

Carole Pateman¹

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'The Disorder of Women': Women, Love, and the Sense of Justice

In his essay, *Politics and the Arts*, Rousseau proclaims that 'never has a people perished from an excess of wine; all perish from the disorder of women'. Rousseau states that drunkenness is usually the sole failing of otherwise upright, decent men; only the immoral fear the indiscretion that wine will promote. Drunkenness is not the worst of the vices since it makes men stupid rather than evil, and wine turns men away from the other vices so it poses no danger to the polity. In contrast, the 'disorder of women' engenders all the vices and can bring the state to ruin.¹

Rousseau is not the only social or political theorist to regard women as a permanently subversive force within the political order. Freud (to whose arguments I shall also refer) argues in Chapter 4 of *Civilization and Its Discontents* that women are 'hostile to' and 'in opposition to' civilization. In a similar vein, Hegel writes that the community '*creates its enemy for itself within its own gates in womankind in general*'. Women are '*the everlasting irony in the life of the community*', and when '*women hold the helm of government, the state is at once in jeopardy*'.²

These arguments are by no means of only historical interest. Although women have now been granted citizenship in the liberal democracies, it is still widely believed that they are unfitted for political life and that it would be dangerous if the state were in their hands. This belief is very complex. One of its central dimensions, which I shall begin to explore in this paper, is the conviction that women lack, and cannot develop, a sense of justice. The belief in the essential subversiveness of women³ is of extremely ancient origin and is deeply embedded

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in our mythological and religious heritage. However, it is only in the modern world that *'the disorder of women'* constitutes a general social and political problem.

More specifically, it is only with the development of liberal individualism and the arguments of its democratic and socialist critics that beliefs about women become an acute, though not always acknowledged, problem in social and political theory and practice. In premodern conceptions of the world, animal and human life were seen as part of a divinely or 'naturally' ordered hierarchy of creation; individuals were conceived as born into a natural order of dominance and subordination. Nature and culture were part of a whole in which the hierarchy of social life was grounded in natural differences such as age, sex and strength. Rulers were those whose 'natural' characteristics fitted them for the task. From about the seventeenth century a new and revolutionary conception of social life developed within which the relationship between 'nature' and 'society', and between women and society, became inherently problematic.

Individuals began to be seen as rational beings, born free and equal to each other—or as naturally free and equal—and as individuals who create their social relationships and institutions for themselves. Political institutions, in particular, began to be seen as, properly based on convention, on contract, consent and agreement.

The conception of a conventionally grounded socio-political order brought with it a complex of problems concerning its relation to nature that, three centuries later, is still unresolved. The nature of the individuals who create and take their place within conventional or 'civil' associations is one of these problems. Do all individuals have the requisite nature or natural capacities? Or are there some who lack, or cannot develop, the capacities required for participation in civil life? If these individuals exist, their nature will appear as a threat to social life and there has been wide agreement that women are dangerous for this very reason. Women, by virtue of their natures, are a source of disorder in the state.

'Disorder' can be used in either of two basic senses: *first*, there is the socio-political sense of 'civil disorder' as in a rowdy demonstration, a tumultuous assembly, a riot, a breakdown of law and order. *Second*, 'disorder' is also used to refer to an internal malfunction of an individual, as when we speak of a disordered imagination or a disorder of the stomach or intestines. The term thus has application to the constitution of both the individual and the state. In addition, its moral content can also be made explicit when it is used to describe a 'disorderly house' in which decency and propriety are cast aside. Women, it is held, are a source of disorder

because their being, or their nature, is such that it necessarily leads them to exert a disruptive influence in social and political life.

Women have a disorder at their very centres—in their morality—which can bring about the destruction of the state. Women thus exemplify one of the ways in which nature and society stand opposed to each other. Moreover, the threat posed by women is exacerbated because of the place, or social sphere, for which they are fitted by their natures—the family. Another of the problems thrown up by the individualist, conventionalist conception of social life, is whether all social relations are conventional in character.

The family is seemingly the most natural of all human associations and thus especially suited to women, who cannot transcend their natures in the manner demanded by civil forms of life. However, if the family is natural, then it is a form of association that stands in contrast to, and perhaps in conflict with, (conventional) social and political life. These two aspects of the problem of the disorder of women are revealed in the writings of the social contract theorists and especially in Rousseau's theory.

The social contract theorists set out the individualist and conventionalist conception of social life with particular clarity. Their arguments depend on, and thus illustrate, all the ambiguities and complexities inherent in the antinomy between nature and 'convention'. Popular contemporary beliefs about women, no less than seventeenth-century patriarchal arguments, rely on an appeal to nature and also on the fact that what is natural or 'ordered according to nature' is widely believed to be good and desirable.⁴ The contract theorists appealed both to conceptions of individuals' natures and to the state of nature which natural individuals inhabited—but exactly in what form they inhabited it, and what kind of relationships existed between them, is one of the key questions in the contract story.

