

## Contemporary Boundaries of Women and its Modifications

*The article attempts to exhibit the position of women in contemporary times based on the concept of liberty and equality advocated by Rousseau. It argues that the present system is still struggling and has an indifferent attitude towards this section which forms an important part of society. To make it work, women have adhered to the social norms which make their area of activities limiting. The public-private dichotomy brings out the tussle between 'independence' and 'care' which women face to live their authentic selves. The debate surrounding the construction of 'Self' partakes an important role because its significance does not constitute the entire humankind but divides them based on sex and is looked at with a particularistic functionalist approach. I will explore the relevance of liberal model and the evolving patriarchal practices together with the effects it has on reproductive capacities, psychological oppression along with the interpretation on female sexuality and autonomy which would help in asserting equal representation with the help of the method of consciousness raising. Therefore, women in time develop an uninterested attitude towards the state as they do not get to exercise the ideas of justice and equality in their day-to-day lives.*

**Keywords:** Care, Consciousness Raising, Equality, Justice, Self, Women

### Introduction

Rousseau's Social Contract is underlined by the trust that people can have in each other as they are protected by law. It also presupposes exchanges with each other. However, in terms of men and women, the exchange is not mutual and equal. It is about men getting more than they require out of the contract without being accountable for what they receive and terming it as a right. They do not always have to push for the enforcement of their rights unlike women. Despite systems in place, the law and order have to be constantly reminded to people and enforced in a society because the boundaries of women are not usually respected which makes them very volatile. Most of the times, women have to agree to the terms that are not to their advantage. They lack the capacity of 'choice'. Just as the right of a monarch was considered to be established for life, similarly the rights of husbands were considered to be the same. The superior party will give a false sense of protection that they are going to provide as they are stronger and more capable to do so to the inferior party. They falsely disarm the needs of the weak and present them with a contract. "Alternatively, sides could be seen as bearing a burden; the slaves have to work (to obey), the masters bear responsibility for the slaves' welfare" (Pateman 1988, p. 61). Rousseau fails to recognize that women also have reason and therefore can act as moral agents.

According to David Peetz, there is a reinforcement of ideas by powerful groups that create social values and norms. This happens through,

- 1        1. Socialisation: it may occur within the home; within the primary and  
2        secondary education systems; through religious institutions and within the  
3        workplace.
- 4        2. Contestation: it may occur as objective circumstances raise doubt about  
5        the validity of dominant values like social movements, challenging the  
6        interest of powerful groups, etc (Peetz 2019, p. 214).

7  
8        They may develop involuntarily over time because of their constant presence.  
9        Carole Pateman argues that logically, there should be two free and equal  
10       individuals who govern their families together. Contemporary contractarianism  
11       rests on the claim that the 'individual' is the sovereign master of his own destiny;  
12       only he has the right of disposition over the property in his person" (Pateman  
13       1988, p. 73). One of the reasons for this exclusion in a marriage contract she  
14       suggests has come from women not owning property/financial security which do  
15       not give recognition to her voice. The independent character of having purchasing  
16       power instils an autonomous sense of self as it reduces accountability to others.

17       In the modern world, when understanding the relationship between patriarchy  
18       and capitalism, economic assumptions and master and slave relations also come  
19       into play. The contemporary capitalist framework is sometimes seen as  
20       responsible for perpetuating the difference in social relations between both men  
21       and women. Husbands go to work in an organization which exploits them in return  
22       of wage while women are automatically associated with providing care taking  
23       duties despite them being capable of working outside home. Even if they hold  
24       jobs, they are overworked from both sides at the public and private sphere. The  
25       non-recognition of their work at home naturalises their household responsibilities  
26       which is simply becomes more than men.

27       The idea of liberty, equality and fraternity constitutes an important question  
28       on how the emphasis on 'fraternity' was made which is commonly known as  
29       brotherhood of men. The male participants in drafting the contract identified  
30       themselves as brothers on doing so. It is crucial to give a thought that to other  
31       word was considered to give a sense of community (Pateman 1988, p. 79). The  
32       term brotherhood is not inclusive in nature and exhibits ignorance towards others.

33       Society is constructed based on social identities. People conduct their  
34       behaviour as per the demands of society. Jean Jacques Rousseau talked about the  
35       liberal approach in his idea of governance. This article shows the position of  
36       women in contemporary times based on this approach. Various feminist  
37       philosophers have given their interpretations of Rousseau. They have also talked  
38       about the main attributes attached to women which are scrutinized time and again  
39       like their reproductive capacity, sexuality, psychological oppression, and  
40       autonomy by the public domain. The article deals with institutionalized differences  
41       between the two sexes. It is crucial to learn how they have taken different forms  
42       over time in the current debate.

43       Liberal democracy has sustainably expanded in the past 20<sup>th</sup> century and has  
44       become one of the predominant political systems. After going through the  
45       historical narratives on the ideas given by Rousseau, it is crucial to understand  
46       how it has played out for women in contemporary times.

