

## Property and Patriarchy in Classical Bourgeois Political Theory

Locke fell into a swoon,  
The garden died.  
God took the spinning jenny  
Out of his side.

*W. B. Yeats*

Classical bourgeois political theory articulated the political revolution that established possessive individualism as the basis of legitimate government and the foundation of civil society. In this respect, it inaugurated the systematic investigation of the objective rules governing subjective human existence. The work of Thomas Hobbes and of John Locke, like classical political economy and modern social science, rest squarely upon the notion of theoretical individualism—at least in the public domain. Both men, diverse prescriptive solutions notwithstanding, thus participated in the as yet unresolved assault upon divine authority. By rejecting divine sanction in favor of rationality as the first principle of civil society, they helped to establish the individual as the justification for and fundamental unit of political society. The theoretical clarity of bourgeois individualism, however, as Hegel and Marx respectively insisted, masked deep psychological and social—i.e., historical—contradictions, not the least of which concerned the appropriate social role of women.

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The revolution in the idea of legitimate political authority that occurred in England in the seventeenth century brought into question the entire theoretical structure of society. From this perspective, it can perhaps most usefully be understood as a rereading of collective experience. As a rereading—and a reformulation of norms—it simultaneously embodied a radical rupture with previous symbolic formulations and a very real continuity, not to say conservative comfort, with previous social relations. Hence the difficulty in assessing the actual content of its rhetoric, which tended, in the temporary heat of struggle, to advance social claims beyond the narrower political goals of its progenitors. Underlying the various revolutionary pronouncements lay a central determination to displace divine authority in the public sphere and to replace it with a rational, individually anchored authority. To effect their goal, however, both Hobbes and Locke, in one small but pivotal detail, relied upon a notion of women's domestic role to express their challenge to the system they purported to supplant. Their performance should not be scanned for any particular interest in women as women, much less for the least hint of feminist intent. Nothing could have been further from the minds of those formulating the new ideology of rational political society.

Hobbes and Locke turned to the domestic role of women to drive home their point for the simple reason that those advancing the claims of divine authority had come increasingly to rely upon the family as the model for a legitimate society, the human vessel of divine intent. Divine authority had assumed the guise of the *pater familias*; the patriarchal model claimed divine sanction. The emergence of the patriarchal ideology on the ruins of a far less self-conscious lineage system constitutes another subject. The expressed ideology incorporated a long historical legacy as well as previous ideological positions, which it transformed in such a way that the divinely sanctioned and omnipotent father appeared as the necessary custodian of political order. At the very moment of its political demise, the family emerged as the highest symbol of political coherence, and the father figured as the unquestioned and unrivaled head of the family. Patriarchal ideology thus sought to unite the public and the private—the juridical and the domestic—realms conceptually and symbolically just at the point when they were decisively apart. The defenders of a more traditional view of social and political organization isolated the father, as head of the family, and invested him with complete domestic and political authority. Their ideological wedding of the two realms established the immediate symbolization against which the theorists of rational political life would have to argue.<sup>1</sup>

The formulation of familial authority as the paradigm for political authority barely survived its first theoretical expression. By treating domestic relations as the model for the juridical realm, the patriarchalists exposed their

cherished institution to systematic attack. Both Hobbes and Locke initially found the familial model sufficiently compelling to demand refutation in its own terms. They started, in other words, not by dismissing family relations as irrelevant to, or different in kind from, political relations, but by insisting that their opponents erred in the characterization of domestic relations. For individualism to triumph politically, it had to be shown to operate domestically. In this sense, Hobbes and Locke did accept the theoretical identity of the public and private realms: the principles that dominated the social relations of the one would have to dominate the social relations of the other.

The individualists' theoretical and political victory relieved them of the necessity to implement their insights. Their concern to free propertied individuals from externally imposed authority had led them to a more thorough questioning of authority than their practical victory would require or their psychological necessities tolerate. With their theoretical rereading secure in the political sphere, history and social experience could be allowed to reassert their claims in the domestic sphere—increasingly portrayed as “naturally” separate. An emerging political economy and historical sociology confirmed this disjuncture by emphasizing the triumph of individual (propertied, male) rationality while rationally accepting the world (women and social classes) as given. Henceforth, the family would be viewed theoretically and experienced psychologically as a unit of, or even a counter-weight to, a juridical system—a political realm—that was increasingly responsive to a market or individualist logic. The family, having temporarily figured as the locus of individualism was resurrected, in traditional—if mystifying—splendor as its antidote.

