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PROFILE

The Political Theory of Carole Pateman

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Carole Pateman is, by any measure, an extraordinary political thinker. She has written modern classics of both democratic and feminist theory, but the scope of her work is even wider than this dual accomplishment suggests, since it includes contributions to the study of early modern political thought, early feminist thought, and, recently, the history of colonialism. The reach of her influence is proportionately wide, touching all of the social sciences and humanities and extending to scholars around the globe. She is perhaps best known for writing *Participation and Democratic Theory* (1970) and *The Sexual Contract* (1988). Each is in its own way an exemplary analytical accomplishment as well as a crystalline expression of a historical tendency in its time. In its call for a renewed sense of the importance of participation in democracy, the former expressed something of the 1960s' revolt against postwar political complacency. The latter, in its insistence that Western political theory must be rebuilt from the ground up to accommodate the emancipation of women can surely be seen as an intellectual peak of second-wave feminism. The enduring influence of this book was recognized when it received the APSA's Benjamin Lipincott Award in 2005. But Pateman's other books—discussed in the following para-

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2010–11 APSA PRESIDENT Carole Pateman

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graphs—and a great number of her articles have also been deeply influential.

Pateman has followed her career across three continents. She received her D.Phil from Oxford University. Currently a Distinguished Professor of Political Science at the University of California, Los Angeles, she joined the faculty there in 1990 after teaching at the University of Sydney and holding a number of visiting appointments at institutions including Stanford and Princeton. Pateman has frequently been invited to deliver prestigious public lectures, such as the Gunnar Myrdal Lecture at Stockholm University, Sweden. In 2004, she received a Lifetime Achievement Award from the U.K. Political Studies Association, and she is a fellow of the British Academy, the American

Academy of Arts and Sciences, the Academy of Social Sciences (U.K.), and the Academy of Social Sciences in Australia. Long before she assumed the presidency of the APSA, she served as the first woman president of the International Political Science Association from 1991 to 1994, and her tenure in that position is still remembered and admired. Guillermo O'Donnell, the noted comparativist, told us that he “was delighted that she was [his] successor as president of the International Political Science Association, where she left the important mark of her open-minded and progressive spirit.”

Such scholarly acclaim would probably have seemed an unlikely future for a girl born in Maresfield, a village about 40 miles south of London—a child of parents who had finished their own educations by the age of 14. Pateman herself originally left school at 16 to take a series of clerical jobs before enrolling in Ruskin College, an adult education school in Oxford. Although she did not have the usual qualifications that would allow a person to attend university, she won a place at Lady Margaret Hall, Oxford, on the basis of a distinction in the Oxford University Post-Graduate Diploma in Political Science and Economics, an exam taken by many Ruskin students. After obtaining her BA, she studied with Brian Barry and completed *Participation and Democratic Theory* with the intention of submitting it for a B.Litt. Barry suggested that she instead send the manuscript to Cambridge University Press, which accepted it for publication. Upon seeing the book for the first time at Blackwell's bookstore in Oxford, she says, she was overcome and “fled from the store” (2008, 231). She explained nearly forty years later: “Being an author was so remote from my experience that it had no reality until I saw the material object” (2008,

231, n. 1).

Pateman's work is characterized by real breadth, both in terms of topical scope and approach. Substantively, she has written about marriage, sex, the economy, the state, and citizenship. She has made contributions both to contemporary political theory and to the history of political thought. Pateman has never been content simply to approach political theory as philosophical analysis. "I resisted becoming a philosopher (a path I was urged to follow) because I realized that my interests did not lie in purely philosophical problems," she has written, adding: "I have always been keen on bringing together empirical evidence and theoretical argument" (Pateman and Mills 2007, 16). Thus, the raw materials of her work are crucial, and they vary enormously, from legal documents and other historical sources that reveal the development of colonialism to sociological studies of workplace participation, statutory and common law defining the status of women, and canonical (though problematic) texts of political philosophy. One motivation for this range of sources is Pateman's conviction that "democratic theory needs to begin from where we are at present" and not just from abstract ideals (2008, 234). Another motivation stems from the insight that when properly elucidated, the work of figures like Thomas Hobbes can reveal assumptions and ideas that have long structured everyday life.