My broadest aim is,

1. How women can claim back their moral autonomy in the private sphere and the public sphere?
2. How a state set up can inculcate the approach of reducing down the masculine stance to promote womanhood and reduce corrupt dual stance.
3. Women have to be made habitual of the fact that they are an equal part of society.

## Literature Review

The article dexterously combined a hypothetical model of a feasible good governance following Rousseau's works like Emile (1763), Social Contract (1762), Discourse on Inequality (1755) etc. It discusses how if he had included women enjoying similar entitlements and doing similar public roles as men with the present - day feminist critique reflecting on challenges faced by women on being accorded unequal political and public space. Jan Garrett (2001) and Kurt Mosser (2020) indicates Rousseau provides contradictory viewpoints on women's standing in the society. He gives them ethical role and moral standing but also takes that away from them. The nuances in both the public and private sphere are changed for him. Virtue for women is defined to be sacrifice by giving up their freedom for fulfilling obligations for others.

Alice Ormiston (2002) pointed out that the political system gives a glimpse of a biased aspect where adoption of cultural circumstances is indifferent towards women. It does not make each individual part of a unity as moral adaptation to virtue is not same for women. Brenton Wilmer and Penny Pasque (2020) says that the domestic upbringing and conditions brings about a dysfunctional approach to the identity of women as they lead their lives on the lines of what has already been set for them. This identity conflict affects them psychologically as well as Rousseau in a way promotes how ideal should a society be to function. Jessie I. Embry (2005) indicates that women find it difficult to meet the expectations of being a citizen and a person at the same time. Since women are situated at a regressive level in a social institution, their comprehensiveness of the environment is also diminished.

Christophe Salvat (2008) argues Rousseau advocates for a marriage based on theological and societal expectations. His romantic happiness constitutes predefined gender roles. The moral identities of women are partial and different to men since women make decision in an artificial system, they are not moral beings anymore. This sense recedes the ideas of care and nurture and emphasises on an authoritarian approach.

## Methodology

This work is qualitative in nature and therefore I am employing conceptual analysis, text-historical method, and critique of Rousseau's works. It is essential to find a clear consistency and rational notions to conclude philosophical approach to women especially related to unjust arguments formed against their equal standing in the society. There will be an attempt to build bridges among similar cases by critically studying their position in both the private and public spheres. This work is not about negatively criticizing Rousseau but is an attempt to question his opinions in the text. The issues associated with it like bias, position, and viewpoints are required for the understanding. The work has tried to illuminate the tensions and predicaments present in the object of research. This study intends to emancipate and uncover the dynamism which exists within the broad framework of patriarchy. It also draws on a wide range of contemporary resources which identify with the tradition. It employs perspectival approaches since the categories of reading are overlapping. But I would also argue that these voices are subject to revisions in the future as the contexts change over time.

## Discussion

According to Rousseau, a constituted contract guarantees greater good than particularistic freedom. Practicing civic virtue helps in elevating oneself to moral liberty. But here he commits offense against women by politically excluding them and expecting them to sublimate their desires.

Susan Moller Okin seeks the restructuring of the public and private to accommodate the representation of women. Okin in Rousseau's work *La Nouvelle Heloise* says that Julie positions herself as a Christ figure who stands as an epitome of virtue as she gave up her desires, even her life for the honor of the family. General Will aims to draw a moral body collective. If particular interests are given greater importance, then it will focus only on particular benefits excluding unanimity in opinion and leading to the disintegration of public welfare. Rousseau focuses on restoring Emile as an autonomous individual rather than burdening him with the responsibilities of being an ideal husband and father. "At least Rousseau allows a man can be either an individual or a citizen. He does not allow woman to be either" (Okin 2002, p. 110) In a family, he underlines one's notion of 'Self' which primarily comes out concerning the roles one holds in a family.

When depicting the perfect existence of a family which is internally flawed Rousseau is affecting the authenticity of philosophical issues. Even though women are described as the moral centres of the family, they are unable to distinguish between public and private and 'Self' and the Other. They are always under an internal conflict between following their calling or moving with the traditions. This is an impossible task to accomplish because down the line, it will be an adulterated existence for them. Sometimes situations demand women to make choices based on false consciousness, yet they are also expected to preserve their

authenticity at the same time. Rousseau projects the identity of a man to be a virtuous, upholder of law and convention and carer of the well-being of the community and a woman's identity as full of attachments, maternal and passionate. Nicole Fermon reads Rousseau to attribute a maternal image to the state because he wanted to depict this egalitarian system is free of corruption (Fermon 1997, p. 03). For Rousseau, men and women are equal in different aspects. They are equal to husbands and wives and not as citizens.

### **Some Evolving Patriarchal Practices and Counter Movements**

Christian Fuchs (2020) identifies social movements as, “When citizens are engaged in politics as part of non-government organisations, movements and practices, and when they discuss politics in public, then they are part of the public sphere” (p. 197). Karl Marx and Hannah Arendt have talked about the intersectionality which exists between social identity and discrimination.

