be always and fundamentally connected in some way to all other individuals has entered the sphere of political theory. I will discuss this in more detail in a later chapter. The implications of such a notion are huge for political theory, and to my mind require deep examination.

Some contemporary theorists have tried to avoid the dilemmas of consent altogether, by making room for both individualism and authority. For example, John Rawls attempts this in his book A Theory of Justice(1971). He tries to reconcile individual and community with his principle of fairness. Under this principle, obligation turns on the fact that one accepts benefits within a

cooperative scheme, political society being such a scheme. He says: "The main idea is that when a number of persons engage in a mutually advantageous cooperative venture according to the rules, and thus restrict their liberty in ways necessary to yield advantages for all, those who have submitted to these restrictions have a right to a similar acquiesence on the part of those who have benefitted from their submission...All obligations arise in this way"(Rawls, 1971,pp112).

What he also says is that individuals cannot merely passively receive benefits but must *actively* accept them. So, he has it that individuals freely choose their obligations. This would seem to build in a notion of voluntarism. The receipt of benefits that is unavoidable but not freely chosen cannot create obligations, and those who do accept benefits are more tightly bound to the society than those who do not.

However, Rawls' adds that the scheme or society producing the benefits must be *just*.This complicates the issue. He has it that any society in which citizens can incur political obligation through accepting benefits must accord with the two principles of justice that he describes.This background condition of justice ensures that individuals do not become obligated to corrupt governments; and where benefits are not accepted but unavoidably received, the justice of the society would indicate a *natural duty* to obey. Why does Rawls distinguish between duty and obligation at all, if both require me to obey the government? The problem of political obligation becomes, for Rawls, irrelevant. In effect the justice of a society is enough to generate a natural duty of

obedience. Why, then, does he want to retain the notion of voluntarism, of free choice?

It appears that Rawls wishes to retain the Enlightenment notion of the individual as essentially free, and therefore able to make choices. Hirschmann's contention is that this conception of the individual reveals a masculinist perspective that denies women's history of relationship and effectively writes them out of full participation in the political realm. I intend to examine this contention within these pages. (Another relevant point here is that Rawls, in his well-known hypothetical device to show how the two principles of justice are chosen, claims that his parties in the 'original position' know none of the essential facts about themselves, and from this stance are able to choose the principles to form a just society. As disembodied individuals, it might seem that Rawls' parties are truly universal and would not be gender biased - yet the deep entrenchment of patriarchal assumptions are in evidence here in that Rawls takes his parties to be "heads of families" (pp 128, A Theory of Justice, 1971) - i.e. men! Traditionally, fathers have been the heads of families, and it is men who have been seen as 'naturally' capable of exercising the authority of the family head. Rawls does not appear to dispute this 'natural' family order. Carole Pateman (1989) has written much about Rawls' hidden masculinist agenda.)

Those contemporary theorists who have focussed on consent theory as an object of analysis have held onto the assumptions of *natural freedom* and *equality*. These assumptions mean that consent remains the justification for political

obligation. The problem of political obligation remains one of reconciling the tension between freedom and authority. That is to say that freedom remains the theoretical starting point, the given. In the early social contract theories, the idea of the state of nature was used to show the naturalness of human freedom - in contemporary political theory, the assumptions about human freedom are rarely defended, but taken as theoretical givens. The definition and identification of freedom is discussed, and also whether individuals are being denied their natural right to freedom - but not whether or not individuals are, in fact, in some way *naturally free* (in Berlin's sense of negative liberty).

Hirschmann points out that the theoretical importance of *authority* is still in evidence, too. She says that most theorists seem to assume that government is a necessity, and that this unspoken assumption stems from the unspoken assumption of the givenness of negative liberty. She says that what these underlying assumptions say is that " naturally unconnected individuals who are concerned primarily, if not solely, with narrow self-interest are innately incapable of coexisting without a government ", (Hirschmann, 1992).

These assumptions are seen by most theorists as not needing defence. It is Hirschmann's contention, as I understand her, that they do, and that in fact they are assumptions that have arisen from a specifically *masculinist* perspective. What can this mean?

CHAPTER THREE

The Argument from Psychology

Feminist psychology and psychoanalytic theory are particularly helpful in the work of analysing the structural sexism of consent theory for they reveal how gender and sexuality develop and are reproduced in the individual and thereby in society. They can help us to see what a *masculinist perspective* might be.

Hirschmann's view is that it is necessary to go deeper than the empirical level of psychology as a science here. This deeper level of interpretation is less empirical and more of a conceptual framework.

Psychology and psychoanalytic theory provide valuable insights into why certain so-called masculine characteristics dominate in Western cultures, the cultures within which consent and social contract theory were created and still exist.

Feminism suggests the use of gender psychology in order to shed some light on why our culture has embraced as a universal creature Locke and Hobbes' "natural man", whilst in effect excluding women from full participation in the political arena. Hirschmann says that in using gender psychology we do not seek to psychoanalyse particular theorists; we are highlighting the ways in which some aspects of political theory reflect the cultural-

psychological embodiment of masculinity. We can use gender psychology to understand the problem of meaning - not just what kind of meaning theorists intended, but also what kind of meaning readers have derived from it in carrying forward the social contract tradition into the modern world. Gender psychology provides a symbolic language that is a wider framework from which to understand these meanings. It is symbolic in that 'the collective unconscious' gains its most important expression at the cultural level, in the symbols and structures that a culture adopts. The suggestion is that social contract theory is one such cultural embodiment.

At the same time, however, Hirschmann's claim is not that the cultural practice of mother-only child rearing *caused* consent theory or liberalism, as that would be reductive and simplistic, but rather that it is part of and contributes to patriarchy in its various forms including the power structures of liberalism. To understand liberalism, we need to explore its various concrete forms, and mother-only child rearing is one of them. What is relevant here is the effect of *patriarchy* on consent theory and liberalism in general. Why did Enlightenment theorists respond to the tradition of divine right using consent, freedom and equality, and contract, defining all these concepts in the ways they did? And why did their theories gain such popularity and strength in discourses of political obligation?

Hirschmann's position can be supported by argument from Nancy Chodorow's work on object-relations theory (Chodorow, 1978). On Chodorow's interpretation, object-relations theory holds that men and boys experience different psycho-sexual

development, gender identification and self-identification, and consequent views of the world and their relation to it, than do women and girls, and that this is due to the almost universal fact that women have the main if not the only responsibility for the care of babies and young children, while men are usually absent from early child-rearing.

The central tenet of object-relations theory is that human beings are created in and through relations with other human beings. A feminist reading of it moves the focus from the Freudian oedipal period to the pre-oedipal period (birth to three years) as the period of primary personality formation.

Feminist theorists like Flax (1983), Chodorow (1978), and Dinnerstein (1987), point to object relations theory to show how what has been assumed to be an individual phenomenon (personality development) is actually a cultural and institutional one. They argue that the experience of being raised by a mother only creates gendered differences that perpetuate the patriarchal sexual division of labour by producing personalities that are inclined to replicate existing gender-based structures and perceptions of social relations. By the age of three, children have formed a sexual or gendered identity, and this is a cultural development not a natural one. That is, the fact that one has a penis or a vagina becomes significant as female or male insofar as those concepts exist in a particular relation to one another in a particular culture, language, and social conceptual framework.

A feminist reading of object-relations theory notes that the exclusivity of mother-child relations means that gender identity is formed in relation to the mother, that is:

(i) girls thus identify with her in recognising sameness;

(ii) boys identify 'against' her, in recognising a clear difference.

It is important to note here that the mother represents for the infant not just a particular gender which one either identifies with or differentiates from, but also the entire outside world. So :

(i) if a girl identifies with her mother and sees a definitional connection and continuity between herself and her mother, she also sees the world itself (as represented by mother) as continuous or connected with her. Her 'other', the not-me, the boundary of self, is very much connected to and part of the self. In a sense, her self is the other.

In contrast :

(ii) a boy, lacking gender-identification and self-identification with his mother, perceives a fundamental difference between himself and the outside world. For him, other is female, self is male, separate and distinct.

Now under ideal conditions the child (6 months - 2 years) undergoes a period of separation and individuation, where he/she

develops autonomy within the context of the secure care-taker relationship. The ideal resolution is

an acceptance of connection and separateness, a letting go of "the early bonds, without rejecting the other" (Flax, 1983, pp252). But, in mother-only child-rearing practices, this resolution is often not attainable.

The boy, in order to feel adequately masculine, must categorise himself as someone apart, to assert his separateness from his mother and establish a gendered, adult, secondary identity. In doing this, the boy defines his masculinity "negatively", as that which is not feminine.

The girl's gender identity is defined "positively" - it is framed by a concrete, affective association with her mother as she develops her own personal identification.

There are, however, severe difficulties for girls in this positive affirmation with mothers. Mothers are often ambivalent about daughters' move to the separation stage, for reasons I explain below, and may inhibit its smooth progress. The daughters emerge from such a period feeling confused, and tied to the mother's own psycho-sexual feelings in an ambivalent way. She finds it difficult to complete her separation from her caretaker, and feels less free than a boy to explore her secondary, adult identity.

Hence the process of identification for girls is relational, whereas for boys it tends to deny relationship and emphasise abstraction and fragmentation. N.B. the girls' situation is compounded by the fact of her father's absence at this crucial time in her development, his not being available for secondary identification. The process of developing a self-identity requires

feeling that one's self is valuable; but the girl must identify herself with what she is told she is in a patriarchal society, i.e. someone of relatively little value. The father is not available to her, so the daughter finds herself back with the very person from whom she was unable to differentiate in the first place, her mother.