The breadth of Pateman's work is matched by the range of her influence. A 2007 study found her to be among the four hundred most-cited political scientists of all time—and of these, she ranked among political scientists earning Ph.D.s from 1970 to 1974 and third among political theorists (Masuoka, Grofman, and Feld 2007). One does not, of course, attain this level of influence by appealing along narrow subfield lines. Pateman is read and drawn upon by scholars of Latin American democratization, feminists interested in both marriage and prostitution, and sociologists of the workplace—as well as, of course, by political theorists focused on an extraordinary variety of subjects. As for the global reach of her influence, *The Sexual Contract* has been translated into nine languages, including Croatian, Chinese, and Portuguese, and *Participation and Democratic Theory* has been translated into three languages, including Japanese and Chinese.

DEMOCRACY, PARTICIPATION, AND OBLIGATION

In exploring and providing the intellectual framework for a participatory vision of

democracy, Pateman's first book captured an ideal that was pervasive in the 1960s and swept aside facile generalizations about the meaning of democracy in the history of political thought. In doing these things, *Participation and Democratic Theory* helped to give shape to the field of democratic theory as we now know it. In the two postwar decades prior to the book's publication, a particular view of democracy had gained a strong grip on scholarship. With roots extending at least as deep as Joseph Schumpeter's *Capitalism, Socialism and Democracy* (1942), this view, which Pateman dubs "the contemporary theory of democracy," devalued participation, criticized so-called "classical" theory, and emphasized a "realistic" assessment of the facts of modern politics. Proponents of this dominant theory of the 1950s and 1960s defined democracy as a political method or institutional arrangement in which elite leaders gained the power to make decisions through competition for the popular vote. But the elite character of democracy and the minimal role for mass participation were not to be regretted, these scholars said. Many scholars actually valued low participation and apathy for their claimed contributions to political stability.

Pateman's response in *Participation and Democratic Theory* to this prevalent approach is multipronged. First, she takes its proponents to task for creating a myth of "classical" democracy. Pateman points out that some of the supposed purveyors of the "classical" theory actually defended a participatory theory of democracy. In this argument, she had in mind J. J. Rousseau and John Stuart Mill, as well as the twentieth century guild socialist, G. D. H. Cole. Cole epitomized the participatory approach in many ways through his emphasis on participation as educative to participants, his conjecture that democratic capacities developed in one sphere can foster effective participation in wider forums, and his principled insistence that no one should be another's master. But Cole also went further than other scholars, Pateman argues, in stressing the case for self-government in every authority structure, especially workplaces. Thus, Cole decisively challenged ordinary assumptions about the proper extent of democratic politics. Pateman's interpretations brought to light a participatory tradition that had been long neglected, but they also did something more. By now, distinguishing different "models" of democracy in the history of political thought is a familiar exercise, especially because of the work of such scholars as C. B. Macpherson and David

Held. At the time, however, Pateman was among the first to show how the rejection of old, homogenizing assumptions about the history of democratic thought can be illuminating.

Pateman was not content, however, to let the argument of *Participation and Democratic Theory* rest on textual reinterpretation. She ends her discussion of the history of participatory theory by setting herself an empirical challenge: "The theory of participatory democracy stands or falls on two hypotheses: the educative function of participation, and the crucial role of industry" (1970, 44). Her route into these subjects explores the concept of "efficacy" and its role in the political science and political sociology of the 1960s. In those literatures, she notes, "efficacy" referred to a feeling of political competence, confidence in one's ability to affect politics, and assurance of the value of doing so. There is much evidence that individuals who feel more efficacious tend to participate more deeply in politics. Many proponents of the "contemporary theory" argued that both deference to elites and low participation (linked to low efficacy) were necessary for the health of Western democracies, even though such attitudes stemmed from a misunderstanding of the openness of these polities. One version of this argument was Gabriel Almond and Sidney Verba's claim that a "civic culture"—a political culture combining "involvement" with "passivity" and "traditionality"—was best suited to a healthy democracy (Almond and Verba 1963). Pateman does note that scholars favoring the "contemporary theory" also acknowledged (but often did not emphasize) findings that supported some claims of participatory theory, especially the claim that efficacy is strongly influenced by opportunities to participate in the workplace. Thus, Pateman contends, individuals' orientations toward politics rest substantially on "the authority structure" of their work environment (1970, 53), as Cole and other participatory theorists had anticipated.