Rousseau's version of contract theory highlights the problems in an acute form. He was the only contract theorist willing to pursue the revolutionary implications inherent in the doctrine—but he also believed that women posed a permanent threat to political order.

Rousseau's theory contains some profound sociological insights precisely because he was concerned with the interrelations of different dimensions of social life and with transformations of human consciousness. In the *Discourse on Inequality* he attacks the abstract individualism of the liberal contract theorists who postulated a familiar yet natural condition original to humanity. Rousseau argues that, strictly, a natural state is social, inhabited only by

animals of various kinds, one species of which has the potential to develop into human individuals. That is to say, Rousseau denies that one can draw political conclusions from assertions about the natural characteristics of isolated individuals or individuals seen severally, not collectively. His basic premise is that human life is social life, or sociality is natural to humans.

According to Rousseau, and here he agrees with Locke, the social state of nature is inhabited not by (isolated) individuals but by families. He writes that *'the oldest of all societies, and the only natural one, is that of the family'*.⁵ This is another way of saying that the family precedes, or can exist in the absence of, wider social institutions or 'civil society'; it exists in the natural condition. The family is also grounded in the natural ties of love and affection (which are natural because they are within human capacities as, say, flying is not) and it has its origin in the biological process of procreation, in the natural difference between the sexes.

Rousseau argues that the family provides us with a major example of a social institution that follows the order of nature because, in the family, age naturally takes precedence over youth and males are naturally in authority over females. For Rousseau, the family is necessarily patriarchal. The state of nature stands in contrast to civil society, but the family is common to both forms of existence. The family spans the divide between a condition grounded in nature and the conventional bonds of civil life. Few social and political theorists, with the notable exception of Hobbes,⁶ have been willing to present the family as a conventional association. Indeed, in the *Philosophy of Right*, Hegel claims that it is 'shameful' to see marriage and the family as merely contractual associations. The family is widely regarded as the natural basis of civil life. Familial, or domestic, relations are based on the natural ties of biology and sentiment, and the family is constituted by the particularistic bonds of an organic unity.

However, the status of the family as the foundation of civil society means that the contrast between the different forms of social life in 'the state of nature' and 'civil society' is carried over into civil life itself. The distinction between and separation of the private and public, or particularistic and universal, spheres of association is a fundamental structural principle of the modern, liberal conception of social life. The natural, particularistic family nestles at the centre of the private sphere, and it throws into prominence and stands opposed to the impersonal, universal, 'conventional' bonds of public life.

Rawls has recently stated that *'justice is the first virtue of social institutions'*.⁷ Similarly, Freud argues that *'the first requisite of civilization, is that of justice—that is, the assurance that*

a law once made will not be broken in favour of individual'.⁸ But justice is not the virtue of all social institutions. As the preceding discussion suggests, and as Freud (and Hegel) tell us, it is love, not justice, that is the first virtue of the family.

The family is a naturally social, not a conventionally social, institution, but justice is a public or conventional virtue. In the family, individuals appear as unique and unequal personalities and as members of a differentiated unity grounded in sentiment. In civil life individuals transcend, or leave behind, the particular and ascribed characteristics which distinguish them in the private sphere and appear as unrelated equals. They enter the sphere of individuals—which is also universalism—as bearers of rights (liberties), as owners of property and as citizens. In a civil association, individuals are bound together and their actions are regulated solely by general or universal rules and laws that apply impartially to all. The rules and laws protect the rights and property of all individuals—providing that all do their share to uphold the rules, that is to say, to maintain justice. Particular or private interests of individuals must be subordinated to the public interest, or to the virtue of justice.

Individuals will more readily uphold the rules of civil association if they develop a sense of justice or a morality of order. Individuals must 'internalize' the universal rules of the socio-political order, understand that they ought to be observed and wish to act accordingly. The sense of justice is fundamental to the maintenance of public order. However, if individuals exist who, like women—according to Rousseau and Freud—are naturally incapable of developing a sense of justice, the basis of civil association is threatened; it contains within itself a permanent source of disorder.