While the boy turns to the absent father, the 'figure of social authority' who provides a basis for his own sense of social power, the girl cannot repress the female part of herself and totally reject the mother for it is precisely at this stage that she is coming to an awareness of her own femaleness.

Importantly, the mother treats her son and her daughter differently, which affects the differences in boys' and girls' relationality. As I mentioned earlier, a mother is often ambivalent about her daughter's move to the separation stage. This is because a mother unconsciously views her relationship with her daughter as a means to resolve preoedipal issues left over from her relationship with her own mother, issues left unresolved because her mother unconsciously used her for the same purpose. This results in confusing unconscious expectations for the daughter to 'mother' her mother. All this interferes with the daughter's ability to develop a separate sense of self. She fails to complete the separation process and is trapped in a continuous cycle of attempting to leave the mother and of being pulled back. Thus, she experiences herself as continually involved in issues of merging and separation.

All of this is made worse by a context of patriarchy. Hirschmann says that in order to see the strength of girls' experiences as selves drawing strength from connection, we would have to redefine the concept of self from that of the atomistic notion of masculine autonomy to reflect an idea of *self-in-relationship,* i.e. a self always connected to others through relationship.

Chodorow says "Girls emerge from this period with a basis for 'empathy' built into their primary definition of self in a way that boys do not" (Chodorow, 1978, pp166). Feminist theorists claim this may have an advantage over masculine experience. Boys lack the basis for empathy because their separation is so exaggerated, and so their understanding of love between two people becomes confused with the fear of loss of self. The resolution of this oedipal crisis is repression, specifically repression of the need for relationship. Since such relationship is seen by feminist theorists to be of central importance to human beings, such repression is seen as deeply problematic.

Dichotomous gender difference under patriarchy allows the boy to project all frustration from the early period of his life onto his mother, and then to split off this 'object', his mother, from himself. He then develops autonomy and deals with any ambivalence by projecting and by dominating. That is, he controls any fears and desires for regression by de-powering, devaluing and controlling the 'object'. The girl cannot repress the 'object' in this way, as she has recognised her own gender-identity and is thus dependent on a close psychic tie to her mother, the same gender. The whole cycle repeats itself over and over as

patriarchy contributes to the construction of gendered identities and social relationships that in their turn reproduce patriarchy. It is only recently, in the light of feminist analysis, that we have begun to see how things really are, and patriarchy is at last being slowly eroded.

The differences in masculine and feminine experience can be brought out more clearly by examining the two different conceptions of *autonomy* they come from. They are:

1. The masculine conception: the sense of self and autonomy are conceptualised 'reactively'. That is, as a reaction against the mother. This type of autonomy confuses autonomy with separation and independence from others. If autonomy is defined as "the psychological sense of being able to act under one's own volition instead of under external control" (Keller, 1985, pp97), and turns on individuality and the integrity of the self, then the 'reactive' conception of autonomy is self-defeating. It actually makes one vulnerable, always seeking to protect one's ego-boundaries, always trying to find a way to have a secure sense of self.

2. The feminine conception: the sense of self and autonomy are conceptualised as 'relational'. This operates from a notion that the self is conceived in terms of relationships with others; that is, that being autonomous entails recognising oneself as an individual self who is always connected to others through relationship. Many psychoanalysts and psychologists see this model of autonomy as preferable to the masculine conception because it is more accurate in its reflection of the reality of how we have come to be the individuals that we

are; that is, through intimate relations with particular persons.

Having looked at 'relational' and 'reactive' autonomy, then, it can be seen that object-relations theory (and particularly a feminist reading of it) provides a very different way of conceptualising the individual than that found in consent theory, i.e. abstract individualism. There, relationships need justification, and separation and individualism are taken as givens, as the most basic, most 'human' forms of life. Object-relations theory , on the other hand, emphasises that separateness, not connectedness, is what needs explaining, and that inter-subjectivity and the mutual recognition of the other and the self are fundamental to satisfactory human development.

So, by reconsidering the feminine, which has been devalued historically, we can begin to produce a conception of the self that is more complex than the reductive models of public man and private woman that are seen throughout a social contract conception of politics. This change in conceptions of selfhood brings along with it the possibility of new concepts of morality, value and even knowledge. It is here that the significance of object-relations theory for political obligation is to be found, for ontology (as the assumptions about existence underlying any conceptual scheme), can influence moral values and a moral perspective.

However, of course, we need to clarify how exactly morality can be said to arise from personality and experience. After all, this would seem to entail that morality could be different

for every person, in which case the argument from object-relations theory could be seen as a defence for moral relativism and subjectivism. The response to this would be to point out the difference between personality and personality development. The latter involves the structural and institutionalised dimensions of culture within which the former can take place. It is within these structures and institutions that gender-bias lies, and the resulting personalities fall into the two categories of masculine and feminine, with corresponding different assumptions about the nature of existence. These assumptions affect what moral outlook each category will have, and broadly speaking the claim of object-relations theory is that persons within each category will have similar resulting moralities to others within their category. It is not relativism that is being discussed here, but a dichotomy of moral perspective resulting from structural gender bias.

Within a psychoanalytic framework in particular, morality and the moral sense develop with the emergence of the superego; and superego is formed by the introjection of the 'admonishing parent'. In most societies, and across most of history, it has been the mother who has been involved in early child-rearing. Introjection of the mother will necessarily involve very different things for boys than for girls under patriarchy, with mother-only child-rearing. The superego in girls introjects a concept of sameness, while that in boys introjects a concept of difference; thus there will be a tendency for girls to value relation and connectedness, while boys will tend to value separation and rules.

Carol Gilligan, in her book "In a Different Voice: Women's Conception of Self and Morality" (1982), argues that much developmental psychology, and many accounts of the development of moral reasoning, see the ways in which males typically develop as 'more developed', and the ways in which women develop as deviant or deficient. Using research methods that involved interviewing children in depth and discussing with them the way in which they would try to resolve a moral dilemma, Gilligan shows how children develop the capacity to reason about moral problems. Kohlberg (1979), used a similar method for the same reason.

One of the interviews that Gilligan describes was with two children, both eleven years old; she called them Jake and Amy. Both children were presented with a problem that had been used by Kohlberg in his research. The problem is this : a man called Heinz has a wife who is dying, but he cannot afford the drug she needs to survive. Should he steal the drug in order to save his wife's life?

Jake says yes, Heinz should steal the drug. His answer comes from a resolution of the rules governing life and property. He describes the dilemma as "a sort of math problem with humans", which needs solving by a logical working out of the priorities that should be given to certain rules. Amy's answer seems unclear and confused in comparison. Asked if Heinz should steal the drug, she says:

"Well, I don't think so. I think there might be other ways besides stealing it, like if he could borrow the money, or make a loan or something, but he really shouldn't steal the drug

- but his wife shouldn't die either...if he stole the drug, he might save his wife then, but if he did, he might have to go to jail, and then his wife might get sicker again, and he couldn't get more of the drug, and it might not be good. So they should really just talk it out and find some other way to make the money " (pp.28)

Amy also suggests that Heinz should talk to the druggist - she suggests that if Heinz and the druggist talked it out long enough they could find some solution other than stealing.

Amy, Gilligan argues, sees the people in the dilemma "arrayed not as opponents in a contest of rights, but as members of a network of relationships on whose continuation they all depend" (pp30). Both children, she says, "recognise the need for agreement, but see it as mediated in different ways - he impersonally through systems of law and logic, she personally through communication in relationships" (pp29).

Gilligan also shows how the children responded to a question about the way to resolve conflicts between responsibility to others and responsibility to oneself. Jake answers that "you go about one-fourth to the others and three-fourths to yourself" (pp35). His answers show, Gilligan suggests, that he begins by taking for granted his responsibility for himself, but recognising that you have to 'live with others', he looks for rules that will limit interference and minimise hurt. Amy, on the other hand, begins by taking for granted what Gilligan calls a 'premise of connection' - that relationships involve responsibility and care for others - and she then considers the extent to which care or

responsibility for oneself can be fitted into this.

Gilligan argues that Kohlberg's account of the moral development of children would see Jake as being at a 'higher stage' than Amy, since moral maturity is equated mostly with the ability to use logic in solving moral dilemmas. But Amy sees things that Jake does not mention. She sees the problems that are created by any choice, the fracture of human relationships that may have led to a dilemma like that of Heinz, and how unhelpful any solution would be that is not going to provide an improvement in communication and understanding.

Gilligan's argument is that Kohlberg's theory does not go far enough. She says there is a need to "restore the missing text of women's development" (pp39), so that the point of view of both sexes is included. However, she does not appear to be saying merely that a woman's perspective should be added on. Her suggestions seem to be on a deeper level. She argues that women are often so oriented towards a conception of responsibility to others and the primacy of relationships with others in their lives, that they can have real problems in developing a conception of their own rights or needs, or of responsibilities towards themselves.

After conducting interviews with some young women considering having an abortion after an unwanted pregnancy, Gilligan shows how many of them found it hard to feel they could consider their own desires and interests at all. However men, she says, feel threatened by intimacy with others, and find it difficult to feel a sense of connection to others.

So the problem, as Gilligan sees it, is how to resolve the dilemma of keeping a sense of one's own identity and interests and needs while at the same time seeing these as necessarily embedded in relationships with others.

We can divide the two different modes of thinking described in Gilligan's work into the 'rights model', where issues are thought of primarily in terms of rules, general principles, individual rights and legality; and the 'care model', where the main considerations are relationships, responsibility, and the context of a particular moral dilemma.