Nevertheless, Pateman is cautious in making empirical claims about workplace participation, resting them on a careful sifting of scholarship on democratic practices in industry. She reviews reports both about English firms that had experimented in workplace democracy and about the history and structure of industrial democracy in the former Yugoslavia. In many of these cases, she concludes that the extent of participation involved does not qualify as workplace democracy, as she defines it. However, she does find that the evidence confirms

the expectations of Cole and Mill in several ways: workers were interested in participating at work, even low levels of participation improved the sense of efficacy, and such participation in industry proved feasible.

It is important to note that throughout her first book, Pateman also contends that there is a principled argument in favor of workplace democracy that rests on the analysis of subordination and freedom—two problems that have remained at the center of her work ever since. As she writes in *Participation and Democratic Theory*: “Industry, with its relationships of superiority and subordination, is the most ‘political’ of all areas in which ordinary individuals interact,” and this supports the participatory view that industry should be “democratized” (1970, 83).

It is difficult to overestimate the importance that these ideas had for the development of political inquiry. Jane Mansbridge notes that “Pateman’s book had a great impact on an entire generation of theorists and practitioners in many fields of the social sciences” (2008, 20). Or, as Alan Ryan puts it, *Participation and Democratic Theory* “has over more than three decades earned a permanent place in the history of our discipline while retaining the youthful freshness that marked its first appearance” (2008, 165).

Pateman’s next book, *The Problem of Political Obligation: A Critique of Liberal Theory* (1979; 1985) exemplifies her willingness to tackle the biggest theoretical questions and her fearless pursuit of arguments to their logical conclusions—even if such a journey forces a rethinking of the most basic institutions and practices of the contemporary political world. In its critique of the often-discussed social contract, *The Problem of Political Obligation* constitutes the first of her three explorations of the main components of the conjectural and (in Pateman’s view) multi-part original contract, with her next two explorations being her examination of the “sexual contract” in her book of the same name and her unearthing of the “settler contract” in her most recent book.

Her particular aim in *The Problem of Political Obligation* is to show why there is a problem of justifying political obligation to the modern liberal democratic state. Pateman draws a crucial distinction between the conjectural social contract that purportedly creates a political community and the consent that later generations are said to give

to political arrangements that predate them. By focusing on the latter, ongoing problem of consent, Pateman arrives at her critique of voting and her challenging conclusions about participatory democracy. She stresses the difference between vertical and horizontal obligation—the obligation, on the one hand, of citizens to the state, and on the other, of citizens to each other. Pateman argues that too many discussions conflate these kinds of obligation. Ultimately, she contends that a more democratic, participatory politics would focus more on the egalitarian, horizontal sort of obligation.

While most contemporary political theorists take the state and its power, and hence political obligation, for granted, Pateman argues that the classic theorists of an original contract were painfully aware of the general problem of justifying political obligation. Thus, she begins by showing how obligation became a political problem only with the advent of modernity. The revolutionary idea that human beings are born free and equal emerged in the seventeenth century

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to replace notions of natural hierarchy and inequality, but it raised a novel dilemma. Given this premise, which delegitimizes all forms of natural subordination, the only remaining justification for government, in any sphere, is the agreement of the governed. Political obligation, then, must be self-assumed. Of course, this conclusion leads to a disconcerting question: what if people do not agree? According to Pateman, this hidden query is the reason that there are so many arguments in political theory that purport to show, in one way or another, that people always do agree.

While early modern theorists focused on the social contract, in more contemporary political theory, voting is often treated as the act that signifies the ongoing consent of the governed. But Pateman argues that empirically, it is doubtful that voting holds this significance for citizens. Moreover, if voting does signify consent, then it takes an odd form: as consent to suspend collective self-government until the next election, which is also consent to suspend such self-government itself. Viewed in this light, such

a form of consent has similar problems to that inherent in two types of modern contract: the employment contract and the traditional marriage contract, which would become central foci of her landmark work, *The Sexual Contract* (1988a). In *The Problem of Political Obligation*, Pateman contends that the difficulty with all three of these is that they are instances of promising obedience in which “the person making the promise is no longer free to exercise her capacities and decide upon her own actions, and is no longer equal, but subordinate” (1985, 19). The starkest example of this agreement is the voluntary slave contract, discussed at length in *The Sexual Contract*.