The threat is all the greater because the natural morality, or deficiency in moral capacity, of women fits them only for the 'natural society' of domestic life. But the family itself is a threat to civil life. Love and justice are antagonistic virtues; the demands of love and of family bonds are particularistic and so in direct conflict with justice which demands that private interest is subordinated to the public (universal) good. The family is thus simultaneously the foundation of the state and antagonistic to it. Moreover, the presence within it of women who have no sense of justice—and whose natures prevent them from leaving the domestic sphere—can only work against and weaken the sense of justice of their male kin who must uphold justice in civil life. *'Womankind'*, Hegel states, *'perverts the universal property of the state into a possession and ornament for the family'*.⁹

Rousseau and Freud offer a remarkably similar diagnosis of why women are incapable of developing a sense of justice. Both agree that, for women, anatomy is destiny. The biological (natural) differences between the sexes influence and are reflected in their respective moral characters.

Rousseau argues that the source of the disorder of women lies in their boundless sexual passion. Women, he claims, foreshadowing Freud, are unable to subdue and sublimate their sexual desires in the same manner, or to the same extent, as men. Men are the active and aggressive sex and are '*controlled by nature*'; passive and defensive women have only the control of modesty. There must therefore be a double standard of sexual conduct. If both sexes gave equal rein to their passions '*the men ... would at last become [the women's] victims and would be dragged to their death without the least chance of escape*'.¹⁰ Modesty is natural to women, but it provides a weak and uncertain control of their sexual desires. Moreover, as Rousseau argues in *Politics and the Arts*: '*even if it could be denied that a special sentiment of chasteness was natural to women, would it be any the less true that in society ... they ought to be raised in principles appropriate to it? If the timidity, chasteness, and modesty which are proper to them are social inventions, it is in society's interest that women acquire these qualities...*'¹¹

However, even an education specifically designed to foster modesty is not sufficient guarantee against the disorderliness of women. Rousseau spells out this lesson in graphic fashion in *La Nouvelle Heloise*. Julie desires nothing more than to be virtuous and lead an exemplary life as a wife and mother, but she is unable, despite all her efforts and apparent success in passing through the trials set for her by Wolmar, to overcome her passion for Saint Preux. If the good order of Clarens is not to be fatally disrupted, Julie must take the one course left to her; the only solution to the problem of the disorder of women is her 'accidental' death.

Rousseau and Freud argue that this fundamental difference between the sexes has existed since the very beginning of social life and, indeed, has structured it. Both claim that the creation of civil society, or 'civilization', is the work of men. For Rousseau the sexes are equal only when isolated from each other, among the animals in the true (asocial) natural condition. Social life develops as family life, and while charting its emergence Rousseau suddenly announces that '*the first difference was established in the way of life of the two sexes, ... women ... grew accustomed to tend the hut and the children*'.¹² His conjectural history of the development of civil society and the transformation of human nature, then continues as a

history of male activity and male nature. Freud also presents a conjectural history of the development of civil society (civilization) in *Civilization and Its Discontents*. He argues that once '*the need for genital satisfaction no longer made its appearance like a guest who drops in suddenly*',¹³ males had a reason for keeping females close at hand and the latter, in their turn, were obliged to comply in order to care for their helpless young.

Once the family was established, the development of civilization was the work of men alone because it requires the '*instinctual sublimations of which women are little capable*'.

Only men are capable of sublimating their passions and thus capable of the justice that civil life demands. Furthermore, men's involvement in public life, and their consequent dependence on other men, means that they have little energy left for their wives and families: '*thus the woman finds herself forced into the background by the claims of civilization and she adopts a hostile attitude towards it*'.¹⁴

No explanation was available of why women are less able than men to sublimate their passions, or how the '*special stamp to the character of females as social beings*'¹⁵ comes about —, until Freud formulated his psychoanalytic theory. Rousseau can only tell us that men and women differ in this respect—and he prescribes an education for girls that will reinforce their disorderly natures and indifference to justice. Women are '*naturally*' made to be '*at the mercy of man's judgement*' and '*to endure even injustice at his hands*'.¹⁶ (Hegel, it might be noted, was content to leave women in their natural state; women, he says with resignation, are '*educated—who knows how?—as it were by breathing in ideas, by living...*').¹⁷ Freud argues that the explanation for women's lack of, or deficiency in, a sense of justice is the differential passage of the two sexes through the Oedipus complex and a consequent difference in the development of their super-egos. The super-ego is the '*representative for us of every moral restriction*'...

Civilization is the work of men in the most profound sense, for it is men alone who possess a fully developed super-ego. The emergence of the super-ego is bound up with (the conjectural history of) the 'original' momentous move from the family to wider communal life.