The history of organization for social movements for any cause in politics or society displays the relationship between exploitation and supremacy. When looked closely women's isolation is also economic in nature. For Karl Marx, alienation institutes a universal subjugation where the party does not have control over the system which regulates their life (Fuchs 2020, p. 198). This also alienates them from collective decision-making. Marx has not dwelled in the discussion on the role of women, but he has surely provided a lens to study the relationship of women with the socio-economic context in the twentieth-century feminist theory. Frederick Engels writes that the first division of labor starts with the propagation of children between men and women. Thereafter, domestic labor and the acquisition of private property leads to institutionalized inequality. Marxism suggests that the maintenance of a family comes under productive labor. Feminist suggests that conditions of women can be set to improve if their work is recognized in the private sphere.

According to Hannah Arendt (1958), Action leads to beginnings that are unexpected and can never be done in isolation. "What people do creates both stories and effects not just visible to other people but visible in the response of other people....Public action of this kind is basic to forming a common world. Our promises, for example, become the bases for institutions; repeated narratives establish standards of judgment (Couture 2004, p. 29)”

Arendt suggests that a private sphere is the opposite of social and not political as it is designed to be more intimate and close. Any kind of movement powered by people with an agenda is driven by overlapping social identities with diverse experiences. This kind of intersectionality of social identities creates different strata of discrimination.

Mary Astell (1996) asks, “If all men are born free, how is that that all women are born slaves?” (p. 149). One of the historical influences in the gender role is the concept of obligation to which women have automatically adhered. According to Carol Gilligan, this happens because women think about moral issues more in terms of relationships rather than in terms of rights. This thought has played a

crucial role in redefining the landscape of their social life in the modern world as they put 'others' before 'self.' This model is also responsible for sustaining dominated private aspect for so long.

Nancy Hirschmann (2007) emphasizes the idea of 'personal is political.' "Apart from justice, equality and freedom even family, workplace and sexual pleasure are also considered political by feminists" (p. 145). They emphasized that women's systematic exclusion from the concepts of justice and equality to focus on family led them to reconsider their status in front of the state and law. The same regulations cannot be enforced in the private sphere but they have to be modified to fit women's needs.

The approaches Liberal Feminism, Radical Feminism, Marxist Feminism and Social Feminism (along with Equity and Difference Feminism) display varied forms of thoughts, ideas, and practices taken up by feminists over time. These are different interpretations of different experiences of diverse categories to people. These altered social relations conceptualize the behaviors/conduct of people. Experiences based on reproductive and household labor have re-defined the social relations of women. This epistemic foundation provided the opportunity to understand and give different accounts of their experiences. Therefore, the study of feminism needs to be open-ended, fluid, and not closed.

One of the four cardinal virtues was stated as justice. It is between the agent and the recipient. In terms of relationships with women, Iris Young in *Justice and the Politics of Difference* says that there is a 'difference' in the application of feminist thought on women as they belong to various social categories. "The location of differences within various cultural identities meant that justice should be thought of not as something that is owed to others, but as a series of relations between the groups that make up the social landscape" (Young 1990, p. 89). This should be an intrinsic form of an arrangement where deprivation of justice should be termed as unfair.

There are two different dimensions of justice in political philosophy:

1. Transitional justice: justice for victims of actions perpetrated by overturned regimes. Ex- rape as an act of war, forced impregnation of women.
2. Restorative justice: the goal of making restoration to the victims economically, emotionally, and socially rather than simply punishing offenders. Ex- domestic violence, sexual assault.

Patriarchy resorts to the socialization of women's mind in the sense that women choose to have those things which men want them to have. Women in this way think that their selections are autonomous. Instead of doing these women should follow their internal directions rather than be pushed by their environment. To understand their freedom and autonomy women need to identify their true authentic self by suffusing barriers of subjugation.

## 1 Claiming Autonomy

2  
3 An autonomous life means a self-determined life; it is to live one's life in  
4 one's own chosen manner.

5  
6 Autonomy is one of the main principles of Western Liberal philosophy. It can be  
7 traced back to the ideas of seventeenth-century thinker John Locke, especially to his  
8 idea that individuals have basic human rights that the state should respect and protect  
9 (Vintges 2017, p. 60).

10  
11 Martha Nussbaum (1995) is a liberal feminist philosopher who advocates that  
12 the idea of global feminism should be based on Autonomy underlined by  
13 mutuality (p. 252). There should be respect for rights for each other. Kant along  
14 those lines place autonomy to be a way of life with rational deliberation (Paton  
15 1948, pp. 107-108). According to him, one should act on their own will despite  
16 whether the result will be moral or not. However, Simone de Beauvoir (1948) has  
17 criticized Kant in *The Ethics of Ambiguity* that a person making choices cannot be  
18 of universal embodiment rather she is an embodied self in distinct communities  
19 which influences her experiences (p. 34). One's morality should be consistent with  
20 one's circumstances.