In any case, Pateman points out that often, the conceptual devices on which political theorists rely do not defend political obligation on the basis of voting and universal suffrage, but instead rely on “hypothetical voluntarism,” as in Rawlsian speculation about the sorts of institutions that abstract human agents would choose in an imaginary “original position” behind a putative “veil of ignorance” (1971). Like arguments about voting, these devices all work in the same way, as mechanisms designed to portray preexisting institutional frameworks of domination and subordination as consensual.

If we really take self-assumed obligation seriously, Pateman argues, then political obligation is incapable of emerging in a context in which individuals do not play a direct role in governance. Unlike voting, Pateman maintains, participatory democratic practices are capable of serving as political counterparts to the social practice of making meaningful promises, or promises that are not reducible to the agreement to obey. Participatory democracy allows citizens to decide directly when they will assume obligations by enabling them to exercise their own judgment, rather than being subject to judgment of their representatives. Through this exercise, they freely create new relationships and determine the specific content of their obligations. Ultimately, for Pateman, real democracy is a collective, intersubjective enterprise that requires universal direct participation and lively deliberation, and is not reducible to the mere aggregation of individual preferences.

This belief does not mean that Pateman thinks voting and representation can be discarded. As early as *Participation and Demo-*

cratic Theory, she argues that representation will always be required in large-scale modern states. But representation acquires a different meaning when it exists in the context of a participatory system. In such a system, horizontal obligations between fellow citizens gain a new importance, while the vertical obligation of citizens to obey the state becomes less of a factor, although it does not disappear.

PATRIARCHY, CONTRACT, AND PROPERTY IN THE PERSON

Among Pateman's many achievements is her role in establishing feminist political theory as a major field within the study of politics and political ideas. Feminist work has long been characterized by its interdisciplinarity and willingness to draw on a variety of sources. Pateman's own writing has been no exception to this tendency, as evidenced by the way she weaves material from social and economic history into her philosophical arguments, or her innovative deployment of Freud and Levi-Strauss in her account of the social contract. Over the last 30 years, however, a thriving field of feminist political theory has developed, a body of work that takes as its focus questions of democracy, equality, justice, and freedom; engages with canonical texts of mainstream political theory; and contributes to feminist debates. *The Sexual Contract* (1988a), *The Disorder of Women* (1989), and *Feminist Interpretations and Political Theory* (1991, co-edited with Mary Lyndon Shanley) have served as foundational texts for this development.

The Disorder of Women brings together essays from the mid-1970s to the late 1980s in which Pateman explores both the centrality and the denial of sexual difference in the construction of modern political thought through the perception of women as a threatening source of political disorder, the articulation of a seemingly disembodied category of "individual" that simultaneously conceals and enforces the differentiation of women from men, and the construction of a new basis for the public/private divide. In her most important work from this period, *The Sexual Contract*, she employs close readings of Hobbes, Pufendorf, Locke, and Rousseau to address the previously under-treated conundrums of the social contract tradition. How can theorists place such stress on "natural"

equality while continuing to view women as "naturally" incapable of participating in the social contract? How can they make consent the key legitimation for hierarchies of power, rejecting arguments that presume a basis in nature, yet overlook the asymmetry and subordination that characterize the marriage contract? The answer, she argues, lies in the "sexual contract" that binds women as subordinates while denying them the capacity for participation in the social contract.

The Sexual Contract, Pateman's second exploration of the dimensions of the original contract, works on many different levels. It simultaneously probes the nature of the patriarchal ideas that structured early modern contract theory; provides a radical critique of the idea that contract theory narratives can legitimate relations of subordination; and uses these insights to shed light on contemporary debates, especially concerning marriage and employment. For Pateman, the term "sexual contract" refers to one aspect of the conjectural original contract that, according to early modern theorists, established civil society. The sexual contract, she says, is the mechanism by which men transform their supposed natural right over women into a form of subordination that is part of a political order characterized by juridical freedom and equality. Women are subjects of this contract, not parties to it. Nor are they parties to the social contract (discussed previously), which is only another aspect of the original contract that scholars often take as the whole thing. For example, in Hobbes, Pateman writes, husbands are "civil masters, because men ('fathers') have made the origi-