Because of their preoccupation with the sources of legitimate authority, the early bourgeois political theorists abstracted from prevailing social relations in order to provide a natural or universal basis for individualism. The theorists found that basis in innate human rationality, considered as an attribute, if not a realization, throughout the species. Authority must derive from contract or consent. This line of thought posited slavery as the absolute antithesis of legitimate authority. The explorations of the nature of slavery as a psychological condition—so brilliantly formulated by Hegel—require separate consideration.<sup>2</sup> But, by common consensus, the position of women and slaves remained the touchstones, theoretically speaking, of the relative political and economic freedom prevailing in different societies. The freedom and equality of women never attained the ideological centrality accorded to the absolute condition of slavery, which increasingly figured not merely as the actual state of blacks in the colonies, but as the antithesis of all human liberty: men, normally living with women from whose devotion and relative subordination they benefitted, tended to espouse limited notions of the freedom

befitting a female being. But the conditions of women and slaves were regularly linked as the limiting cases of the nature of any given society—as the most sensitive barometers of its freedom and decency.

In Hegelian terms, slavery and the subjection of women forced the question of dependency upon the individualist consciousness. The strength—if potential inconvenience—of the contract or consensual approach to social relations lay in its requirement of two or more equal participants. The equality, to be sure, needed to extend no further than the ability to consent, but for the consent to be valid it had to be freely given. The importance of this attitude for capitalist social relations of production have been dissected beginning with Marx. The model, however, also carried important psychological overtones. For the bourgeois theorists discerned in slavery a distorting rather than a flattering mirror of the individual human condition. Slavery bespoke dependence, tyranny, despotism; precisely all those attributes of the form of authority they sought to overthrow. If the political realm was to be freed from the chains of arbitrary domination, so must all relations between men—however much the inequalities persisted in unpleasant social fact. Inequality would become the individual responsibility of the unfortunate, not the God-given responsibility of the master. It required centuries to dismantle the social household with its slaves, domestics, retainers, but the principles of that dismantling had been sketched out in the original individualist assault on patriarchy. Absolute property in one's self, extended to all at the small price of simultaneously accepting the accumulated properties of the "labor" of others, provided the working basis for social relations.

The mirror of equality, however, proved to generate as much anxiety as fraternity. In this respect, Hegel's discussion of lordship and bondage captures the psychological character of bourgeois social relations as neatly as it does those of the master-slave relation which individualism sought to repudiate. As the commercialization of social relations "liberated" more and more of the old domestic sphere, opening it to the wonders of the market, the remaining domestic kernel seems to have acquired a progressively greater psychological importance. The Victorians would produce the apotheosis of the female as so unequal as to be naturally of another human order. The theoretical retreat from domestic equality, however, began almost as soon as that equality had been enunciated. Individualism triumphed on the ruins of the dreams of equality, and founded its historical career on the twin pillars of absolute property and absolute dominion over a domestic mirror.

Women, avowedly, get short shrift in political theory. The early ideological struggle purported to establish the "rights of man"—which in effect meant "of men." Nevertheless, texts reveal that those rights depended theoretically,

if not practically, upon the rights of women. Thomas Hobbes, hardly a feminist, could not avoid postulating a theoretical equality, although he immediately retreated from any practical implications.<sup>3</sup> In Hobbes' view, dominion was acquired, not by divine right, but either by generation or by conquest. "The right of Dominion by Generation," he explained, "is that, which the parent hath over his Children; and is called *PATERNALL*. And is not so derived from the Generation, as if therefore the Parent had Dominion over his Child because he begat him; but from the Childs Consent, either expresse, or by other sufficient arguments declared."<sup>4</sup> Hobbes argues thus to prove that any participation in civil society derives from consent or contract. That Hobbes' authoritarianism appalled his liberal successors in no way mitigates his individualist postulates. No more than Locke, Hutcheson, Hume, or Smith did Hobbes expect political organization to derive from a transcendent authority. Like his more optimistic successors, he found it necessary to undermine the theoretical basis for that authority in the irreducible social unit—the family.