Freud argues that 'originally' the 'first' sons killed the 'first' father, whom they simultaneously loved and hated. Out of the awful act of hatred, remorse and guilt grew from their love, and their subsequent identification with their dead father led to the emergence of the super-ego. The brothers, Freud argues, imposed on each other the mutual restrictions necessary to prevent a repetition of their dreadful deed. Thus, the public virtue of justice, or '*the first*

right or 'law' necessary for civil life, was established—by men. Women had no part in this development.¹⁹ In our own time, the different manner in which little boys and girls pass through the Oedipus complex harks back to the purely masculine 'origin' of justice, political right and the super-ego.

Little boys have a dramatic passage through the Oedipus complex. The threat of castration, the force of which is confirmed when the boy sees the 'castrated' female genitals, impels him to identify with his father, and so the Oedipus complex is *'literally smashed to pieces'*.²⁰ The super-ego, which is 'heir' to the Oedipus complex, then begins its development. The little boy 'assimilates' his father's ego to his own and thereby internalizes all the restraints embodied in the paternal agency. Thus, the male infant becomes a moral individual, in due course a 'man', since the creation of the super-ego initiates him into *'all the processes that are designed to make the individual find a place in the cultural community'*.²¹

For females, however, the process is quite different. Females are already 'castrated' and when they make this terrible discovery by comparing themselves with little boys, their Oedipus complex is created —, not destroyed. It is a long and difficult journey through which the little girl comes to take her father as her object—in fact, she may never surmount the Oedipus complex. The result is that women lack or—at best—have a much weaker super-ego than men.

Freud writes that *'for women the level of what is ethically normal is different from what it is in men. Their super-ego is never so inexorable, so impersonal, so independent of its emotional origins as we require it to be in men. ... They show less sense of justice than men, ...they are less ready to submit to the great exigencies of life, ... they are more often influenced in their judgements by feelings of affection or hostility...'*²²

Freud argues that the creation and dissolution of the Oedipus complex is a universal feature of human existence. The difference in moral capacity between the sexes must, therefore, be accepted. In Rousseau's terms, it is a social reflection of the order of nature. Freud emphasizes the costs of creating civilization,²³ but he has no suggestions for containing the disorderliness of women. Rousseau, however, concludes that the only way in which the state can be protected from the impact of women is through *strict segregation* of the sexes in their activities, including, as at Clarens, in domestic life. *Sexual separation is necessary because even modest (good) women are a corrupting influence on men.* Their disorder leads them always to pull men away from civic virtue and to mock at justice. But segregation is only a preventive measure; it does nothing to cure the disorder of women.

This is shown when the separation of the sexes is taken to its logical limit—the seraglio. The seraglio appears to be a secure *'asylum against the onslaughts of vice'*, and the one place where a woman can *'be sure about [herself], where there are no dangers to fear.'*²⁴ Nevertheless, as Usbek discovers, disorder can break out even in the seraglio. In *La Nouvelle Heloise*, the presence of Wolmar, who epitomizes the qualities of a wise man with a highly developed sense of justice, is not enough to protect Clarens. Julie states that Wolmar never violates *'conjugal solemnity'*, and that even his passion for her is of a kind in which he *'loves only as much as he wishes to and ... he wishes to only as much as reason permits.'*²⁵

Yet Julie's passion triumphs over Wolmar's justice. Neither the seraglio nor Clarens can provide a true asylum or substitute for a weak super-ego and natural lack of capacity for sublimation. In any social context *'the life of a good woman is a perpetual struggle against self'*²⁶, Julie says everything when she writes on her death-bed that *'I dare pride myself in the past, but who might have been able to answer for my future? One day more, perhaps, and I might be guilty!'*²⁷

Rousseau presents us with many insights into the problem of the disorder of women. However, he is, very surprisingly, far less aware of the problem posed by the family. Rousseau's political theory highlights the conflict between the private interests of sectional associations and the general will (or principles of justice) that governs the political order. However, he fails to see that the family, too, is a sectional association that threatens justice. Rousseau pictures the family, the little commonwealth with the father at its head, as the foundation of the state: *'Will the bonds of convention hold firm without some foundation in nature? Can devotion to the state exist apart from the love of those near and dear to us? Can patriotism thrive except in the soil of that miniature fatherland, the home? Is it not the good son, the good husband, the good father, who makes the good citizen?'*²⁸

Perhaps, if the father's sense of justice is strong enough to override his love for his family, his desire to protect its interests and the baleful influence of his wife. Freud argues that the conflict between love, whether sensual or *'aim-inhibited'*, and public life cannot be avoided: *'love comes into opposition to the interests of civilization; ... civilization threatens love with substantial restrictions'*. The more closely that family members are attached to each other, the harder it is for them to enter into public life.²⁹ Freud might have added that the more diligently husbands and fathers work for the interests of their families, the more likely it is that they will

put those interests before the requirements of justice. There can be no easy reconciliation of the virtues of love and justice.