Gilligan challenges the notion that the 'rights model' is the correct one, and that the 'care model' is somehow deficient. Rather than being unable to understand the concept of a rule, or being morally deficient because they do not see that rules guide morality, Gilligan says that in fact "Girls are more tolerant in their attitudes towards rules, more willing to make exceptions" (pp31), according to the human needs in a particular situation. Females tend to use caring as a standard for morality. The 'care model', in Gilligan's view is not at all regressive. It has integrity and consistency, and it reveals and makes room for a lot that is significant about our lives that the 'rights model' does not include.

The 'care model' of morality frames moral dilemmas differently from the 'rights model'. It takes the care of others as a main goal, and sees the priority of relationship. It locates the self in a network of relationships.

Most importantly, it is clear that the two models represent different models of growth and

development. The point is that they are just different - one is not superior to the other. From the perspective of the 'rights model', it itself would be the superior model. But from the point of view of the 'care model', one would have to listen and attend to all other perspectives.

Viewed as products of two different gender-related modes of development, these varying perspectives actually end up achieving some similarity in the attainment of moral maturity. They are, in a way, connected. Both are noticeable for their move away from over-simplification in moral judgement. But these moves differ. On the 'care model' the simple idea of care becomes complicated through the recognition of the need for personal integrity. On the 'rights model' the simple ideas of truth and fairness are called into question by experiences that demonstrate the existence of the differences between other and self - as growth is shown by considerations of care and relationship. (N.B. Such a reading of the 'rights model' is not possible from within the confines of that model, as it conceives of growth as culminating only in rationalism and rules. By looking at the two perspectives from the standpoint of care, we see their superficial dualism changed into an 'overlapping relatedness', just as by looking at them from the perspective of individual rights we produce an artificial dichotomy.)

How are we to use all of the above to deepen our understanding of political theory? We can begin by noting that the differences seen to exist between the two models of morality in some way reflect the reasons given as justifications for excluding women from public life. That is, that

women cannot follow the rigid discipline of logic. This is a historical view, which would seem to be getting popular again from the modern 'scientific' claims that women are in fact oriented towards an intuitive, non-rationalistic ideology and moral methodology (e.g. Kohlberg's study, 1979).

Historically, the voice of connection and relationship, care and feeling, has been associated with women. Also, since women have been said to be unable to use rational-deductive thinking, and this has been used to justify their exclusion from public decision-making processes, they have been relegated, because of their orientation towards relating, to being the caretakers of the private realm of social life, where values like connection and care have been allowed, even required.

To return to Gilligan for a moment, I would like to point out that her theory does not claim anything about 'all men' or 'all women'. She is just claiming that women more commonly have certain approaches to moral dilemmas than do men. It is not merely a question of the characteristics of individuals, but of the way norms of human behaviour are written into social institutions.

Various feminist writers have argued that while male norms have been personally damaging to both women and men, it is not just at the personal level that the damage has been done. The argument is that male conceptions of morality have spread into every part of human social life and institutions in a way that leads to a distorted and dangerous sense of human priorities. This is not to see women as ethically superior to men, but rather to say that female life and experience

creates the possibility for women more easily than for men to see the danger of ideologies.

Gilligan herself points out that her work is a 'theory of interpretation', and that the "different voice is characterised not by gender but theme. It's association with women is an empirical observation...but it is not an absolute" (pp 2).

Hirschmann says that the two modes of moral thinking described by Gilligan are more subtle than a simplistic gender correlation. Nona Lyons (1990), found that the two models correlated with divergent perceptions of self as either connected to or separated from others, and that although there was no strict correlation to gender, there was a relationship to it. That is, whereas men and women both combine the perspectives of care and justice, women tend to "rely more on considerations of care and response in defining and resolving moral problems and to describe themselves in the connected mode, while men relied more on considerations of justice and rights and tended to describe themselves as separate in relation to others" (Lyons,1990,pp 42).

It appears that gender difference does not mean knowing or understanding only one orientation, but rather choosing and/or preferring one over the other as the solution to moral dilemmas. I would like to emphasise this point about *choice* and *preference*, as I believe it to be of critical importance to the question of the importance of gender difference in political theory.

It is useful here to look at the distinction between 'separate' and 'connected' knowing, as

seen in "Women's ways of Knowing: the development of Self, Voice and Mind", edited by Mary Belenky et al.(1986). In this volume 'separate' knowing is linked to men, and 'connected' knowing is linked to women, but neither are seen as necessarily gender related. 'Separate' knowing operates from a premise of separation between the knower and the known; it incorporates a concept of knowledge that is rule-governed and objective. It shows a separation between knowing and feeling. 'Connected' knowing, on the other hand, involves an orientation towards relationship rather than rules, intersubjectivity rather than objectivity. It involves treating the known as a subject rather than as an object, and treating others on their own terms. It is not just a connection between the knower and other knowers, but between the knower and the known. In the process of this connection, intimate relations with other knowers and with their knowledge becomes a central enterprise of human social life. 'Connected' knowers are able to gain access to other people's knowledge using various procedures, the main one being empathy. Empathy is a characteristic more commonly attributed to women and girls by object-relations theory. It is described as 'feeling with' someone, and as merging the self with the other.

Hirschmann points out that 'connected' knowing establishes a link between emotion and epistemology. It suggests that reason and emotion are intimately related. Dichotomising them, and devaluing emotion, produces an exaggerated emphasis on a 'pure' objectivity, as well as the abstract universalisability of rights and justice characteristic of Modernist epistemologies and political theories.

It would seem that the notion of 'connected' knowing implies that there are not only different kinds of knowledge, but 'connected' and 'separate' ways of getting and going after knowledge and 'connected' and 'separate' ideas of what it might mean to know.

Gilligan claims that children know both stories of justice and of care, and they test these in a variety of ways for moral value. These tests come out of their social experience, which is culturally constructed for males and for females. By adolescence, a male child's experience is reinforced by cultural images of masculine dominance and a female child's experience is reinforced by culturally constructed messages of feminine dependence; and the seemingly hopeless nature of women gaining respect and status equal to men's may cause girls to focus their attention on attachment as a way of reducing the force of their feelings of inequality.

So, it can be said that although attachment and equality both have an important place in all children's conceptions of themselves and the world, equality becomes more of a concern for boys because of the meaning gained by way of the social construction of masculinity, and attachment becomes more important to girls by way of the social construction of femininity.

The concepts and language that come from psychology are extremely useful in providing a theoretical framework for political theory, in order for an *interpretation* of gender difference to be made. If object-relations theory and moral psychology are viewed as *theories of power*, things get clearer. We can see those in positions of

power as tending to express themselves in terms of rules, and the powerless tend to summon up considerations of care. Of course there are, and have been, men who have expressed the voice of care and connection; but it is interesting to note that such men are frequently also members of oppressed groups in society.

When referring to 'the boy', 'male', 'the girl', 'female', etcetera, it is helpful to view these terms as, partly, abstractions that idealise and represent *relationships of power*. They symbolise *power relations*.

Object-relations theory can, by identifying individual development as partly the product of created institutions (e.g. mother-only child-rearing), translate individual experience into cultural phenomena. This challenges many of the ideals of liberal theory, for it suggests that what happens in the 'private' relations of child-rearing influences how we maintain and define 'public'. It goes on to remind us that individuals are complex personalities and are the products of a variety of factors, including, above all, relationships with others.

Gender psychology can be seen as a device that helps to uncover the structural sexism and the resulting epistemological bias of Western thought. However it must not be used in a way that translates these things too simplistically. Whilst it is true that historically women have given expression to the voice of care - the activities to which they have been assigned in the 'private' sphere have required them to develop such a voice - the theory does not depend upon women and only women to express that voice. The loose gender

relationship of women with the voice of care comes from *history*, *experience* and *socialisation* as well as from psychology. Because of the historical relation of this voice with women, the suggestion of feminist theory is that we can listen to women in order to understand the themes of that voice; themes like care, response and connection. Gilligan's empirical observations would seem to provide a way in to understanding the voice of care.

The word 'feminist' not only recognises the origin of the voice of care in women's experience, but takes on the job of transforming this devalued and ignored conception of reality into a conception which is powerful and valued. The 'feminist' stance is that of integrating the voice of care with the dominant 'rights' conception that is so large a part of our public life and our dominant epistemology.

Hirschmann points out that the existence of different referential frameworks means that the paths of development diverge, and produce separate modes of thought, a difference in the understanding and use of language, and separate experiences of reality. Indeed, she goes so far as to say that the result is two entirely different ontologies and epistemologies. However, she then adds that the two models are not as dichotomous as they appear, since between absolute rigidity and isolation at one extreme, and absolute identification and connection at the other lies a variety of positions that embody a combination of values. However, one or other perspective forms a *context* through which moral decisions are made.

It is not simply that there are two ways of resolving conflicts, however. The suggestion on Hirschmann's view is that we are confronted with two different bodies of knowledge, which share a cultural background and conceptual vocabulary as well as an empirical reality. And gender psychology suggests that all the above shared structures may themselves to a greater or lesser degree be gender-biased towards the masculine, thus adding weight to the 'rights' model of morality.

So the problem that lies at the centre of liberal political theory is that concepts such as political obligation are defined from the basic assumption of the primacy of individual rights and freedom. Such an assumption limits the criticism that can be made within the structure because of definitional biases. Since the biases and definitions are seen as *natural*, any claims that bring the entire system into question can be easily dismissed. However, Gilligan's female subjects show a legitimate dissatisfaction with the language of rights; they have a different perspective which shows rights talk to be inadequate for resolving moral dilemmas. It seems, then, that the implications for political theory begin with the conceptualisation of two differing ontologies and accompanying epistemologies. Object-relations theory and moral psychology suggest more than the idea that certain political theories tend to be more 'feminine' in the values they promote, and others more 'masculine'. They suggest implications for both the *framework* and the *method* of political theory in general. They give us a deeper understanding of what is so problematic about political obligation.