To assert the consensual relationship between father and children did not suffice. Hobbes continues: "For as to the Generation, God hath ordained to man a helper; and there be alwayes two that are equally Parents: the Dominion therefore over the Child should belong equally to both; and he be equally subject to both. . . ."<sup>5</sup> Hobbes' notions of order do not mesh with such dual sovereignty, and he completes his sentence by repudiating the equal power of parents on the grounds that the equal subjection of the child "is impossible; for no Man can obey two Masters."<sup>6</sup> Unwilling to permit this retreat to trap him into affirming the natural political supremacy of the father—that gambit having been forestalled by his rejection of patriarchal authority as politically rational—he subjects the family to a rational analysis. "And whereas some," he continues, lavishly mingling historical and theoretical precedents, "have attributed the Dominion to the Man only, as being of the more excellent Sex; they misreckon it. For there is not always that difference of strength or prudence between the man and the woman, as that the right can be determined without War. In Common-wealths, this controversie is decided by the Civill Law. . . ." Most commonwealths, he allows, have decided in favor of the father, "not by the Mothers of families." But in the state of nature which includes no laws of matrimony, nor of education other than the law of nature itself and the natural inclination of the sexes, "in this condition of meer Nature, either the Parents between themselves dispose of the dominion over the Child by Contract: or do not dispose thereof at all." And, in the absence of contract, "the Dominion is in the Mother. For in the condition of meer Nature, where there are no matrimoniall lawes, it cannot be known who is the Father, unlesse it be declared by the Mother;

and therefore the right of Dominion over the Child dependeth on her will and is consequently hers.”<sup>7</sup>

Hobbes’ discussion contains a number of assumptions about women. First, as he states more explicitly elsewhere, “men, are naturally fitter than women, for actions of labour and danger.”<sup>8</sup> Second, in the absence of matrimonial laws, women have natural dominion over their off-spring. Third, within the matrimonial state, women normally relinquish their dominion over children to the fathers of their children, but do so by consent. Fourth, the theoretical equality of women as parents—not as physical or intellectual beings—confirms the individualist basis of civil society. Hobbes, in other words, repudiates women’s rights to the independent exercise of their sovereignty once they have yielded the right by contract, just as he repudiates the right of any member of a commonwealth to exercise his sovereignty once he has yielded it, by contract, to the sovereign. For Hobbes, therefore, paternal authority need not be sex-specific: “If the Mother be the Fathers subject, the Child, is in the Fathers power: and if the Father be the Mothers subject . . . the Child is subject to the Mother; because the Father also is her subject.”<sup>9</sup> Yet Hobbes’ logic does, unwittingly, parallel the patriarchal argument by insisting that identical principles govern the political and the familial realms.<sup>10</sup>

Hobbes perceived and shuddered at the logic of possessive individualist or market society. This recognition of individualism merely prompted him to guard against its political expression. His analysis and his political prescription take full account of both the subjective and the objective aspects of bourgeois man as prey to competition for Honour and Dignity and to a “restless striving after powere that ceaseth only in death.” Among such men arises “Envy and Hatred, and finally Warre.”<sup>11</sup> That simple, driven individual, however, constitutes the basis of all political organization. Dominion arises from the consent of individuals, not from some necessary divine order imposed upon them. Hobbes’ contemporaries understood the radical character of his thought. As Bramhall put it, Hobbes “taketh a pride in removing all ancient land-marks, between prince and subject, father and child, husband and wife, master and servant, man and man.”<sup>12</sup> Historical process, especially the rise of capitalist society since the time of Hobbes, tends to obscure the full force of his logic. His liberal heirs, in both theory and practice, strove to veil the domination inherent in capitalist social relations and, accordingly, focussed on Hobbes’ authoritarian resolution of the political, social, and psychological tensions of an individualist society; they thus sacrificed his underlying premises, the starkness of which they simply repudiated. Liberal theory, however, has not kept pace with history, and conditions in the post-Freudian world require that serious attention be given to Hobbes’

analysis even if his conclusions are not accepted. Above all, Hobbes left no natural basis for domination standing, not even the domination of men over women. Prefiguring Hegel's attack on slavery in *Philosophy of Right*, Hobbes denies that one human being can become the creature of another's will, for, paradoxically, he or she must consent to do so.