Paradoxically, because the family is the 'foundation' of social life in the sense that it is the point of 'procreative origin'³⁰ of society and because it stands directly at the border with nature, women are seen as guardians of order and morality as well as inherently subversive. Rousseau glorifies women's task as mothers. He was one of the first writers to emphasize the moral implications of breast feeding, and he is careful to stress, for example, that when Julie constructs her natural garden retreat she does not allow the work to interfere with her duties as a mother. (However, it should be noted that the mother's task is completed in the early years; a male tutor takes over from her.) Women's guardianship of order reaches beyond motherhood. Within the shelter of domestic life women impose an order, a social pattern, and thus give meaning to the natural world of birth and death and other physical processes, of dirt and raw materials, that is integral to domestic life.

Women are direct mediators between nature and society. However, because women face nature directly, and because, in giving birth and in their other bodily functions, they appear as part of nature, they exemplify the ambiguous status of the family as both natural and social.³¹ Women impose order and foster morality; but they are also in daily contact with dirt and with natural processes only partly under our control. They cannot escape being tainted by this contact or completely transcend the naturalness of their own being. Hence, they represent both order and disorder, both morality and boundless passion.

It is worth remarking here that one way in which women (and their male kin and keepers) attempt to hide this contact with nature, their own natural functions, and hence their potential for disorder, is through cleanliness—presented as purity. In the *Persian Letters*, the chief eunuch stresses to Usbek that he has always been trained to keep the women in the seraglio 'absolutely clean ... and [to take] an infinite amount of care over it'.³¹ Rousseau proclaims that 'nothing could be more revolting than a dirty woman, and a husband who tires of her is not to blame'. Emile will never find this fault in Sophy: 'things are never clean enough for her... She has always disliked inspecting the kitchen-garden ... the soil is dirty, ... absolute cleanliness ... has become a habit, till it absorbs one half of her time and controls the other; so that she thinks less of how to do a thing than of how to do it without getting dirty ... Sophy is more than clean, she is pure'.³³

The profound insights into the contradictions and antagonisms in the dialectic between individuals and their social relations, and between the family and civil society, to be found in the work of thinkers of the stature of Rousseau and Freud, are sadly neglected (or not even recognized) in most contemporary work on the subject of justice—and in much feminist writing. In part, this reflects the consolidation of liberal theory over three centuries as the ideology of the liberal capitalist state, centred on the separation of the political and private spheres. The problems which appear explicitly at the origins of liberal theory in the arguments of the social contract theorists and their critics are now either ignored or regarded as unproblematic. In particular, the tension between nature and convention or love and justice is continually glossed over or suppressed.

Early liberal feminist writers such as Mary Wollstonecraft and John Stuart Mill, for example, *who agree that women lack a sense of justice*, offer a much more superficial diagnosis of the problem than Rousseau (though that is not to underestimate their achievement).

They see it primarily as a matter of extending the liberal principles of freedom, equality and rationality to women through a process of education. In the *Vindication*, Wollstonecraft appeals for the 'rights of men and citizens' to be extended to both sexes; reason has no sex. It appears that the virtues are sexually differentiated because women have been turned into 'artificial' creatures. Their education (or, more accurately, lack of it) reinforces their dependence on men and makes them mean and selfish, in arrowing the range of their concerns to exclude the wider community so that they cannot develop a sense of justice.

Similarly, in *The Subjection of Women*, Mill argues that we cannot say that women are 'naturally' fit only for subordination because we know nothing of what they might become if the principles of freedom and equality, now governing the rest of our social institutions, were extended to sexual relations. Mill argues that individuals develop a sense of justice through participation in as wide a range of public institutions as possible; confined to the family—which the law allows to be a 'school of despotism'—women can never learn to weigh the public interest against selfish inclination.

The obvious problem with Mill's and Wollstonecraft's arguments is that—although they both advocate a proper education for women and a widening of opportunities to enable them to be economically independent of men—they also assume that the opportunities will be largely irrelevant for the majority of women. Most women will continue working within the home since child-rearing will remain their major responsibility. But this means that, despite

legal and educational reforms, men's moral understanding will continue to be more highly developed than women's.

Women will not obtain within the family the breadth of social experience and practical education that will develop their sense of justice and allow them, with safety, to participate in political life. The problem of the disorder of women, while mitigated by education, remains unresolved.

These feminist arguments assume that the family can become the bedrock on which the liberal state is raised, but they also contain a hint that love and justice can conflict. Mill implies that education is the answer here, too. Educated persons of both sexes should be able to control and subdue their 'lower' passions. Wollstonecraft contrasts love, that is, sexual passion, with friendship and mutual respect between equals, and she argues that the latter is the only true basis for marriage and family life.