CHAPTER FOUR

Gender psychology shows us that our understanding of the world is actually gender biased. This is expressed through the institutions of the public realm of social life. The contention is that we have been viewing life through men's eyes. Once we have recognised this, we can begin to understand the ways in which the problems of political obligation are created and perpetuated by *masculinist perspectives.* Furthermore, we can look closely at the suggestion that a way to rectify the exclusion of women from consent theory is to simply 'add on' women to the existing categories of thought. Gender Psychology shows that consent theory is premised on a distortion of women's 'nature', where it is described only as it is experienced by men, and so cannot possibly represent women's true experience. So there is little value in simply 'adding on' the notion of 'woman' to the notion of 'man' as things stand. The problem goes right down to the understanding of the world from which the dominant political theories are created; the conceptual framework that defines what is known, and how it is known. It appears to be a question of *epistemology.*

The claim that it is an epistemological question is controversial, however. Is it not ontology that is at issue? Are we not concerned with the concept of being, rather than the concept

of knowing? That is, are we not asking, for example, what it means to *be* a female, rather than what it is to *know* as a female? It could be said that once it was known what it is to be a female, we can create theory accordingly. (But who is to do the knowing, and who is to then create the theory?)

In the rationalist and empiricist epistemologies of Locke and Mill, which greatly influence liberal theory and Western thought, ontology and epistemology are seen as separate and distinct. That is, true knowledge is seen as objective, so what is known must be radically divorced from the knower.

However, part of what gender psychology suggests is that epistemology, in one respect at least, is very closely related to ontology (i.e. if the processes of psychological development produce differences in the way the self is understood, as either separate or connected, than these differences will have an effect on one's view of the world, which will then affect one's interpretation of 'truth' and 'reality'). Gender psychology can offer a way of seeing how our current dominant epistemology is biased. It can show that what is taken to be objective truth can actually be the biased viewpoint of a particular group of knowers.

The bias affects the kinds of questions that are asked, the modes of enquiry that are used, and what is taken as evidence for particular knowledge claims. Flax (1983) says that it ensures that "certain questions and ways of answering them become constitutive of philosophy" (pp248). Hirschmann points out that in creating the split

between epistemology and ontology, the rationalist and empiricist theorists created a particular concept of knowing that centres around objectivity. In a sense, the split between epistemology and ontolgy is itself an epistemological claim. On the empiricist and rationalist theory of knowledge, knowing is divorced from being, and this has come to be just what is meant by 'epistemology'. These epistemologies explicitly ignored gender, yet at the same time promoted masculine meanings of knowledge seeking, thereby carrying on in a hidden biased manner.

The suggestion from feminist theory is not to blend ontology with epistemology, but to revise the meaning of epistemology in terms that allow for ontology. Otherwise, the danger is that the nature of social relations is misrepresented, and the kinds of questions asked by philosophy and political theory are incomplete.

In feminist theory, the idea of 'standpoint' epistemology (the most well-known proponent of this theory is Sandra Harding, although recently many feminist voices have contributed to clarifying this idea), challenges and ultimately rejects the notion that epistemology is objective or universal. It holds that epistemology is itself a product of particular social relations. What exactly is meant by 'standpoint'? My understanding is that the definition of 'standpoint' on this view is that a 'standpoint' is the perspective from which one views the world. It is made up of race, class, gender, what work one does, psycho-sexual development, and other differences that affect one's point of view. It suggests that different people will develop different knowledge

frameworks depending on their experiences and circumstances. In as much as any particular set of people share socially and politically significant characteristics, they will share a standpoint. An example of such a group is that of women. However, the feminist standpoint is not something that is 'natural' to all women. It differs from a feminine standpoint, in that it is achieved through struggle. This distinction is articulated by Hartsock (1983, pp289). The idea is that the feminist standpoint is identified and articulated through an analysis of women's experience; it is part of a political struggle to be included in the theories which have a direct effect on how we live our lives. Hartsock says that the standpoint is something that is achieved, and carries a 'liberatory potential' by definition.

As an epistemological approach, 'standpoint' theory is obviously controversial; however, its advantage from a methodological point of view is that it reveals that "there are some perspectives on society which, however well-intentioned one may be, the real relations of humans with eachother and the natural world are not visible" (Hartsock, 1984, pp117). An example of this would be the masculine perspective, from within a patriarchal society.

Feminist standpoint theory as I understand it does not preclude the participation of men. It derives from the particular experiences of women, but does not exclude male participation in the feminist struggle. The point is that we can all learn something valuable about human life as a whole by listening to women's experiences. We can see the ways in which the dominant ideology denies

and ignores "real relations of humans" because of a masculinist bias.

Object-relations theory can, Hirschmann says, explain an important aspect of a feminist standpoint, pointing out the institutional and cultural aspects of a supposedly individual experience, that of personality development. It can also help us to see the importance of a feminist standpoint for political obligation by emphasising questions of epistemology. That is, object-relations can be a means to understanding how the problems of consent theories go further than the empirical exclusion of women from politics to the fact that the epistemology from which these theories operate is premised on that exclusion. So, for example, in the case of the political concept of obligation, the epistemology that defines it can be shown, with the help of object-relations theory, to be gender biased.

An important insight from a feminist use of object-relations theory here seems to me to be that because masculinist ontology gives rise to dualism (i.e. object/subject), it creates an epistemological orientation that conceives of the world in oppositional categories. We know things because we, as subjects, observe objects, which are entirely distinct from us, and this observation gives us an "objective" assessment of meaning. In a context of patriarchy what follows is that the feminine ontology, with its outlook of connection, is devalued, seen as deviant from the 'true' objective perspective, and rejected from what is constructed as the 'public' world; it cannot be seen to be epistemologically accurate within the dominant discourse since it rejects the dualism. To allow that the feminine ontology

indicates a separate epistemology appears to have been too much to allow on the dominant model; women have been seen to have a different ontology, but this ontology has actually been described in such a way as to justify women's exclusion from the public realm. They are cast as 'naturally' unsuited to public life. And insofar as public life requires individuals to be of a particular psychic orientation, in many important ways they are.

However, to say that women have a different epistemology because of their psychic development is not enough to challenge patriarchy. We need to explore how women's experiences are themselves caused by patriarchal social relations; we cannot just try to create a new, better theory just by looking to women's experiences, for these have been affected by a masculinist epistemology. And also, I believe that just because women's experience of reality differs from men's it does not follow that we should totally reject a masculine point of view. The two standpoints could perhaps be untangled, then brought together in a new, inclusive way. I intend to examine the possiblity of this in the final chapter of this work.

Some very pertinent criticisms have been levelled at feminist standpoint theory. The assumption that there is such a thing as an all-encompassing 'feminine experience' is challenged; it does not appear to take into account the differences between women. Also, a feminist standpoint approach may seem to conceive of reality as made up of a dualism after all, even while it criticises such a division, in that it can be seen as rejecting all that is supposedly

masculine in favour of all that is supposedly feminine. Postmodernism suggests that gender psychology can be seen as presenting a construction of femininity that is essentialist and reductive, ignoring differences in race, class, and historical period. And, it has been asked, is mother-only child rearing really a socially universal practice? What about the different types of parenting like single-parents and homosexual parents?

How are these criticisms to be met? Feminist standpoint theorists appear to have been content with defining a common experiential ground, which crosses boundaries of culture, class, and historical location. This common ground does seem to cover a large and significant part of women's experience. We need to remember that the argument centres around liberal thought in the Enlightenment and post-Enlightenment Western world, out of which social contract theory emerged. In the societies based on this thought, child-rearing was and is largely the responsibility of women. To ignore this is to deny a historical fact.

Object-relations theory characterises very well the family structure within liberal societies, showing it to be sexist, thus usefully interpreting liberal theory itself as sexist ideology. I have shown how a feminist interpretation of object-relations theory can reveal the sexism of liberal theory.(It also reveals biases of class and race in liberal theory, showing that the privileged white male perspective created the liberal discourse of rights that excluded and disempowered certain groups in order to retain power, control and a

sense of freedom from threat. I have not been concerned with elucidating these revelations from object-relations theory in these pages, but their importance is obvious.)

In response to the postmodern criticism that feminist theory is essentialist and naturalistic, feminist theorists can say that gender responds to historical and social contexts. It exists in actual time. It is a central social organising principle, but it is not disconnected from specific times and places. The characteristics attributed to each sex within a particular culture have often stayed the same through long periods of history, and thus may appear as natural, as the patriarchs have said they are. But they are in fact no such thing. They have been constructed, maintained and reproduced within ideological systems, and as such can be described, but are in no way essential to the sex they are attributed to. Where the particular characteristics attributed to each sex differ from culture to culture, the overriding commonality exists that what is cast as masculine is seen as superior to that cast as feminine.

Feminist standpoint theory does not, as I read it, uphold a naturalistic view of gender. As I said earlier, there is a distinction between the female and feminist standpoint, the latter being far from a position that comes naturally to anyone. It is achieved through struggle, through critically analysing actual women's actual experiences within material systems of power, rather than treating the category 'woman' as in some way unitary and revelatory of some unified body of 'women's knowledge'. Feminist standpoint theory does appear to have a potentially

problematic allegiance to **both** feminist critique **and** women's experience - but I read it as a critical practice and not an experiential ground for knowledge. It is a standpoint that critiques dominant discourses which it sees as ideologies. It is a critical discursive practice which intervenes in and rearranges the construction of meanings and the social arrangements they support.