21 This idea has been forwarded by freedom theorists Nancy Hirschmann,  
22 Drucilla Cornell and Wendy Brown says that,

23  
24 Freedom need to be understood as a feature of socially situated beings attending  
25 relationship between the inner forces of desire and external forces of social  
26 conditions. For women, this requires a recognition of ways in which women's desires  
27 have both been historically constituted for them by men, "socially constructed: by  
28 patriarchal institutions, customs, and practices; and yet have also resisted such  
29 constitution and been pursued under conditions hostile to their expression  
30 (Hirschmann et al 1995, p. 152).

31  
32 Foucault focuses on power relationships expressed through language and  
33 behavior. Foucauldian Discourse Analysis expands on this idea,

34  
35 Ways of constituting knowledge, together with the social practices, forms of  
36 subjectivity and power relations who inhere in such knowledge and relations between  
37 them. Discourses are more than ways of thinking and producing meaning. They  
38 constitute the 'nature' of the body, unconscious and conscious mind and emotional  
39 life of his subjects they seek to govern (Weedon 1997, p. 2020).

40  
41 It is a very major task to put concepts of Justice, Equality, Care, Obligation,  
42 and freedom into practice in the right 'way' in the society or else it will result in  
43 women's subjection.

44 There are numerous examples of floating feminine ideals of holding  
45 relationships present everywhere which lead women to internalize any kind of  
46 responsibility for the actions presents in it. This assumption makes women  
47 victimize themselves. Using discourse as a social practice will help accommodate  
48 cultural variable and construct a context-specific value. "...a form of power that

circulates in the social field and can attach to strategies of domination as well as those of resistance" (Diamond and Quinby 1988, p. 185). It becomes essential for women to realize their autonomous agency by excluding the external conditions in which she lives. This will increase a rational decision-making power to act on one's motives and values. Women have to navigate in the social field to resist dominance about power-sharing. This means that whether in a state or a family, women must keep their agency on hold.

## Relevance of Liberal Model

Liberal theory constitutes two aspects that display a complex project of public-private dichotomy. In a new liberal discourse, this distinction encompasses a market and a state address. In the classical discourse, this distinction was between *oilaos* (domestic sphere) and the *polis* (public sphere). According to Will Kymlicka,

In the first, civil society is private in the sense that it is not governed by the public power of the state. In the second, which arises later than the first and in some ways may be viewed as a response to it, the personal is private in that it represents a sphere of intimacy to which one might retreat in face of the pressures to conform within society (Squires 2003, p. 132).

Judith Squires gives a liberal conception and says that it cannot be used to bring out this character of women's emancipation because it is flawed in nature itself. Feminists for long have treated the aspects of government, institutions, and social structures as a residual category. In the dichotomous relation between liberal and classical conception, the former displays free individuals working on equal footing. While the classical conception reveals a natural inequality. Squires (2003) says,

Numerous feminist texts have shown how the application of a liberal conception of the private to the domestic sphere has worked to shield the abuse and domination that occurs within it, while the classical conception has worked to justify and perpetuate it. In practice, the ambiguity between these two conceptions of the private has worked to the benefit of patriarchal norms, not women. It is for this reason that many feminists have taken the operation of the public-private (p. 133).

The liberal theory engages with the construction of a rational individual with moral reasoning. And women for that matter are characterized to be dependent and emotional without reason. Therefore they are not considered to be individuals. "These two issues are linked to women's status as primary carers. Neither the process of caring and nurturing nor the status of carers and nurturers are theorised in liberal theory" (Squires 2003, p. 134). The liberal social contract reorganized patriarchy in a certain sense. Lisa Schwartzman has criticized liberal theory arguing that it is somewhat an ideal theory without actually dealing with the complex problems of the social world (Schwartzman 2006, p. 98). Denying women



the sense of confines them more to the domestic sphere as she cannot participate in forming independent relations outside. Ice puts,

In making a woman dependent upon the opinions of men (until a man recognize her, she is nothing), Rousseau denies her individual liberty (psychological independence). This dependence on the opinions and judgments of others for one's sentiment of existence, the denial of psychological liberty as well as economic, material and physical liberty leaves women not only socially alienated, but psychologically alienated (Ice 2009, p. 42).

The relegation of rights is not the only solution for a state but it is important to keep their checks and balances as to what extent and deeply those laws and rules are implemented to disadvantaged sections of society.

One of the most influential critiques of the social contract is given by Carole Pateman. She says the same social contract which establishes policies for political freedom itself entails subordination. It needs space to accommodate a sexual contract. Pateman talks about the psychological, economic, and physiological capitalization and natural subordination in marriage, prostitution, and surrogacy of women. She talks about the importance of consent in everyday life and how women's position stands always evasive because their standpoints are always taken to be consenting.

Theorists raise the question that if people are born free and equal then why do they subject themselves to authority relationships. This is answered by liberal theorists that to remain free people have to voluntarily consent for such a relationship. Fuchs says,

Alienation includes the lack of control over an activity that results in externalized products. This lack of control means the non-existence of the collective ownership of property and the lack of influence on political decisions and meaning-making. Appropriation and reconciliation (of humans with their conditions of existence) are the opposite of alienation. In becoming reconciled with society by appropriation, humans collectively take control of the structures that affect their lives. Domination is defined as one group having advantages at the expense of others and controlling means that allow it to help society in its interest against the interest of powerless groups (Fuchs 2020, pp. 198-199).