its creation of new political relations—of the modern state itself. Meanwhile, by contrast, the marriage contract and employment contract are actual contracts, but they are peculiar in their presupposition of "property in the person"—the concept that a person can treat her obedience or other crucial aspects of herself as pieces of property that can temporarily or even permanently be yielded up or alienated. Pateman questions the idea that narratives that view social relations of permanent subordination as arising through contract can ever provide legitimation for those relations. Thus, the contract, she writes, is nothing other than the "specifically modern means of creating relations of subordination" while presenting those relations "as freedom" (1988a, 118). This mechanism turns an emancipatory premise—the natural freedom and equality of all potential contractors—into a defense of subjection.

Pateman's work on these issues opened up new avenues of scholarship for many subsequent theorists and, as the essays collected in *Feminist Interpretations* testify, helped create a climate for innovative re-interpretations of a wide range of canonical theory. Writing in 1989, Pateman observed that "contemporary political theorists are able to admit the relevance or significance of feminist questions and criticisms only with great difficulty" (1989, 3), largely because of their own addiction to a public/private divide. Change since then has not been overwhelming, for although feminist theorists now engage extensively with the full range of nonfeminist political theory, less movement has occurred from the other side. We can say, however, that

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a rich and substantial body of work in feminist political theory now exists, with numerous university courses specifically devoted to writings in this field. It is not much of an overstatement to say

that this process began with the publication of *The Sexual Contract*.

Two general themes articulated in these works have since become defining features of feminist political theory. The first is Pateman's rejection of the "feudal relics" or "patriarchal remnants" view that leading theorists of an earlier period were too constrained by prevailing assumptions to imagine the application of their ideas to women, but that the more enlightened theorists of our own time

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can now effortlessly ensure women's inclusion. In this reading, the failure of the classical social contract theorists to recognize that their idea that "men" are born free and equal must also apply to women is ascribed to prejudice, limited imagination, or a loss of nerve—a failure to see the logical implications of their own arguments. In Pateman's view, such an interpretation rests on ignorance of the fact that feminists had raised objections to this logical failure as early as 1700. Even J. S. Mill's more robust interpretation, which attributes such inconsistency to the benefits that men derived from keeping women out of the sphere of power, still assumes that the principles of the classic social contract are basically sound and can simply be extended to women. In Pateman's argument, by contrast, the subordination of women is built into the very foundation of liberal-democratic politics through the sexual contract, which makes it impossible for women to figure as the "individuals" of liberal contract theory. Arguing that women were not so much excluded from the original social contract (as if in some moment of forgetfulness), but were rather included under terms very different from those that applied to men, she challenges the notion that one can strip out the earlier bias while leaving the fundamental ideas intact. The problems lie far deeper.

A second theme of Pateman's work that also significantly shapes contemporary feminist thought is the emphasis on embodied difference and the critique of gender neutrality. During recent decades, liberalism has been much criticized for its socially disembodied notion of the individual to the extent that it is hard to locate a liberal now who admits to holding this view. Pateman's more challenging (and more widely resisted) claim is that it is problematic to think of "the individual" as a disembodied entity. It is certainly a mistake to view the individual of seventeenth-century contract theory as disembodied, because that individual did have a body, and the body was male. However, a move from this outlook toward a gender-free understanding is no solution, particularly if this shift encourages us to think that whether we refer to women or men makes no difference to the structure or implications of an argument. In some contexts, a claim to the rights and freedoms of the individual may well represent an advance for women. But if we consider the "body-contracts" that form much of the subject matter of *The Sexual Contract*—marriage contracts, prostitution contracts, surrogacy contracts—it is profoundly

misleading to think of these agreements as being concluded between sexually indifferent individuals, or to imagine that the failings of existing versions can be remedied by making them more neutral. The trick of the contract, in these examples, is the pretence of neutrality that is contradicted by the very nature of the deal. The justification of surrogacy, for example, relies on an attempt to distinguish the action from baby selling by designating it as a kind of service. As Pateman notes, "A mother can be a 'surrogate' mother only because her womanhood is deemed irrelevant and she is declared an 'individual' performing a service. At the same time, she can be a 'surrogate' mother only because she is a woman" (1988a, 217).