The aim of feminist standpoint epistemology is to raise some previously unasked, and unseen questions about liberal theory and epistemology. As I see it, it seeks to critique the dominant epistemology, and the theories that emerge from it and it seeks to reveal the gender bias within them. Critique can be said to be the critical work that issues from the cracks in the dominant discourse; in the case of feminist critique, it emerges from the contradictions between the liberal-democratic political promise of freedom and equality, and women's subordination in many areas of social and political life.

The Western world under the dominant political system of capitalism has been largely structured as a series of market relations, with the result that freedom must logically refer to the absence of external restraints, and to be obliged *must* be to consent. In the language we use and the conceptual history we work from, this is how we understand those terms. But, that does not mean that such a structure reflects human nature or that it describes quite as much of our lives as it says it does. A feminist standpoint can critically examine the dominant political systems, the dominant conceptual framework, and the language we use, in the light of women's actual experiences. It can attempt to reveal gender bias,

and enquire into different ways of conceptualising human nature, and organising social and political life.

The feminist theories that I have been discussing in this thesis go further than just revealing the sexism of social contract theory; they question the whole epistemological foundation of that theory, and can show how the ideas from which social contract theory works - the notion of the state of nature, and the ethical values that result from its consideration, namely equality and freedom - are products of specific social relations of a particular kind. That is, mother-only child rearing in patriarchy.

The feminist theories implicitly call for epistemology and ontology to be brought together, basing the former on the latter. They hold that women and men have different ontologies, partly because of psychic development, which create different epistemological frameworks, from which politics and ethics are derived. The feminist perspective allows us to see that "precisely because knowing and being cannot be separated we must know how to be. To do so requires a transformation of knowledge adequate to our being and which points us beyond its present distorted forms"(Flax,1983,pp271). So, by seeing the flaws in our being, created by our gendered selves that developed out of socially constructed relations of reproduction, we can see what the problems with the dominant epistemology are, and why they exist.

Realising the epistemological dimensions of gender psychology is of great use to a feminist analysis of the gender-biased structure of consent theory, if not modern liberal theory in general.

Feminist theories can lead to a feminist reconstruction of epistemology and obligation based on a critical analysis of women's experience.

Until now, the public ideology of consent has not only been contingently sexist,(i.e. by denying women the opportunities to participate in the political, and to assume political obligations), but it has also made invisible the kinds of obligations that women do in fact have in the private sphere. That is, social contract theory has obscured the fact that the obligations historically imposed on women are not contractual within the terms set by consent theory, i.e. not voluntaristic, and by separating women off into the private sphere (specifically the domestic aspect of the private sphere), and devaluing that sphere, the theory has ignored the fact that the concepts and language of consent are not capable of accounting for the activities and relationships that women's obligations have historically entailed.

It appears to me that the feminist critique of the masculinist structure of the dominant epistemology is a confrontation that consent theory specifically, and liberal theory more generally will find difficult to meet.

CHAPTER FIVE

How can feminist epistemological theories enhance our understanding of the concept of obligation? They reveal the underlying masculinism of consent theory, as I have outlined in Chapter Four; but further than this they suggest that we should attempt a feminist reconstruction of the concept of obligation, getting ideas about how to do so from women's descriptions of their experiences. I will discuss my stance on this suggestion in Chapter Six of this thesis, where I will consider exactly what such a reconstruction might be. Looking at women's actual experiences may be an important step in the process of reconstructing theory.

However, it is important not to go too far; the concepts of consent and contract are appropriate to at least some aspects of human existence, and it would be wrong to try to do without them completely. The point is to stop the practice of using them to characterise all of social reality. Consent theory systematically depends upon women's status of inferiority in comparison to men's status, at the same time as it holds up the principle of equality, thus revealing the pathology of the construct on which it is based: specifically, how the male fear of connection (with a woman) serves as a basis for establishing how and why obligation is constructed as always, and only able to be, self-assumed.

The main concept at issue in the connection between this fear, the masculine model of personality development,and self-assumed obligation, is that of freedom. Freedom is, of course, also a central issue of liberalism. Hobbes, Locke and Rousseau all base their theories of obligation on the initial premise of natural freedom. This notion of freedom coheres with what Isiah Berlin calls 'negative freedom,(as I have mentioned earlier in these pages) that is, freedom that consists in an absence of external constraints. The main difficulty with this conception of freedom is in determining what exactly constitutes a restraint; yet Berlin's general conception that restraints come from outside the self is a basic part of 'negative freedom': specifically, other human's direct or indirect participation in "frustrating my wishes" is the relevant criterion in determining restraint.

This conception of freedom can be seen to come from masculine experience under mother-only child rearing. According to object-relations theory, the main goal of the emerging oedipal boy is to achieve freedom from the constraints of his mother: to exise his femaleness, detatch from the mother and be free of the female. The boy wants to escape the unconsciously perceived controlling force of the mother; he wants to realise his masculinity. In the dissociation of the masculine mind/self from the female body/other, the boy sees restraint as right there in the body of the mother. This body is seen as coming from outside the self of the boy, and in reaction to its perceived controlling influence he looks for absolute freedom from the mother and from all 'others', all bodies outside the self. He is

seeking to establish his masculine gender identity, and thus rejects the female which seems to him, in the form of his mother, to be trying to undermine his male identity. He sees her very presence as a barrier to his self-realisation of masculinity, as he projects his own psychic femaleness onto her and views her as completely separate and 'bad'. By dissociating from her, he can cut off from his own psychic femaleness and come to feel 'free' from external restraint.

Gender psychology challenges the liberal-positivist self/other duality by showing that others are intrinsically connected to the self, in that a personality is created by and through relations with others. However it also shows that the boy child cannot accept this fact without feeling a deep threat to his identity. He perceives of his mother as the barrier to be mastered - if he can dominate her, who represents his primary identity, then he can master that identity and rid himself of it. So, the boy devalues the mother, and all relationship in the process. He seeks to de-humanise her (and by extension all women as embodiments of the female). The boy thus feels that he achieves freedom only by virtue of the subordination of women.

Gender psychology shows, however, that in reality this 'freedom' is a false abstraction; in trying to escape the restraints created by the mother, the boy needs to put up all sorts of other artificial barriers in the form of rigid rules of masculine behaviour, categories, labels, and sex roles. These are all restrictive things in themselves. They also include belief systems about women's 'natural inferiority', which are said by gender psychology to serve as an externalised

superego. The boy turns to the father, which actually means that the boy turns to an abstract role, as male gender identity comes to consist in principles, ideas, and norms, rather than a direct relationship. The boy looks for principles and rules to help prevent a return to the mother and to guide his behaviour and identity. He finds them outside himself, abstracted and articulated by others. His superego comes not from within, but from without; and the belief systems and rules make barriers to stop the boy's return to the mother, and the feared end of self-identity, so he can be 'free' (in Berlin's negative sense).

Although this concept of freedom may seem to be definable as an absence of restraint, Hirschmann quips that perhaps it is better defined as an absence of the female(pp220).

She goes on to say that recognition is a key issue within this negative conception of freedom in the masculine psyche, and it is a key to the conception of freedom found in the liberal voluntarist theories of obligation. Looking at object-relations theory through the issue of recognition can give us a powerful means of understanding the epistemological gender bias of political theory.

To outline the issue of recognition as it applies here, I shall relate the object-relations narrative through it. At three months old the infant perceives itself as separate from the mother. For the next few years the process of differentiation and individuation proceed and regress as the infant explores its independence, yet always returns to mother. If differentiation succeeds the child is able to resolve its

ambivalence by understanding itself as 'self-in-relationship', accepting both separation and connection. The sense of agency and an "internal continuity of being" (Chodorow 1979, pp60), can then develop. It is thus through differentiation that a child develops autonomy and agency. This development of the infant's autonomy cannot occur without the "empathetic caretakers who understand and validate the infant's experience as that of a real self" (Chodorow,1979,pp59). The caretakers are the mothers, and agency can only develop through a relationship with a mother as a subject in her own right (not as an object that exists only in the infant subject's perception). Chodorow says "differentiation is not separateness and distinctness, but a particular way of being connected to others" (1979,pp59).

Yet differentiation is not usually completely successful for either gender. Girls experience too little separation, and too much identification with the mother, while boys experience too much separation in trying to distance themselves from the mother. A reason for this is that only through recognition can true separation and thus full agency be achieved, for the self depends on relationship and relationship is impossible without recognition of the subjectivity of the other. The masculine model, with its lack of recognition of the mother in order to prevent accepting his own primary 'feminine' character, is seriously flawed, and is a major cause of the gender bias of political theory. It produces a conception of agency that abstracts individual will out of the context of the social relationships within which it develops and within which it is practised.

Agency is one of the most central concepts of individualism and consent theory. It is the stamp of independence, autonomy and adulthood. To be able to make one's own decisions shows an end to dependence on the will and abilities of another, thus agency justifies the rejection of divine right and the taking on of the social contract instead. However, because it comes from the male model of autonomy, and is thus not relational, it also justifies the abstract individualism of liberal democratic theory, a theory that requires the dehumanisation, oppression, and non-recognition of women; a theory that says obligation can only exist through voluntary assumption. The need to deny recognition causes the need for artificial constructions that give inaccurate views of social relations, and for theories that want the individual to have complete control over 'his' connections to the political world.