The liberal state has been criticized for coercing norms and laws which reinforce a male point of view in design. The feminists assert that the structure between law and society has male jurisprudence. "The rule of law and the rule of men are one thing, indivisible, at once official and unofficial....State power, embodied in law, exists throughout society as male power at the same time as the power of men over women throughout society is organized as the power of the state" (Mackinnon 1989, p. 170).

Their basic idea is that the private sphere is a space for personal freedom. But this can be said for men and not for women as they are not free because they are subjected in that space sometimes to care work, violence, and subordination. Their Equality and privacy law assumes that women have the same freedom just like men which is not the case in reality.

## 1 Interpretation of Female Sexuality

2  
3 Sexuality is a form of experience and expression sexually by people. The  
4 sexuality of an individual is influenced by social forms. And it is not of a concrete  
5 notion.

6 Sigmund Freud says that the first development of a sense of self comes from  
7 bodily ego. So, when a person is denied to live in one's persona, her sense of self is  
8 inhibited. Cornell (1998) uses the word *Conscience* in her terms, "Conscience is  
9 the 'sanctuary' of personality, in that who is as unique beings are inseparable from  
10 how we mark out a life with its commitments, fundamental values, and  
11 responsibilities as *ours*" (p. 38). She explains that it is not a moral faculty but a  
12 guide to her choices. Self-representation posits expressing one's morality and value  
13 and live life on its terms. To overcome the conventional ideas and external factors  
14 absorbed along in one's journey, one should have a normative existence to reserve  
15 one's freedom. "...we are persons, we should have the right to set forth a life as a  
16 sexuate being that is truly ours. Our story, including our story of love and family  
17 life, begins in the space let open by the limits imposed upon the state as a matter of  
18 right" (Cornell 1998, p. 65).

19 "*Sex in nature is a continuum which is made bipolar by the society*"  
20 (Mackinnon 1989, p. 233). Women's perspectives are taken in terms of their  
21 relation to men. According To Beauvoir, Myths of woman made men appear as  
22 consciousness and mind and made women appear as nature and flesh (Vintges  
23 2017, p. 74). One way of moving past this unequal dimension is that each sex  
24 should recognize themselves as an embodied individual and live an authentic  
25 existence without any preconceptions. This will help in cultivating mutual  
26 friendships.

27 Rousseau urges that women are childish in terms of handling their sexuality.  
28 So, the lack of this maturity makes the state come up with a form of social-sexual  
29 construct. But what is not expressed here is that it is men who have made the  
30 boundaries of sexual matters of women volatile by not respecting their limitations  
31 and infringing on theirs. He gives importance to "*Perfectibilite* – faculty of  
32 becoming (or the ability to become) other than what one is" (Ice 2009, p. 03). This  
33 can give rise to vices and virtues. "Insofar as females possess this faculty of  
34 *perfectibilite*, the behaviours (and beliefs) of females (and males) can be  
35 manipulated, and females can *become* what Rousseau thinks they *must* become in  
36 the civil state. That is, females can become 'woman'" (Ice 2009, p. 04).

37 Tamela Ice says that it is not the case that Rousseau denied the same  
38 education of men to women but he argued that the qualities of men if cultivated in  
39 women along with their qualities will make them incompatible with each other  
40 making it unmanageable. Rousseau is not interested in what a woman could  
41 become and make of herself but is interested in what she *should* be. "How can a  
42 person take responsibility for one's life, design it as she imagines it should be, if  
43 the most intimate decisions about sexual and familial life are thrust upon her by  
44 the state?" (Cornell 1998, p. 62). Moral being for Rousseau stands as the one who  
45 holds a position in society in terms of one's proprietorship fulfillment of duties and  
46 maintaining relationships with others. He has relegated the moral status of women

1 encompassing moral, social, and political order to motherhood where "woman's  
2 civil rights are a mother's rights" (Ice 2009, p. 05).

3 Carole Pateman in *The Sexual Contract* has reinterpreted and questioned the  
4 political thought on how women have been systematically excluded from the  
5 original contract. "The sexual contract is a repressed dimension of contract theory,  
6 an integral part of the rational choice of the familiar, original agreement" (Pateman  
7 1988, IX). For her civil freedom supposed patriarchal right. To legitimize the  
8 binding authority of state and civil law it appears to have been originated in a  
9 contract. Thus, social relations take this form. A new form of patriarchy is  
10 established when the exercise of the political right is in the sense of patriarchal  
11 right.