Pateman has always stressed that her work is best understood as a whole, with the critique of the sexual contract placed alongside her other work on political obligation and participatory democracy. Certainly, her central preoccupation in these keys works of feminist political theory is with the delusions of modeling the concept of freedom on the contract, and the ways that the fiction of property in the person obscure the subordination attached to wage labor in general and body contracts in particular. We have already seen that she views the classic story of the social contract as ideological. In her words, this story is "a brilliant piece of political inventiveness that has given the name of freedom to civil subordination and repressed the interdependence of civil freedom and patriarchal right" (1988a, 231). When we turn from that hypothetical social contract to the specificities of the employment, marriage, or prostitution contracts, the repression comes into even sharper view. Contract obscures the bodies that are the whole point of the deal in surrogacy or prostitution and the necessary accompaniment of any form of employment, and it encourages us to think that the only thing that matters is whether we have given our free and informed consent. The usual understanding is that in paid employment, a person sells not himself, but an abstract capacity to labor: labor power. This concept is one face of property in the person. But Pateman argues that "the contract in which the worker allegedly sells his labor power is a contract in which, since he cannot be separated from his capacities, he sells command over the use of his body and himself" (1988a, 151). Contracts for surrogate motherhood, Pateman writes, involve "a greater fiction": "The 'surrogate' mother contracts out right over the unique physiological, emotional and creative capacity of

her body, that is to say, herself as a woman" (1988a, 215). Such a contracting of the self into someone else's power is still an agreement to subordination. For this reason, the contract can be seen as the modern face of subordination.

Pateman's thinking on this subject is shaped by her knowledge of writings from the socialist tradition, including Marx and twentieth-century theorists like Cole, and it long predates the division in contemporary egalitarian philosophy between those who focus on failures of distribution and those who focus on relations of power. The contrast she makes between exploitation and subordination and her criticism of those scholars who see an unequal distribution of resources as the only or main problem anticipates many of today's debates. Her critique of property in the person also serves as a powerful resource in an era that has to grapple with many complex issues regarding the ownership of bodies, body tissues, and body parts. As Pateman remarked in 2002, "Where lines are to be drawn about property and commodification, what should be alienable and inalienable, and where the balance should be between the two, are some of the most pressing issues of the new century" (2002, 51).

RECENT FORAYS: FROM THE SETTLER CONTRACT TO BASIC INCOME

In her most recent book, *Contract and Domination* (2007), co-authored with Charles Mills, Pateman explores the closely entwined modern histories of race and gender and considers how their legacy has fundamentally shaped the contemporary global political landscape. As in *The Sexual Contract*, two beliefs underpin her approach. The first is that even consciously intersectional works that deal with questions at the juncture of race, gender, and class must make generalizations about the social relations in which particular people find themselves: "Without generalization, structures of power tend to disappear into a sea of differences" (2007, 13). The second belief is that we cannot "understand present-day patterns of global inequality, sexual and racial subordination, and indifference to distress" without understanding how these patterns developed and were justified historically (2007, 163).

The book's second chapter launches Pateman's third exploration of the dimensions of original contract—an analysis of the "settler contract," which she understands as a specific example of the broader racial contract. Pateman investigates the theoretical

logic that enabled the British colonists to justify the dispossession of and rule over indigenous peoples in North America and Australia. She argues that the doctrine of terra nullius, or “empty lands,” was crucial to this endeavor, but had two very different meanings. One view of the concept, which she calls the “right of husbandry,” interpreted lands as empty and unowned if they were populated but uncultivated. Both Locke and the Dutch theorist Hugo Grotius used this argument. However, unlike earlier scholars, Pateman shows the presence of a very different understanding of terra nullius in the second New World locale of Australia. There, until *Mabov. the State of Queensland* in 1992, the continent was legally seen as originally devoid of native inhabitants and therefore literally empty. Pateman explicates for the first time how these two separate senses of terra nullius were incorporated into the framework of the social contract tradition, the guiding theory of Western political modernity.