Hartsock (1984), describes the public world of the free market as a model of society, and masculinist conceptions of power, by saying that masculinist ontology gives rise to a market model of community that is, like the boy's conception of autonomy, "fragile and arbitrary, structured fundamentally by competition and domination"(pp38). The notion that the individual is isolated from all others, and that contact is based on opposing interests and can only be established through formal agreements and contracts is part of the problem of the failure of recognition. In the same way as the boy's cutting off relations with the mother will ensure the repression of femaleness and relationship, because they are threatening to the masculine psyche, so will relationship based on competition rather than

co-operation ensure that "the very social character of activity can appear as something alien and puzzling" (Hartsock,1984,pp45). In such a situation the relationship of domination will occur. The need to be seen as superior, not as an equal will emerge. Men thus compete on the market to show their superiority, and do so by accruing wealth and property. Things, and not people, become the objects of primary attachment.

This individualistic concern with one's interests as an extension of the self and the accruing of objects as wealth, reflects the pre oedipal boy's concern with objects, the self, and escape from the body/mother. The market place provides a way to express man's repressed passions from his infancy, and expresses the desire to dominate women. It is split off from, and overvalued in relation to, the private world of home and family. In actuality, all this only perverts the self, and makes true individuality, agency, and autonomy unattainable for men. Without proper two-way recognition, domination continues and relationship fails.

The implications of all this for political obligation are great. The conception of people as absolutely separate, which the boy develops from his perceptions of difference from his mother, results in a structure where obligation necessarily exists only by an act of free will. Self-assumed obligation entails having complete control over one's connections to others because one creates those connections. Creation is a form of power in the sense of control. Consenting preserves one's right to autonomy as self-determination; one asserts one's separateness and

self-control, at the same time as one gives up some control by creating an obligation.

However, in social contract theories political obligation is not in fact self-assumed in the full sense by very many people. Yet those who have not consented are nonetheless considered obligated to obey the law. Modern theorists commonly accept that the conditions for true consent are mostly absent from political society (people do not get a chance to consent, or are pushed into having no choice but to consent etc.). People are often not really free to choose at all, being in unfair bargaining positions. Their inequality is hidden by the notion of tacit consent, which in reality means that they are subject to the political decisions of the express consenters, those who have historically been voters and holders of political office. The tacit consenters are told that their enforced silence constitutes voluntary expression, and therefore that they are obligated.

Hirschmann usefully points out that the definition of obligation as determined exclusively by consent conveniently denies the fact that women have historically been obligated to the state without consent. In some ways they still are today. Also, women are and have been bound to other obligations - e.g. child care - to which consent seems irrelevant. It is in these types of obligation that feminism may find the starting point for a feminist theory of obligation.

As outlined earlier, gender psychology, using a symbolic analysis, shows that women's reasoning begins from premises of connection, responsibility and response. In terms of the feminist standpoint

approach, we can take these values as premises/assumptions for a feminist conception of obligation. If relationship is the central feature of women's lives, providing the starting place for their whole outlook, then connection is *given* and obligation is a presumption of *fact*, rather than needing to be consented to.

In consent theory, working from an assumption of separateness and freedom theorists seek to understand how isolated individuals can engage in relationships and still remain free. The central approach involves asking how obligations arise. If obligation were to be seen as given, then it does not make sense to ask how it can arise. From a feminist's standpoint, obligation could be said to be the standard against which other things, such as the freedom to act as one wishes, are measured. It becomes the given.

In using gender psychology to tell the differences between men's and women's experiences, and in arguing for the basing of political theory on concrete experience, feminist theory does not wish simply to model obligation on women's experience or on child care in particular; rather, the point is that women's experience which is systematically eliminated from public ideologies such as political theory, can tell us important things about human life. Consent theory tells only part of the story, so it presents a biased and distorted picture of obligation. The idea is not to reject it, but to fit together the various pieces (including class, race, history, location, age, etc.), in order to achieve a more inclusive picture. To do that, we need to use a different framework. We cannot just add on women's experience to the dominant discourse, because

currently the two operate from different starting points and within different frameworks. The purpose of reorienting the inquiry to the consideration of obligation as a given is not just to redefine it, but to express a different perspective from which to look at social and political relations. " A difference in perspective changes the terms of the discourse" (Hirshmann, 1992,pp240).

The problem of women's obligation exists within the context of social institutions and thought that creates two different sets of values for men and women: men are naturally free and women are naturally obligated. Within this context, it appears that feminist critical theorists do not wish to maintain the givenness of obligation for women, for that would just perpetuate their inferiority. Niether is it the project, as I see it, to re-evaluate women's experiences within the existing framework - that would not only seem to be futile, considering the complex power structures in operation, but misses the point. The entire context wherein women are subordinated needs to be changed.

The problem of political obligation is really made up of a group of problems that result from gender bias. This bias exists in the values that voluntarist theories of political obligation uphold, and also in the frameworks within which the theories are created. Hirschmann argues that the tension between individualism and community found in the early social contract theories, and their modern counterparts, was created partly in an ontology and an epistemology that reflect specifically masculine concerns and perspectives. It seems that women's exclusion from the public

realm of politics, and from political theory in general, is not just the contingent result of gender-biased views of particular theorists. The point is that the ways in which the key concepts that characterise this genre of theory,(i.e. consent, freedom, choice, society, authority and obligation), are defined and used in consent theory constitute the basis of structural and epistemological gender bias.

CHAPTER SIX

Can feminist theory offer us something as a revision of the theory it demolishes here? Is there a way to achieve true sexual equality in the political arena that is beneficial to all citizens? In a way that, perhaps, does not delineate so harmfully between the public and the private spheres of social life? Susan Moller Okin has said that "In contrast to the power of their critiques of the tradition of political thought, most feminist scholars have been surprisingly tentative or indirect in their conclusions and proposals about "What is to be done?" "(Okin,1992,pp329). What is needed is the "ability to see our position within existing structures but to respond from somewhere else" (Hirschmann,1992,pp341). A reconceptualisation of current political obligation theory would appear to be too large a project to fulfil within the limits of this thesis, but I shall attempt a brief discussion here.

Before I actually begin to look at a construction of a feminist theory of obligation, let me clarify my reasons for even attempting this. It may seem, in the aftermath of a deconstruction of a part of the dominant political theory, that a reconceptualisation is not necessary. Why try to rewrite a theory that has been exposed as structurally flawed? How can this

be a useful contribution to the emancipatory project of feminism, or the conceptual clarification of political philosophy? The critical methodology I have used in this work is revelatory, exposes assumptions masquerading as truths, and analyses theory in the light of a feminist perspective. However, it can also be useful in rebuilding theory, by utilising its own assumptions. I see it as important to participate in the building of new conceptual frameworks, as part of the process of clearing away the debris of the old.

To my mind, it is valuable to attempt a reconstruction at this point, in order to participate in the process of redressing an unjust imbalance of power. I have engaged with Hirschmann's project of revealing the gender bias at a conceptual level of consent theory, and I am in agreement with her that it is useful to attempt to build a new conceptual framework, taking into account the construction of the old. I am not advocating the construction of some new, totalising fiction to act as truth. Rather, I am involved with promoting the notion that narrative fictions (to borrow terminology from postmodernism) can act as foundations for emancipatory projects, always bearing in mind that they <u>are</u> only 'fictions', or assumptions.

Also ,I am not attempting to devise a theoretical framework that solves all the problems once and for all. I am aware that this way of conceptualising both the problems with dominant theory and the possible revision of it exists in history, and as such is always moving in an atmosphere of "contesting discourses that challenge and redefine its horizons." (Rosemary

Hennessy, 1993). Feminism as I use it is influenced by, and can forge alliances with, other political discourses which oppose patriarchy and other exclusionary and exploitative systems. It can participate in an ongoing critique, and is constantly in a state of rearticulating itself.

In putting forward this theory, then, I am joining with other feminist theorists in the process of sifting and evaluating possible constructions of social and political life; as I said, I do not see this as a finite project. Only a part of a continuing process. I am not claiming to provide the feminist conception of obligation, only to contribute, (using my understanding of what useful feminist assumptions, formulated from the expression of women's actual historical experience, might be) to the rethinking of hitherto dominant theoretical models.

So, what exactly would a feminist theory of obligation be? The focus of a feminist theory of obligation would not be directly on the obligation itself but rather on the political context within which it is located. Now, if a feminist concept of obligation works from an understanding of context, then a feminist political theory needs to explicitly notice those contexts. It needs to make certain that there is a contextual approach to moral and political dilemmas, one that makes room for the working out of the content of obligations within the particular context. Working from the historical concrete experience of women, the context within which persons can be said to be located is one of connection to eachother. (Taking connection as a given context is one of the assumptions on which this theory is based.)

Hirschmann, in her discussion of the possibility of a feminist theory of obligation (the reading of which has focussed my thoughts), indicates that when calling it a theory of obligation we must recognise that the concept of 'theory' must itself be transformed: feminist political theory makes use of strategies like narrative, interpretation and story-building to articulate its political vision, thereby bringing into theoretical method women's historical experience as contextual and local rather than formal and abstract. These are important theoretical devices, leading to change in the way we construct theory. To my mind, the terms 'narrative', 'interpretation' and 'story-building' indicate the awareness of feminism that theory is not the truth, but a useful fiction, always open to revision and reinterpretation.

So, constructing a theory of feminist obligation requires a re-evaluation of how theory should proceed, what its intentions should be, and what sorts of methods it should use.

It may not be able to provide prima facie rules and procedures to govern the creation of obligations, and as such there is no real way of predefining a feminist theory of obligation. All obligations will seem "ad hoc, contextual, local, plural and limited," (Hartsock, 1990,pp159). They will come from a working through of particular factors surrounding particular relationships, in a context of connection. It will not be possible to refer to procedure in order to determine obligations. Rather, working from the premise of connection, obligations can be seen as the sorts of things that can be worked out co-operatively.