Thus, Hobbes stipulates the historical conditions of servitude explicitly: conquest or victory can give rise to that dominion which "some Writers call DESPOTICALL . . . which signifieth a *Lord* or *Master*; and is the Dominion of the Master over his Servant." But, Hobbes insists, the victor acquires this dominion only "when the vanquished, to avoyd the present stroke of death, covenanteth either in expresse words, or by other sufficient signes of the will, that so long as his life, and the liberty of his body is allowed him, the Victor shall have use thereof, at his pleasure. And after such Covenant made, the Vanquished is a *SERVANT*, and not before. . . ."13 Such dominion hardly appeals to modern sensibilities, and succeeding theorists exercised enormous ingenuity in trying to mitigate its brutality. Did not bourgeois hegemony depend heavily on convincing working people that wage servitude constituted a plausible foundation for individual self-respect and human dignity? For Hobbes, the contract, however violently extracted, signified the willing acceptance of the relationship and differentiated it from non-viable forms of servitude, notably slavery. For, he explains, "by the word *Servant* . . . is not meant a Captive, which is kept in prison, or bonds, till the owner of him that took him, or brought him of one that did, shall consider what to do with him. . . ."14 Men so coerced can never be trusted. For "such men, (commonly called Slaves,) have no obligation at all; but may break their bonds, or the prison; and kill or carry away captive their Master justly."15

Even to its interstices, civil society must rest upon consent. The decisive and related roles of women and slaves would reappear regularly in subsequent political theory and political economy. Increasingly, liberal theorists would argue from fact, nature, and history to justify the subjection of women who were seen to benefit economically from their loss of selfhood. Even committed feminists would argue from the perspective of women's special sphere. The conversion of bourgeois individualism, from a radical position that required an arbitrary solution to a law of nature embedded in natural historical development, would entail sacrificing Hobbes' greatest insights, namely that civil society derives from human choice; that it is, therefore, arbitrary not natural; and that with respect to civil society all human beings are equal and must willingly consent to the sacrifice of any freedom they relinquish in the interests of an ordered polity.

*Leviathan* (1651) did not win Hobbes popularity in most circles. Sir Robert Filmer (d. 1653) drafted a series of treatises to demonstrate the organic

and religious foundation of divine right monarchy; John Locke (1632–1704) responded directly to Filmer, but seems throughout to have been aware of Hobbes.<sup>16</sup> The nature of and basis for authority constitute the central point of contention between Filmer and Locke, and, in different ways, between both of them and Hobbes. For Hobbes, authority could only be understood as a political question: Filmer retreats from that arena to the realms of scripture, nature, and history; Locke moves the discussion toward the terrain of political economy. Neither Filmer nor Locke devotes many pages to women; both, however, rest a major part of their arguments on the relationship between men and women.

Filmer's reliance upon dubious historical precedent derived from scripture makes his account easy to dismiss. No more than Locke are modern readers likely to be swayed by such arguments as: "Adam was the father, king, and lord over his family: a son, a subject, and a servant, or slave, were one and the same thing at first. The father had power to dispose or sell his children or servants. . . ." Nor would we be convinced by the assertion that "Law is nothing else but the will of him that hath the power of the supreme father. . . . It was God's ordinance that the supremacy should be unlimited in Adam, and as large as all the acts of his will; and as in him, so in all others that have supreme power."<sup>17</sup>

The power ascribed to Adam derived in Filmer's view directly from God and was first instituted, not surprisingly, in relation to Eve. "If God," Filmer questions rhetorically, "created only Adam, and of a piece of him made the woman, and if by generation from them two, as parts of them, all mankind be propagated; if also God gave to Adam not only the dominion over the woman and the children that issue from them, but also over all the earth to subdue it . . . I wonder. . ."<sup>18</sup> Filmer wonders how an honest man could conceive of any other basis for domination, or more important, how an honest man could rebel against authority founded on such solid grounds. Woman having been created from man and he having been granted explicit governance over her, the rest follows logically, and—more to Filmer's point—historically.

Locke completely rejects Filmer's reasoning. The *First Treatise on Government* (1690) announces, in its subtitle, its intent to detect and to overthrow "the false principles and foundation of Sir Robert Filmer and his followers."<sup>19</sup> The first chapter, "On Slavery," raises the central issue directly. Filmer, according to Locke, purports to demonstrate "*That all government is absolute monarchy.*" And, continues Locke, "the ground he builds on is this: *That no man is born free.*"<sup>20</sup> Locke is not, in this instance, addressing the historical institution of slavery that has preoccupied modern historians, but the absolute condition of slavery as it affects the foundations of political



society. Locke understands Filmer's link between the condition of slavery and political authority and explains, in terms reminiscent of Hobbes, that Filmer's case rests upon the notion that "men are not born free and therefore could never have the liberty to choose either governors or forms of government. Princes," he continues, "have their power absolute and by divine right; for slaves could never have a right to compact or consent."<sup>21</sup> Locke then proceeds to demolish Filmer's case point by point. In Chapter V, he gets around to "Adam's title to Sovereignty by the Subjection of Eve."