12 The sexual contract is moved to the marriage contract. This makes an  
13 impression that sexual and social contracts are different as the former pertains to  
14 the private sphere and the latter to the public sphere. However, on the opposite,  
15 patriarchy dominates both the orders. Classical theorists give a subtle suggestion  
16 that there were masculine attributes to the contract as the owning of the property  
17 was confined to men. The sexual contract begins with the construction of the  
18 individual. The understanding of them not being 'individuals' made women lack  
19 the capacity of having natural freedom therefore not having civil freedom as well.  
20 This non-acknowledgment of them not being individuals in the contract deprived  
21 them of basic social and legal expression. Pateman puts up that civil society puts a  
22 distinction between public and private and concerns itself only with the former and  
23 treats it as having a political interest thereby ignoring the latter.

24 "The private sphere is part of civil society but is separated from the 'civil'  
25 sphere. The antinomy private/public is another expression of 'natural/civil and  
26 women/men'" (Pateman 1988, p. 11). The sexual contract encompasses both  
27 spheres and men possess the liberty to pass back and forth from both of them. The  
28 upheavals that a woman goes through in a marriage are not endorsed and there is  
29 no compensation paid for the care work she does and the sacrifices she makes. So,  
30 the civil contract ignores this aspect in terms of social and political rights.

31 Women's position in a sexual contract is identified as being sexual beings.  
32 They hold different connotations which subject them to first become daughters,  
33 wives, and then a mother. Her position is being underlined by her sexuality. The  
34 biological structure for women is fixed which demands their unsaid submission to  
35 a social institution.

36 For a long time, men are considered to hold a superior position to women  
37 based on strength. It is widely held that,

38  
39 The body of the 'individual' is very different from women's bodies. His body is  
40 tightly enclosed within boundaries, but women's bodies are permeable, their contours  
41 change shape and they are subject to cyclical processes.....women lack neither  
42 strength nor ability in a general sense, but, according to the classic contract theorists,  
43 they are naturally deficient in a specifically *political* capacity to create and maintain  
44 political right (Pateman 1988, p. 96).

45  
46 The development of relationships based on sexual difference begins in a  
47 patriarchal family. Women's ability to exercise political rights has been time and

again connected to their sexuality. Rousseau says that women cannot develop morality to work for the maintenance of civil society is because she has uncontrollable desires which she cannot keep in check which would eventually lead to disorder in the society while men can do so as they can reason because of which they can control their passions. "Women, their bodies and bodily passions, represent the 'nature' that must be controlled and transcended if social order is to be created and sustained. In the state of nature, social order in the family can maintain only if the husband is master" (Pateman 1988, p. 100)

Pateman argues that the genesis of this kind of subordination based on sex rights is very much obscure because it is a woman who gives birth to a son which later on dawns the role of having a father right. So, the mother having the role of women having political rights is repressed and the other half is highlighted. Zilboorg argues that the subjugation of women to do their care work by men led to their extension of limits to claim things outside the family, primarily economic exploitation and social mastery (Pateman 1988, p. 75).

A politically free person can have their life plans. Introducing hierarchy socially and politically reduces one's place to be a free person. The recognition of a person as politically free also leads to them to draw their boundaries and utilize the space of the imaginary domain. The hindrances to this position on women are imposed by the reproductive capacity and being restricted to the private sphere. When a cultural, religious definition is imposed on women regarding their mandatory implementation of reproductive capacity, then their freedom and self-representation are undermined.

The problem with most theories of justice, from a feminist perspective, is that they have not adequately addressed conditions of inclusion because they have failed to address the relationships between the ideal of the free person and the project all human beings have of orientating themselves as to their sexuate beings. An equivalent law of persons would clearly demand that the scope of distributive justice be sufficient to ensure the right to the self-representation of each person's sexuate being" (Cornell 1998, p. 26).

Drucilla Cornell says that it is our demand for freedom that will put us in an equal position. Kant also argues that one can live the way that makes one happy unless it is not infringing on the rights of others. There has to be harmonization of freedom with each other to not coerce it on others. This is the way to live in a politically liberal society and be part of a moral community. As a sexual being, the treatment should not be equal but importance should be given to the treatment of all as they are.

Identity politics argues for recognition and demands for basic rights. Foucault terms this as political innovation (Foucault 1997, p. 173). It helps to understand better how gender is linked to oppression and take action accordingly. Coming together of women and talking about it will authenticate their experiences and explain different connotations attached contextually. One of the aspects of discrimination is shared by Miranda Fricker. Miranda Fricker in *Epistemic Injustice* has given an account of virtue epistemology. She talks about testimonial exchange which means conveying knowledge to others that define our social

1 experiences, But these exchanges fail when women face a lack of credibility in  
 2 these conversations owing to their sex. She says that this power is '*socially*  
 3 *dessiminated*' (Fricker, 2007, p. 12).

4 This aspect shows the dynamics of identity power that lies in its ambit which  
 5 can be used to control the actions and position of others. Epstein elaborates on  
 6 Fricker's concept of Testimonial Injustice,

7  
 8 The signature case of testimonial injustice occurs when the hearer's judgment of the  
 9 speaker's trustworthiness is rooted in one of these tracking negative identity-  
 10 prejudices, resulting in the speaker receiving less credibility than she otherwise  
 11 warrants, that is, an unwarranted credibility deficit..... However, if a hearer's  
 12 judgment of trustworthiness is grounded in negative identity-prejudicial stereotypes,  
 13 then the hearer is epistemically culpable of harming the value of the speaker"  
 14 (Epstein 2014, p. 432).