Pateman defines a “settler contract” as an agreement among the colonizers themselves to simultaneously end a terra nullius, a state of nature, and create a civil or political society and sovereignty for the first time. Native peoples do not take part in the contract, “but they are henceforth subject to it, and their lives, lands, and nations are reordered by it” (2007, 56). In North America, the “right of husbandry” was central to the dispossession and subordination of the Native Americans. In this case, the existence of other peoples was registered, but their differences were read in an increasingly “racial” way, especially after the late eighteenth century. This understanding ultimately deprived Native Americans of the right of nationhood. They were seen as lacking the marks of civil society: tilling the land and the existence of private property, money, and limited constitutional government with written laws and representation. In Australia, however, the aborigines were deprived of legal recognition, so that, unlike in North America, no treaties of even a nominal nature had to be entered into with them. On the other hand, however, the settlers governed the aborigines in the most minute details of their lives. In many eyes, the natives were uncivilized, and they were dismissed as the “lowest in the hierarchy of races” and utterly incapable of exercising sovereignty and self-government (2007, 65).

Political theorists are sometimes chided for the supposedly abstract nature of their endeavor, but such criticisms clearly miss

the mark when applied to Pateman. As she says, the settlers in America and Australia were “the natural figures of the thought experiment in the texts of political theory come to life” (2007, 55). In fact, the power of such devices as the “state of nature” and the “original contract” come from the undeniable fact that they “have helped create the modern world. The colonization of the New Worlds took a long time; in a sense it can be seen as a series of origins, of settler contracts” (Pateman and Mills 2007, 55). But if this per-

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spective is true, we are left with some critical unanswered questions that too many political theorists and political scientists choose to ignore. As Pateman points out, especially in the wake of the rejection of the legal doctrine of terra nullius, “an unacknowledged question mark ultimately hangs over the legitimacy of the states created on what were claimed to be empty territories” (2007, 8). That query ultimately concerns the question of sovereignty itself and constitutes a problem that cannot be reduced to issues of “multiculturalism” and “recognition” (see 2007, 73–78).

In her chapter, “Race, Sex, and Indifference,” Pateman argues that the sexual and racial contracts have been tightly interwoven since the early modern period in complex and sometimes problematic ways. She sketches some of the most salient developments in the making of “race,” which she refers to as a thoroughly “political construct,” even “more completely so than alleged sexual difference” (Pateman and Mills 2007, 140). Nevertheless, as she shows, notions of race and sexual difference not only emerged simultaneously, but, together, the racial and sexual contracts have shaped both state institutions and individual lives in America and Britain. Ever since the colony of Virginia first created a “modern racial structure of white supremacy . . . within a (patriarchal) state” (2007, 3), the sexual contract has shaped the racial contract and vice versa. Tragically, many women fighting to defeat the sexual contract have also historically buttressed the racial con-

tract, which thinkers from Immanuel Kant forward have attempted to provide with a patina of theoretical credibility. Drawing on Norman Geras’s idea of the “contract of mutual indifference,” Pateman concludes this essay with a harsh indictment of the willful ignorance that most people in the West exhibit to the horrific globalized consequences wrought by the history of these two contracts today, including racialized and gendered poverty and violence on a massive scale. Pateman holds that people’s ability to know these truths but turn a blind eye to them is related to the creation of “a hierarchy of worth at home and abroad” (2007, 162). Ultimately, widespread apathy and indifference to the suffering of women and nonwhites are partly the product of the overlapping sexual and racial contracts.

In recent years, Pateman has made creative contributions to debates about welfare focusing on proposals for basic income, the regular provision by a government of a sum of money to every adult citizen. She first called attention to such a policy more than 20 years ago in her article, “The Patriarchal Welfare State” (1988b, 259), some years before the current explosion of interest in basic income. But the roots of her interest in welfare provision are even deeper. The relevant issues that she identifies are really the creation of a truly democratic society, the triumph over subordination, the achievement of freedom, and the democratic transformation of three interrelated and mutually-reinforcing institutions in modern societies: marriage, employment, and citizenship, the central subjects of her first three books.