Locke begins the chapter by repeating the quote from *Genesis* used by Filmer, that in which God instructs Eve "And thy desire shall be to thy husband and he shall rule over thee." In this instruction, according to Filmer, could be found the original grant of government, which proves "that the supreme power is settled in the fatherhood, and limited to one kind of government, that is, to monarchy."<sup>22</sup> Locke fails to see the glorious triumph in God's pronouncement. "The words," he reminds his readers "are the curse of God upon the woman for having been the first and forwardest in disobedience." But, he cautions, ponder the circumstances: "If we will consider the occasion of what God says here to our first parents that He was denouncing judgment and declaring His wrath against them both for their disobedience, we cannot suppose that this was the time wherein God was granting Adam prerogatives and privileges, investing him with dignity and authority, elevating him to dominion and monarchy."<sup>23</sup> Need we be reminded that Adam too had a share in the fall. "It would be hard to imagine that God, in the same breath, should make him universal monarch over all mankind and a day-labourer for his life," simultaneously "turn him out of paradise to till the ground" and "advance him to a throne and all the privileges and case of absolute power."<sup>24</sup>

Having thus questioned the compatibility between the ultimate punishment and the ultimate power, Locke continues to examine the specifics of Eve's case. God's strictures about rule, Locke points out, were intended to chastise Eve and were directed to her alone. "Neither indeed was there any grant in them made to Adam . . . and if we will take them as they were directed in particular to her, or in her, as their representative, to all other women, they will at most concern the female sex only, and import no more but that subjection they should ordinarily be in to their husbands."<sup>25</sup> Even that minimal domestic subjection cannot, however, fully satisfy Locke. After all, he muses, "There is here no more law to oblige a woman to such subjection, if the circumstances either of her condition or contract with her husband should exempt her from it, than there is that she should bring forth her children in sorrow and pain, if there could be found a remedy for it, which is also part of the same curse upon her. . . ."<sup>26</sup>

So much for monarchical government by way of the subjection of Eve. Nor should anyone, on account of these words, “think the weaker sex, as by law so subjected to the curse contained in them that it is their duty not to endeavour to avoid it.”<sup>27</sup> Locke implicitly argues that just as women have the right to triumph over their physical constitution (the pains of childbirth) through the assistance of medical science, so have they the right to triumph over their subjection to their husbands. Human beings may progress from their original sinful state. Locke will not concede that God, in the text of the curse, actually grants any authority whatsoever. Assuredly, he cannot see that God “gives . . . any authority to Adam over Eve, or to men over their wives, but only foretells what should be woman’s lot, how by his providence he would order it so that she should be subject to her husband, as we see that generally the laws of mankind and customs of nations have ordered it so, and there is, I grant, a foundation in nature for it.”<sup>28</sup>

Locke’s ambiguity here should not pass unremarked. While denying the patriarchalists the Biblical subjection of women as authority for their preferred vision of political order, he proves quite willing to readmit the historical, customary, and natural bases for female inferiority. His slight concession to the sociological perspective and his willingness to incorporate it, however tentatively, into his political theory foreshadow the arguments of his eighteenth-century heirs, even as they prefigure that new history which will transpose this feminine teleology from the sphere of divine intent to that of “natural” development.<sup>29</sup>

In the first treatise, Locke attacks Filmer on Filmer’s chosen terrain. And Filmer’s scriptural and historical arguments do not withstand Locke’s scathing criticism, at least so far as the specifics of the genesis of political authority are concerned. Filmer’s arguments, however, mask a potentially far more serious statement about the nature of political authority. For Filmer maintains that all authority originated in paternal authority, and he relies on a historical method to prove his point. No matter that Filmer’s historical sources served him poorly: the paradigmatic role of the family in all relations of superordination and subordination has returned to the modern debates via historical materialism, psychoanalytic theory, and anthropology. In the first treatise, Locke himself accepts historical precedent to explain the role of women. On the basis of historical experience, Locke is even prepared to concede a natural basis for the subordination of women to men. Filmer, however, perceives history as the working out of immutable principles. The original patriarchal authority subsists unaltered through the succession of generations and the increasing complexity of social and economic existence. In this respect, Filmer relies upon as abstract and rigid a formulation as Hobbes does. Apparently, in the eyes of these seventeenth-century theorists, the