15  
 16 According to Fricker (2007), testimonial justice is very much important for  
 17 women as it is their most basic needs (p. 109). In testimonial justice, the hearer has  
 18 to remain open without prejudice and stereotypes when a speaker is sharing  
 19 knowledge. "Testimonial justice is conceptualized as sometimes aiming towards  
 20 truth, sometimes towards justice, and sometimes toward both simultaneously"  
 21 (Epstein 2014, p. 434). It will open for the idea of women who are bounded by  
 22 cultural ethos one way or the other. But the interference of discrimination based on  
 23 caste, class, religions, different gender orientation furthers the gap.

24 Men created sexuality as a power structure. To change that it is required to  
 25 identify and reconstruct female sexuality. This means that it is necessary to negate  
 26 overriding body image and motherhood concepts away from them which confine  
 27 them to the private sphere as they underline experience and theory. Sexuality is  
 28 natural and unconditioned. It takes a societal form only when applied during  
 29 specifics. It is specifically divided amongst culture. Girls are taught to stay in the  
 30 reality of danger whereas boys roam free with freedom.

31 Why there are only a few women who could make a name for themselves in  
 32 the political space. "It has to do with society's attitudes, the egos of men, their  
 33 approach towards women, and the male psychology of being superior" (Kotvi  
 34 2001, p. 54). Within a couple, a mother should share the same responsibility of  
 35 cultivating the material and moral health of a child just like a father. Merely  
 36 gaining financial independence is not enough. Broad moral and cultural  
 37 modification within the individual is required to bring such a change. There have  
 38 been progressive measures taken in the direction of legislation such as property,  
 39 maintenance, divorce, etc., and providing equal opportunities in terms of  
 40 employment. These are enabling factors to achieve the desired results. The  
 41 legislation is necessary as it can help in bringing about a radically new outlook for  
 42 change with appropriate services.

## Reproductive Capacity and Psychological Oppression

According to Mary O'Brien, male domination can be understood to be in the same sense as motherhood. She argues that women are trapped in their reproductive capacity. She states various interpretations of it. For example, Marx argues that our productive capacity shapes our consciousness and the world whereas Freud's libido does the same. Hence, there exists a link between reproductive capacity and human consciousness. It is generally believed that children form the ethical being of the female.

Women cannot understand the necessity to rise above the consideration of individual survival to the 'higher' appreciation of the community and its more sophisticated and rational ethics. Male morality, on the other hand, transcends particularity to become the ethics of universal man and the socio-historical realities in which this universally is expressed (Brien 1983, p. 26).

O'Brien points out that women share reproductive consciousness but having it does not mean that they need to bear children to apprehend themselves as 'woman.' Men are free from reproductive labor and they just acknowledge the task of parenthood, unlike women who have to do both constantly. So, rights must be related to actual social relations between people, and it is in these social relations that the question of responsibility arises (Brien 1983, p. 56). She argues that parenthood has both moral and political obligations for men in public as well as private. A good father is appreciated on ethical grounds along with a reward in the domestic sphere and recognition in public. Whereas, a good mother is considered to be natural and there is a structure in the society that ensures that it stays so (Brien 1983, p. 48). This male appropriation claims rights over the child. Reproductive labor creates value that is socio-historical in nature. Men have two natures, biological and cultural. But women have only one i.e. biological because they are taken to be closer to nature.

In civil society men gets access and control over women through the marriage contract. They are bounded by civil law. Pateman says that this happens as there can be two assumptions that are made. First, is that man considering them the matters that have brought the civil law into being? "The men who make the original pact ensure that patriarchal political right is secured in civil society" (Pateman 1988, p. 48). Secondly, this kind of subjugation can come into play when women have been conquered as subjects.

O'Brien states that there are two meanings of nature, 'Biological/Organic' and 'Transcendental/Essential.' Since women are thought to possess first nature, they do not require the second one. "Reproductive labour is generically differentiated; maternal labour is material but involuntary, while paternity is voluntary and essentially ideal" (O'Brien 1983, p. 142).

Susan Moller Okin insists on the same thought that families are the basic institution on which the lives of people are structured. Therefore, a family should provide a ground for the training of equality.

Tamela Ice explains that women are not born psychologically oppressed but get being one because of the unequal power structure which induces effects on life

1 and behavior underlined by ideology and laws. The repercussion of this is that the  
 2 psychologically oppressed start to exercise domination over their self-esteem. The  
 3 problem deepens when the oppressed internalize the oppression about themselves  
 4 and adds to the value system. Women are made to believe that they have to  
 5 become 'woman.' "Of women understand the utility of subordination, and that they  
 6 are valued as wives and mothers, that they will be respected, they will desire the  
 7 status of motherhood and their social alienation. Women will desire the abdication  
 8 of liberty" (Ice 2009, p. 45).