Rousseau, also, thought it 'an error' to see sexual passion as the basis of domestic life (he makes it clear that Saint Preux, Julie's lover, would not make a good husband). He claims that: *'people do not marry in order to think exclusively of each other, but in order to fulfil the duties of civil society jointly, to govern the house prudently, to rear their children well. Lovers never see anyone but themselves, they incessantly attend only to themselves, and the only thing they are able to do is love each other.'*³⁵

However, given Rousseau's conception of women's nature and his plan for their education, it is impossible that marriage could be placed on this footing—as he shows clearly enough in his story of Wolmar's virtue and Julie's love. To state that sexual attraction is not the proper foundation for marriage solves nothing, if it is also believed that women are naturally creatures governed wholly by their sexual passions.

More generally, the liberal feminists' recognition that the relationship between the sexes contradicts basic liberal principles and their proposals for social reforms, fail to get to the heart of the problem of the disorder of women. Their argument is undercut by the acceptance of the *separation of domestic from civil life*, which is also a sexual separation.

Women and love are irrevocably set in opposition to justice. Liberal theory presupposes the opposition between nature and convention but the opposition can be neither admitted nor its implications pursued. The account of the development of the sense of justice in Rawls's

extremely influential *Theory of justice* shows how liberal theorists consistently obscure one of the major problems in their arguments.

Rawls states that he has drawn on both Rousseau and Freud, but he gives no indication that he has appreciated the relevance of their insights into sexual relationships for the question of justice. Rawls presents an apparently sexually undifferentiated account; arguing that '*our moral understanding increases as we move in the course of life through a sequence of positions*'.³⁶ The sense of justice develops in three stages; first, the child learns the 'morality of order' from its parents. Then the 'morality of association', a morality characterized by the cooperative virtues of justice and impartiality, is developed when the individual occupies a variety of roles in a range of institutions. Finally, we reach the stage of the 'morality of principles' in which we understand the fundamental role of justice in the social order and we wish to uphold it; the sense of justice is attained.

Now this account, of course, has the same obvious failing as the liberal feminist arguments—only if men and women can move 'through a sequence of positions' will both sexes develop the sense of justice. Rawls, not surprisingly, rejects cries to 'abolish the family', but he has nothing to say about the sexual division of labour or the conviction that domestic life is the proper sphere for women. On the contrary, he remarks that if a publicly recognized concept of justice regulates social life it will '*reconcile us to the dispositions of the natural order*'.³⁷ And what is more natural, or in accordance with the order of nature, than the division of social life and its virtues between the sexes: conventional political life and justice belong to men; domestic life and love belong to women?

One reaction from the feminist movement to the problems sketched in this Chapter has been a call for the last vestiges of nature to be swept away. In the *Dialectics of Sex*, Firestone claims that the problem of women and nature can be solved through artificial reproduction which will allow all relationships, including those between adults and children, to be based on convention or to be freely chosen. However, this is to argue that the whole of social life could be fashioned in the image of a philosophically and sociologically incoherent abstract, possessive individualism. It is a 'solution' based on a continuing opposition between nature and society rather than an attempt to recreate this relationship.

Another feminist response to claims about the disorder of women has been to argue that, since 'justice' is the work of men and an aspect of the domination of women, women should reject it totally and remake their lives on the basis of love, sentiment and personal

relations. But this no more solves the problem than a declaration of war on nature; neither position breaks with liberal conceptions or can take account of the dialectic between individual and social life, between the particular or personal and the universal or political.³⁹ To attempt technologically to banish nature or to deny that justice has any relevance is to try to wish away fundamental dimensions of human life. Rather, the extraordinarily difficult and complex task must be undertaken of developing a critique of the liberal and patriarchal conception of the relation between nature and convention that will also provide the foundation for a theory of a democratic, sexually egalitarian practice.

The insights and failings of the theorists discussed in this Chapter provide one starting point for such a critique. I have concentrated on 'love', that is to say, sexual passion. However, one of the most urgent tasks is to provide an alternative to the liberal view of justice, that assumes that 'a' sense of justice presently exists, developed through the smooth passage of all individuals through social institutions.