Her 1988 analysis of patriarchalism in the welfare state set the stage for her more recent work. Pateman begins this article by exploring some classic arguments and the underpinnings of welfare provision, particularly conceptualizations of individuals, citizens, and independence. Hegel, she notes, has been justly credited for his astute recognition that although paid employment is crucial to citizen standing in modern societies, modern economies deprive some people of the opportunity for employment, placing them undeservedly in the position of social and political “exiles” (1988b, 235). This situation has come to be known as “Hegel’s dilemma.” But Hegel, Pateman observes, also thought of women not as undeserved, but as natural exiles. Because he thought that women lacked the requisite qualities for independence, Hegel contended that women could

only be incorporated into the state as dependents of men. Modern welfare states, in Pateman's view, were founded on similar assumptions. Citizenship in such states rests on the concept of independence, but by assumption, law, and social practice, women have not historically been able to fulfill the conditions of independence. Perhaps most tellingly for Pateman, women have often been treated as incapable of self-governance. Such ideas, she argues, undergirded the twentieth-century development of what a number of feminist scholars have described as the "two-tier" welfare state, in which men receive benefits as independent citizens and breadwinners making a social contribution through paid employment, while most women receive benefits as wives, dependents of their husbands. Under such conditions, women's care-giving in families is presumed while the status of care-giving as work is denied. Moreover, those trying to steer a way out of this situation have confronted what Pateman calls "Wollstonecraft's dilemma": Women cannot seek full citizenship as it has been traditionally conceived, because such citizenship is a male category. However, seeking citizenship recognition on the grounds of the traditional care-giving contributions of women risks rigidifying the sexual division of labor. Given the troubling origins of welfare provision, it is not difficult to see why Pateman would take an interest in welfare policies that might help in "advancing women's freedom" (Pateman 2004, 90).

Phillipe Van Parijs's 1995 book, *Real Freedom for All*, reignited global debate about a basic income 15 years ago with a provocative argument that viewed the universal income as a foundation for individual freedom and choice. At the core of Pateman's analysis of basic income is a theory of democratic freedom that is quite different from Van Parijs's libertarian approach and, indeed, often quite critical of it. In much democratic theory, freedom is seen mainly, if not exclusively, as collective self-government. "But an alternative conception," Pateman writes, "looks further to individual self-government," or autonomy (2005, 38). A key facet of this conception is that "to maintain and enjoy individual autonomy requires that individuals interact with each other within authority structures that enhance rather than diminish their self-government" (2005, 38). Pateman thus asks: what sort of welfare provision could contribute to the creation of such autonomy-enhancing authority structures—broadly, to "the creation of a more democratic society in which individual freedom and citizenship

are of equal worth for everyone" (2004, 90)? A basic income, set at a level adequate to provide "a modest but decent standard of life" (2003, 131), would, she argues, enable "individuals more easily to refuse to enter or to leave relationships that violate individual self-government" (2004, 96). In particular, in sharp contrast to welfare policies and employment practices suited to the historical construction of marriage and employment, this basic income would "provide all women with life-long economic independence" (2004, 100). Nor would the liberating potential for basic income only concern marriage. "A basic income," she writes, would also "give citizens the freedom not to be employed" (2003, 132).

Pateman recognizes that such an idea "runs counter to the direction of recent public policy and much political rhetoric" (2003, 142), so a few observations are in order. First, Pateman points out that not all work is employment. Freeing people from the need to constantly remain in paid employment is intended to recognize and enable the conduct of many kinds of uncompensated and underappreciated work, such as volunteering and care-giving for children or the elderly (2003, 141–42). Second, she doubts that enough jobs will ever exist for all adults in the current or future economy. Third, she argues that there are good reasons to doubt the consensus view that paid employment promotes or develops abilities needed for democratic citizenship. Drawing on arguments about workplace democracy that date to the beginning of her career, she questions whether capacities developed in the undemocratic, subordinating structures that characterize most contemporary employment can contribute to democratic citizenship (2005, 43). Friedrich von Hayek himself, she points out, thought of employment as deleterious to freedom, arguing that a free society needs a class of gentlemen of private means. "One way of looking at a basic income," she notes drily, "is as a democratization of [Hayek's] argument at a lower standard of living" (2005, 51).

This modest provocation is a minor example of one of the greatest powers of Pateman's work: the power to unsettle. We cannot escape the challenges that her arguments, even those from the beginning of her career, pose for us today. These arguments upset some of the basic conceptions of liberalism and early modern political theory. They ask whether liberal democratic practices of voting are enough to legitimate the power of the state and citizens' obligation to obey the

state. They question the idea that contract narratives can justify the current forms of employment, citizenship, marriage, or sovereignty. And they force us to think deeply about what democracy really ought to mean, and what sort of social restructuring could overturn institutions formed during modern patriarchy's prime and truly enable women to be self-governing. ■

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