Hirschmann points out that the context for feminist obligation itself must begin with a process of communication, since communication is extremely important for establishing connections and maintaining relationships. I agree, for how can we connect, or be in relationship, unless we communicate? A feminist theory of obligation must, it would seem, take into account the importance of communication.

The issue of being able to voice one's views (central to Gilligan's work) in order to communicate, suggests that a feminist theory of politics would need to incorporate the voice into its make-up. Of course, voice is most commonly expressed by talking. So, a feminist theory of obligation would not make the liberal individualist appeal to rules and an umpire government. Instead it would hold that participants to the relationship of a political society need to actually *talk* about how their obligations are determined, taking into consideration different points of view and the particular contexts within which they are operating. These things need to be verbally expressed, described, and discussed in what can be called *political conversation.*(This idea of political conversation is one that has been used by others, for example Oakeshott in his 1962 work, Rationalism in Politics, and Jurgen Habermas with his notion of 'communicative ethics', but the way it is used by feminists is very specific, as I will outline.)

Things should not be assumed, or measured against strictly formulated rules, but spoken about *as they are actually experienced.* People can really *listen* to eachother, on this feminist notion of

political conversation, attempting to incorporate others' views into their own, and becoming themselves changed by this incorporation. The feminist notion of conversation emphasises the basic connectedness of people to eachother, and allows for the flow of ideas through speech between truly listening relational selves.

Liberal theory defines the individual as seeking recognition for the self while denying it to others, being primarily self-interested. Feminist theory would abandon this in favour of a model of interaction, of 'mutuality of recognition'. It takes as central a concept of the individual as intimately involved in, created by, and understood in the context of relations with others, not as a separate being defined in opposition to others. It recognises the legitimacy of obligations that exist prior to abstract consent, and emphasises individual consideration and context over abstract general rules, and outcome over procedure. Hirschmann says "It takes as its cornerstone the concrete conditions of people's lives, not a sublimated abstraction such as the state of nature." (1992).

There is a problem with trying to develop a feminist epistemology within the confines of the dominant epistemology. The dominant liberal discourse asserts its own primacy, and all challenges to it and criticisms of it are taken on its own terms. But the evaluative criteria of liberal models cannot be used to judge and assess the methods of a feminist model. The former devalues the latter, and to an important extent does not *recognise* its analytic categories as significant. It effectively excludes the feminist

perspective from a valid position within its framework.

Exclusion is a form of domination. Women's exclusion from political power and participation has been instrumental to both their political powerlessness, and their *epistemological* powerlessness as well. Women's voices and their understanding of reality have been considered by definition not political; this makes sure of their silence and powerlessness. To end such domination and exclusion by patriarchy, women and others whose voices have been excluded must be brought into the conceptual picture. How?

The feminist standpoints epistemological approach requires that excluded voices be brought in, in the active sense indicated by mutual recognition; this would not just mean that persons could express themselves with their voices, but would mean they could participate in attempting to see and understand the world from all other perspectives, by listening to other voices. Notice that I say *standpoints* here rather than standpoint. This is my attempt to take account of the fact that a single standpoint would be essentialising, and could lead to tyranny - and to notice that what is needed is an awareness of the contribution of the many different standpoints that reflect the variety of women's and men's experiences. The modifier *feminist* locates the standpoints within a particular emancipatory critical framework. (Both Hirschmann,1992,and Sandra Harding,1991, would agree that a feminist standpoint requires such multiplicity if it is not to be totalising).

The priority of recognition is not an abstract principle of the type that liberal theory is criticised for, as it is the subject of continual renegotiation; in a society founded on feminist assumptions people would be involved in the process of *conversation*, of talking to eachother, in the political arena, all the time, and mutual recognition would be negotiated in an ongoing way.

The imagery of the web (as used by Gilligan, 1982, pp62, to describe women's experience of being in a constant network of connection to others,) is useful here. I have a place in the web, I am a self, and yet I am also related to myself and to what I know through my relationships with others. So the processes of interaction with those others will likely bring about continuous changes in my socially influenced self. These changes can in turn generate new kinds of knowledge and knowledge frameworks to resolve problems and make policies. So, participating in these relationships in an ongiong conversation would seem to enhance the likelihood of resolving problems and making policies.

Trust is a central notion here. Why would I engage in an important decision-making conversation of the sort required here with someone I did not trust? In the society I am outlining knowers seek to get a complete picture of another's context and situation, to understand that person's subjective reality and hence to reach an intersubjective agreement as to what is known. This is a very social process, involving group interaction, and the element of trust, i.e. I seek to help others articulate their views, and they help me. If I perceive my own views as different from others' I do not automatically

define them as opposed. Instead I come to define myself partly in terms of others and my relationship with them. It is actually in my interest to work out those differences, seeking a common ground. The point is that a theory that begins from premises of connection and relationship must operate from a further premise that trust exists between *connected* beings and within relationships.

Without a device (like the market) to regulate interactions among discrete individuals, trust must be the operative belief of truly interdependent beings. Trust is an element that is not present in, for example, liberal theory's market model. Political theorists from Hobbes to Rawls, have individuals act in ways that presume a lack of trust. However, as Annette Baier points out, trust is strangely at the centre of liberal obligation (Baier, 1986). She says that promises do "not merely create obligations apparently at the will of the obligated, but they create trust at the will of the truster" (pp245). In most cases, the fact that A has promised to do X gives me more reason to trust that she will in fact do X than if she had not promised. Yet, as with consent and promising as the model for obligation, it is exactly this overemphasis on the self-creative dimensions of trust, and the repression of the non-voluntary aspects that makes the liberal notion of trust problematic. For the promise provides more reason only if I have other reasons to believe A's promise, such as a history of trustworthy relations with her, or a social context that will condemn her if she breaks her promise.

For the less powerful, promising just creates dependency. Not everyone is equally free to bargain or equally powerful to enforce a promise. Thus, while acknowledging conscious and chosen trust relationships as a part of human life, Baier points out that we also live in relationships of "unconscious trust.....and conscious but unchosen trust"(pp244).

So what does trust really mean in feminist terms? It appears to be a necessary factor here. Hirschmann says a feminist conception of trust, operating from the assumption of connection and relationship, is based on mutuality and reciprocity, the key to which is mutual recognition. Trust can only come from a secure sense of oneself as an agent capable of independent action. Gender psychology provides the insight that in order for people of either sex to develop a true sense of themselves as agents they must accept the idea of *self-in-relationship*. Similarly, in political theory dualisms that oppose self to other and subject to object must be reconstructed as relationships between beings and factors. As Hirschmann puts it, dichotomy must be reformulated as continuum (pp262). I take this to mean something like it is not the case that there exists a dichotomy of me/you in social relations, but rather a *collective* us, intrinsically in relation to eachother, and always understandable as subjects in relation to eachother. Recognition of eachothers subjectivity and autonomy would end the dualities that are the source of liberalism's problems, but it would also prevent the kind of merging that entails a complete identification of individual and community interests; Hirschmann suggests we must realise a concept of individuality-in-community. This would retain the

useful liberal notion of individual freedom, whilst taking into account one's position in relation to others within society. (It is useful to remember here that the kind of feminist reconceptualisation I am outlining is not intent on rejecting all liberal notions out of hand).

Reciprocity in recognition does involve some elements found in the social contract, e.g. elements of exchange, and explicit agreement. But it goes beyond these to require equivalence and substantive equality. What is exchanged must be based on a true equivalence between agents; there must be no unequal bargaining positions, and agents must recognise and respect the agency of other agents. It does not rely on the umpire government as the arbiter of conflicting desires. It requires each individual to be responsible for negotiating his or her own wants within the context of a community in which others have wants equally worthy of being fulfilled, and with whom one is in relationship. Co-operation is the result.

But, reciprocity is an insufficient condition to ensure trust and recognition in relationship. Mutuality must also be a foremost characteristic of social interaction. Mutuality describes relationships of people who "assist one another to be, to realise themselves and their potential; who work co-operatively with one another, on one another, and for one another" (Hirschmann, 1992,pp263).

Altogether, such a model helps emphasise the idea that trust in the feminist sense of mutual recognition is necessary to any understanding of the concept of obligation from the perspective of

a given. Liberal theory does give us some important values and concepts, such as recognition of the individual as a social and political entity. But, at the same time, it misrepresents these concepts. A feminist theory of obligation based on trust will correct these misrepresentations; it will also make us look towards some other values and social constructions that the liberal tradition has not mentioned at all.

How can trust be implemented in a feminist theory? If it is to have social and political meaning it must be linked to the policy and decision-making processes of a society, namely the government. Political obligation as the main focus of consent theory is about the obligations of citizens to government. What kind of government and politics would a feminist theory of obligation require? The feminist concept of obligation constructed so far would most obviously point to a participatory form of government, where obligations to fellow citizens are taken as given. Some feminist theorists (e.g. Carole Pateman, 1979) have looked in some depth at how a participatory democracy might be the basis for a system that does not exclude women. It may well be best for both the individuality and community necessary for reciprocal and mutual political and social relations.

In a participatory democracy citizens are related to their government through their relations to one another. These relations are what constitutes the government. This rejects the traditional view that politics belongs to the realm of government only, separate from the

private sphere of action between individuals in a community.

A feminist political society would want to challenge the distinction between the public and the private realms, shown by Elshtain to be so problematic. This is more consistent with a participatory democracy than a liberal one.