This claim rests on the uncritical acceptance that the structure of liberal capitalist institutions allows both men and women, working class and middle-class, to develop in the same fashion. It ignores the reality of institutions in which the subordination of women and the 'despotic organization of production'³⁸—are seen as natural. Rousseau's critique of abstract individualism and the liberal theory of the state can assist in building a critical theory, just as his many insights into the relationship between sexual and political life, disentangled from his patriarchalism, are essential to a critical theory of the relation between love and justice. Similarly, Freud's psychoanalytic theory is indispensable, but must be used carefully as part of an account of the historical development of civil society—which includes a specific form of domestic association and 'masculine' and 'feminine' sexuality—and not, as Freud presents it, as an abstract theory of the 'individual' and 'civilization'.³⁹

This project may sound daunting, even completely overwhelming. Yet once the problem of the disorder of women begins to be seen as a question of social life, not as a fact that confronts us in nature, the reality of the structure of our personal and political lives is beginning to be revealed within the appearance presented in liberal and patriarchal ideology, and the task has already begun.

ENDNOTES

1 J.-J. Rousseau, *POLITICS AND THE ARTS: A Letter to M. D'Aiembert on the Theatre*, tr. A. Bloom (Cornell University Press, Ithaca, NY, 1968), p. 109. Rousseau also notes that wine attracts old men because youth have other desires; beliefs about the subversiveness of youth are outside the scope of this paper.

2 G. W. F. Hegel, *THE PHENOMENOLOGY OF MIND*, tr.] B. Bailie (Allen & Unwin, London, 1949), p. 496; *Philosophy of Right*, tr. T. M. Knox (Oxford University Press, Oxford, 1952), addition to par. 166. N. O. Keohane (*Female Citizenship: The Monstrous Regiment of Women*) (paper presented at the annual meeting of the Conference for the Study of Political Thought, New York, 6-8 April 1979), discusses various aspects of the belief that women should not enter the political sphere, with particular reference to ancient Greece and Jean Bodin's theory .

3 Women have also been perceived from ancient times as guardians of morality and order. This contradictory view is briefly discussed below, but it should be noted that the two conceptions of women are not straightforwardly opposed to each other. The 'morality' and 'order' represented by women is not the same as the 'order' of the political sphere.

4 But compare Nietzsche: '*You desire to live "according to Nature"? Oh, ... what fraud of words! Imagine to yourselves a being like Nature, boundlessly extravagant, boundlessly indifferent, without purpose or consideration, without pity or justice, at once fruitful and barren and uncertain: imagine to yourselves indifference as a power, how could you live in accordance with such indifference?*' (F. Nietzsche, *THE COMPLETE WORKS*, ed. O. Levy (Foulis, London, 1911), vol. 12; *BEYOND GOOD AND EVIL*, tr. H. Zimmer, Chap. I, par. 9). The same ambiguities and contradictions in our perception of women also surround 'nature'. Social life can, for example, be regarded as properly a reflection of the harmony in nature or the 'order of nature'; alternatively, nature can be seen as the sphere of the uncontrolled, the arbitrary, the capricious, the indifferent that must be transcended in social life. A discussion of various meanings attributed to 'natural' in relation to women can be found in C. Pierce, '*Natural Law Language and Women*', in *WOMEN IN SEXIST SOCIETY*, ed. V. Gornick and B. K. Moran (Basic Books, New York, 1971).

5 Rousseau, THE SOCIAL CONTRACT, tr. M. Cranston (Penguin Books, Harmondsworth, Middlesex, 1968), bk 1, p. 50.

6 Hobbes's view of the family is discussed in T. Brennan and C. Pateman, *"Mere Auxiliaries to the Commonwealth": Women and the Origins of Liberalism'*, Political Studies 27 (1979), pp. 1, 83-200.

7 Rawls, A THEORY OF JUSTICE (Oxford University Press, Oxford, 1971), p. 3.

8 S. Freud, 'CIVILIZATION AND ITS DISCONTENTS', in The Standard Edition of the Complete Psychological Works, tr. J. Strachey (Hogarth Press, London, 1961), vol. 21, p. 95.

9 Hegel, THE PHENOMENOLOGY OF MIND, p. 496.

10 Rousseau, EMILE, tr. B. Foxley (Dent, London 1911), p. 322.

11 Rousseau, POLITICS AND THE ARTS, p. 87.

12 Rousseau, *'Discourse on the Origin and Foundations of Inequality'*, in THE FIRST AND SECOND DISCOURSES, tr. R. D. Masters (St Martin's Press, New York, 1964), p. 147. The speculations of classic theorists about the 'natural condition' and 'the origin of society' should be compared with the speculations of scientists studying animal life. See the fascinating discussion by D. Haraway, 'ANIMAL SOCIOLOGY AND A NATURAL ECONOMY OF THE BODY POLITIC, Part II: *The Past Is the Contested Zone: Human Nature and Theories of Production and Reproduction in Primate Behaviour Studies'*, Signs, 4 (1978), pp. 37-60.

13 Freud, 'CIVILIZATION AND ITS DISCONTENTS', p. 99.

14 *Ibid.*, pp. 103-4.