The feminist project is to introduce the values of the private realm into the public, but also vice verse. That is, the two should be interactive and overlapping, not totally separate. (However, they should not become too intertwined, at the cost of losing personal privacy altogether. The project is, rather, to abolish the patriarchal power structure that is maintained by the existence of devalued private sphere domestic jobs like mother-only child rearing, etc. If both spheres were valued, and not seen as separate, the power structure would collapse. Personal privacy could exist, as a mutually respected right - as another valued part of social life).

A participatory form of government would provide for the mixing of public and private by allowing for equality through mutual recognition, thus allowing for the full engagement of all citizens in political conversation. Participation can identify a mutuality of interests and allow citizens to focus on common goods. Because individuals mutually recognise eachother as subjects, the public is prevented from being seen as superior to the private, and vice verse. They are separate, yet in an important way always connected. The imagery of the web is seen to be helpful here, again. Although some threads are connected directly to some others, and each thread

is connected indirectly to all the others, some segments are quite far from others and a complicated path must often be followed to get from one thread to another.

The context of participatory democracy helps to make clear the feminist conception of obligation. It helps to place the concepts of mutuality, recognition and trust in concrete ways. Including everyone in a full citizenship of the sort outlined by a participatory democracy could help move humans to think of the concrete factors in their lives, not rules and abstractions. Inclusion provides the context for people to take on a responsible approach to moral and political issues. In the ontology of the social contract theory, responsibility can be seen as too risky. Rights are upheld to protect one from hostile others. In participatory democracy, a relational autonomy can develop which allows responsibility to seem safe. Trust can grow, and mutually recognising and respecting subjects end up as far more democratically empowered than on the liberal model. Through the mutuality of talk, inclusion and participation, trust can grow and responsibility can be the main focus, with rights still relevant but in a less important sense. Rights rhetoric has traditionally claimed communal meanings, whilst assigning labels that hide the power of those doing the assigning. It should be exposed for its tendency to hide the exercise of state authority, often exercised in the name of private freedoms. Yet rights on a feminist theory can be interpreted as a feature of relationships, contingent upon renegotiations within a community committed to this mode of solving problems. Rights can be tools in continuing, communal discourse,

locating the responsibility for political action or inaction with the participants to community.

To round off this quick run-through of what a feminist theory of obligation might be, I want to mention the notion of difference, and to say something about identity politics, because these have both become of great relevance to feminist theory at the present time, and may help in the construction of new theory.

A feminist conception of difference is partly similar to the liberal notion that humans are each different from one another in that they have individual interests, preferences, and personalities. But it does not agree with the liberal view that this makes humans opposed and unable to be compatible. The liberal notion of difference actually stems from underlying assumptions that place people in a context of sameness,i.e. it holds that that we are all in some abstract way the same, are all 'individuals' and therefore equal. It assumes that there is a unified human nature, and that conflicts are therefore inevitable; as equals, people have the same motivations in their various interests, and so will be opposed to anyone else trying to achieve those interests. It has also assumed a universal agreement on the means of reconciling difference, i.e. the social contract. Social contract theory ultimately distorts the concept of difference, imposing a false opposition onto different views. It sees differing views as necessarily opposing, and coming from essentially separate persons. It assumes that by voluntarily consenting to authority, individuals can create a social order within which an appeal to rules can end disputes. It does not include a concept of a

person as in some way connected to the person she is in dispute with, leading to the possibilty of co-operation and negotiation. The foregoing chapters have outlined the structural gender bias of the dominant conceptualisation of the individual.

In contrast, a feminist theory of obligation works from a more complex notion of difference. It is inclusive of genuine differences, and recognises that differences among people do not constitute a duality of the sort imposed upon them by liberal theory. It understands that feelings, emotions and beliefs can create different preferences, and also different ways in which these preferences are satisfied. Again, Gilligan's web metaphor is useful here: each thread represents a distinct view which is not the same as any other, but which shares certain common points of intersection.

Hirschmann draws our attention to the problem many feminist theories come up against with the web metaphor, namely that because of its use of centre and periphery it seems unable to avoid privileging some differences over others. But if the concept of difference is properly used, then there cannot be a periphery, and thus no fixed central point. New differences of perspective are constantly being introduced and must be included, so the web is in a constant state of flux. What is at the centre at one time will be moved to another point on the inclusion of some new perspective. No one position occupies the centre in a hegemonic way. Even if there is a relatively consistent centre, it does not lie in any substantive viewpoint of any given group or individual, but in the priority of difference.

Some feminist theorists of recent years (e.g. Linda Alcoff, 1988) see identity politics as a way to bring together the need to incorporate difference with the need for theory. In identity politics "one's identity is taken (and defined) as a political point of departure, as a motivation for action, and as a delineation of one's politics," (Alcoff, 1988 pp431-32). It understands how certain of our features and characteristics become social constructions (called race or gender) over which we have little choice or control, but which have political significance in determining the power relationships that affect our lives. Identity politics strives for choice of identity, a way of naming oneself in order to create who one is, and thereby empowering oneself, instead of being subject to domination by those who name you. By naming myself I can help to deconstruct oppressive social constructions that victimise me, and achieve a sense of liberation. Identity politics can provide a political epistemology for a participatory democracy of the type outlined here, but to think out exactly how it would do so needs more time and space than I have here. Suffice it to say that this is one of the directions that I believe feminist theory should be taking in its attempt to reconstruct contemporary political theory. However, I do think it is important to point out that while it may well be politically strategic to use the notion of group identity as the subject of a political movement (in this case "women" as the subject of feminism), it is necessary to continually monitor the hegemonic articulations of that subject.If we are to take on board the *standpoints* approach that I mentioned earlier, then perhaps it is more accurate to talk of the *collective subject* of a

feminist standpoint rather than the unitary category 'woman'. Rosemary Hennessy(1993) sees such a subject as the product of as well as the producer of feminist discourse, and says " the emphasis on its claims for authority can shift from concern over the *grounds* for knowledge - women's lives or experience - to consideration of the *effects* of knowledges as always invested ways of making sense of the world " (pp97). That is, feminism's subject is changed from the empirical group 'women' to the collective subject of a critical discourse which pushes on the boundaries of western individualism.

I have used some methodological devices in this thesis that may seem closer to postmodernism than strictly speaking feminism. The claims that context, concreteness and particularity are useful for understanding obligation are influenced by postmodernism. I have used a process of 'deconstruction' to reveal that the supposed timeless 'individual' of consent theory is a historically located subject with a particular gender. I have constantly in writing been aware that women's experiences are shaped not just by patriarchal practices but by patriarchal discourses as well. I have mentioned interpretation, narrative and story-building.

However, I am also aware of the dangers postmodernism holds for the feminist project of empowering women - i.e. that it would seek to deconstruct the definition of 'woman' altogether, and sees reconstructing theory as problematic, simply creating new hegemonies to replace the old.

My view is that women, as an oppressed class of people at this time in history will not benefit

from being deconstructed to invisiblity by postmodernism. As I outlined earlier, I am interested in a new conceptualisation of the feminist subject that progresses the emancipatory project of feminism; a collective subject of a critical discourse.

I do, however, have worries with Hirschmann's call for the use of feminist standpoints epistemology to allow for the inclusion of different points of view in political society, in that I wonder how exactly she perceives of the holders of various standpoints actually articulating those standpoints. She argues that there are two conflicting meanings within one practice in society, in that there is the meaning of the dominant discourse and the meaning that women and other marginalised groups experience but cannot articulate because they lack a suitable language. She argues that in order to develop theory we need to take into account such non-verbalised experience, and she goes on to suggest that the way to do this is to turn to plural feminist standpoints. Her idea is that by including the views of groups that have been excluded from the dominant discourse, we can empower more groups, strengthen the conversation, and express more about humanity. I agree that inclusiveness and mutual recognition are hugely important goals for political theory: my problem lies in trying to envisage just how exactly the articulation of different standpoints can be put into practice. If language is seen as limiting our ability to express and formulate ideas, then what are we to turn to in order to understand the standpoint of another? There seems to me to be a gap between theory and practical application that feminism needs to clear up before it can progress.

It would be necessary to be able to understand an articulation of a standpoint in order to take it into account; how are we to recognise such articulations? This needs to be worked on further and developed if feminism is to take the idea of the standpoint into the active realm of a participatory democracy. It is crucial not to suggest ways of escaping old forms of coercion and constraint only to end up with new ones; in this case, to suggest the need to include all voices, yet to limit inclusion to those who can articulate themselves appropriately in the 'conversation'.

The feminist construction of the political described in this thesis reflects the idea that a feminist theory of obligation must derive from a *critical* understanding of women's actual material experiences and practices. Women's experiences concretely show how a feminist perspective can produce a concept of obligation as given, and a concept of morality and political theory deriving from that. We need to look again at our present thinking about political obligation; the important thing on this view is to look at the content of obligations, not where they come from. Such an approach does not make all questions of obligation and morality clear cut. But it moves us on from the biases of consent theory - it enables us to narrow down the range of possible answers by paying attention to the context of concrete circumstances. It means that 'the problem of political obligation' as traditionally posed is no longer relevant. The issue becomes what exactly are our obligations in our civil societies, and how can we best organise to fulfil them, not how can it be justified that we have them.

This final chapter is not as conclusive as may, perhaps, be expected. It merely offers an account of a possible theory of the political based on certain feminist assumptions, in the light of the critical material of the preceding chapters. But considering the current state of play in both feminist theory and political theory in general, I think that striving for conclusiveness is neither practicable nor desirable. The thing is to be participating in the critiquing of dominant discourses, in an attempt to expose biases and to contribute to the possible revisioning of concepts, with the purpose of ending domination and exploitation. This I see as a part of an ongoing process, and any absolute conclusion seems out of place here.

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