15 S. Freud, *'Female Sexuality'*, in ON SEXUALITY, ed. A. Richards, (Penguin Freud Library, Harmondsworth, Middlesex, 1977), vol. 7, p. 377.

16 Rousseau, EMILE, pp. 328, 359.

17 Heel, PHILOSOPHY OF RIGHT, addition to par. 166.

18 S. Freud, *'The Dissection of the Psychological Personality'*, in NEW INTRODUCTORY LECTURES ON PSYCHOANALYSIS, ed. J. Strachey (Penguin Freud Library, Harmondsworth, Middlesex, 1973), vol. 2, p. 98.

19 Freud, 'CIVILIZATION AND ITS DISCONTENTS', pp. 101, 131-2.

20 Freud, *'Some Psychological Consequences of the Anatomical Distinction between the Sexes'*, in Richards, ed., vol. 7, p. 341. 21 Freud, 'FEMALE SEXUALITY', p. 375.

22 Freud, *'Some Psychological Consequences of the Anatomical Distinction between the Sexes'*, vol. 7, p. 342.

23 Cf. *'Society cannot be formed or maintained without our being required to make perpetual and costly sacrifices. Because society surpasses us, it obliges us to surpass ourselves, and to surpass itself, a being must, to some degree, depart from its nature.'* (E. Durkheim, *The Dualism of Human Nature and Its Social Conditions'*, ESSAYS ON SOCIOLOGY AND PHILOSOPHY, ed. K. H. Wolff (Harper & Row, New York, 1964), p. 338).

24 Montesquieu, PERSIAN LETTERS, tr. C.J. Betts (Penguin Books, Harmondsworth Middlesex, 1973), letter 20, p. 68; letter 26, p.76.,

25 J.-J. Rousseau, LA NOUVELLE HELOISE, tr. J. H. McDowell (Pennsylvania State University Press, University Park, 1968), pt 2, letter 20, p. 260.

26 Rousseau, EMILE, p. 332.

27 Rousseau, LA NOUVELLE HELOISE, pt 4, letter 12, p. 405.

28 Rousseau, EMILE, p. 326. I was first alerted to this point by the excellent discussion of Rousseau in S. Okin, WOMEN IN WESTERN POLITICAL THOUGHT (Princeton University Press, Princeton, NJ, 1980).

29 Freud, 'Civilization and Its Discontents', pp. 102-3.

30 I am indebted for the phrase to A. Yeatman's unpublished paper, *'Gender Ascription and the Conditions of Its Breakdown: The Rationalization of the 'Domestic Sphere' and the Nineteenth-Century "Cult of Domesticity"'* .

31 On these points see M. Douglas, PURITY AND DANGER (Penguin Books, Harmondsworth, Middlesex, 1970); S. B. Ortner, *'Is Female to Male as Nature Is to Culture?'*, in WOMEN, CULTURE AND SOCIETY, ed. M. Rosaldo and L. Lamphere (Stanford University Press, Stanford, CA, 1974); and L. Davidoff, *'The Rationalization of Housework'*, in DEPENDENCE AND EXPLOITATION IN WORK AND MARRIAGE, ed. D. L. Barker and S. Allen,

(Longmans, London, 1976). (On purity, see also Ortner's suggestive sketch '*The Virgin and the State*', *Feminist Studies*, 8 (1978), pp. 19-36.)

32 Montesquieu, *Letter* 64, p. 131.

33 Rousseau, *EMILE*, pp. 357-8.

34 Victorian arguments about women's lack of sexual feeling, while oppressive, could also be used to women's advantage. There is an excellent discussion of this area in N. F. Cott, '*Passionlessness: an Interpretation of Victorian Sexual Ideology, 1790-1850*', *SIGNS*, 4 (1978), pp. 219-36.

35 Rousseau, *LA NOUVELLE HELOISE*, pt 3, letter 30, pp. 261-2.

36 Rawls, p. 468. The discussion here draws generally on secs. 70-2.

37 *Ibid.*, p. 512.

38 The phrase is taken from B. Clark and H. Gintis, '*Rawlsian Justice and Economic Systems*', *PHILOSOPHY AND PUBLIC AFFAIRS*, 4 (1978), pp. 302-25. This essay forms part of the 'left' critique of Rawls which, so far, has largely ignored the sexual (in contrast to the class) dimension of subordination and its relevance for justice.

39 See M. Poster, *CRITICAL THEORY OF THE FAMILY* (Pluto Press, London, 1978), Chap. 1 (though women are relegated to a footnote); and 'Freud's CONCEPT OF THE FAMILY', *Telos*, 30 (1976), pp. 93-115.