9 Hazel E. Barnes explains Being-in itself and Being –for-itself. The former  
 10 deals with how the person is at a definite place and time. The latter deals with  
 11 choosing to become someone and the idea of *perfectibilite*. She argues women  
 12 must choose one's facticity or else she will lose their sense of identity.

13 For Drucilla Cornell (1998), it is absurd that pregnancy takes away the  
 14 standing of women as a person part of a moral community (p. 67). Women's  
 15 reproductive capacity should not stand as a hindrance to their claim of rights. This  
 16 argues for questioning of sexual difference in matters of state as well as also the  
 17 division of labor in the family. The second wave of feminism stood for this  
 18 understanding that the natural capacities of women cannot determine their destiny.  
 19 The society acts against the equal representation of women and not nature.

## 20 21 22 **Asserting Equal Representation**

23  
24 Women have been accustomed to the idea of what is just and not what is  
 25 decent (Condorcet 2016, p. 2016). This has led to their deprivation of enjoying  
 26 their natural rights. It is necessary to identify a woman's being before embarking  
 27 on a path to seek the concept of justice and rights to reimagine a space to  
 28 understand the sexual difference. Whenever we address our differences in terms of  
 29 sexed bodies, we decide our persona based on it. The pertinent gender hierarchy  
 30 molds social meaning. This thereby claims our existence as legal and social beings  
 31 with rights.

32 One of the first arguments that Cornell introduces is that women's freedom  
 33 should not resonate with an equal sense of equality like men. She gives her reasons  
 34 for this argument,

35  
36 What do we do when we are not like men in a way that seemingly implies an  
 37 ontological difference-that is, we get pregnant and they don't? Further, how do we  
 38 measure ourselves against men and then make up for other inequalities that occur in  
 39 marriage, in the workplace, and vis-à-vis sexual relations?.....Implicit in our  
 40 insistence upon freedom from gender comparison is the demand for the space to  
 41 reimagine our sexual difference beyond the confines of imposed notions of what it  
 42 means to be a man or a woman (Cornell 1998, pp. 5-6).

43 One of the reasons that women are sexually subjected and marginalized in  
 44 social terms is because they are not perceived in socially equal terms like men.  
 45 The concepts of equality and gender for them are underlined as aspects of  
 46 discrimination. In reality, women are not similarly 'situated' with men. "Human  
 47 rights, including women's rights, have implicitly been limited to those rights that

men have to lose. This may be in part why men persistently confuse procedural and abstract equality with substantive equality for them, they are the same” (Mackinnon 1989, p. 229). Therefore, space has to be reimagined to understand personal agency not drawn on distinct gender notions.

Actually doing anything for women under sex equality law is thus stigmatized as special protection or affirmative action rather than simply recognized as non-discrimination or equality for the first time. So long as sex equality is limited by sex difference –whether valued or negated...women will be born, degraded and die. Protection will be a dirty word and quality will be a special privilege (Mackinnon 1989, p. 234).

Representations should not be seen as providing special status but being the way they are. Women have been historically denied free representations in the institutions by justifying that this was for the greater good of the state.

Kantian political philosophy demands for the representation of everyone as free and equal,

1. The *freedom* of every member of society as a *human being*.
2. The *equality* of each with all the others as a *subject*.
3. The *independence* of each member of a commonwealth as a *citizen* (Kant 1970, pp. 74-75).

Kant’s pointers focus on what ought to be and not on the ways things are or a process through which something of a similar kind could be reached. It is said that Rawls has developed the theory of justice after being influenced by Kant. However, the case of Kant contains foregrounds to establish a civil society; Rawls’s insistence is on agreement on the principles of justice for acceptance on the basic structure of society even by those who have different perspectives. So, agreeing on any situation will be considered as co-operating with one another. Being in an original position gives one basic liberty and equal opportunity.

Moral theorists try to develop procedures to accommodate conflicting interests. As seen above, to develop any kind of procedure it is essential to develop a universal approach that must encompass everyone. The problem arises when this orientation gets into conflict with various sexualities and the struggle that arises to accommodate them.

Bell hooks and Cornell talk about taking up different sexual representations in an imaginary domain to imagine their end. Cornell says, "This ideal representative was imagined as from the other space and thus could come to embody the self not ensnared in the matrix of abuse" (Cornell 1998, p. 09). For bell hooks, art classes gave her space where she could be in her imagined domain.

Now, the rights of men derive exclusively from the fact that they are sentient beings, capable of acquiring moral ideas and of reasoning about these ideas. Since women possess the same qualities, they necessarily possess equal rights. Either no human individual possess true rights, or all humans possess the same ones; and those who vote against the rights of others, whatever their religion, colour, or sex, have from the moment abjured their own rights” (Condorcet 2016, p.18)



Being elevated from laid down intersections of a role helps one to fully realize their potential. The exploitation of one party over the other leads to deprivation of rights.

### **Feminist Method: Consciousness Raising**

One of the feminist methods is ‘Consciousness Raising’ given by Catherine Mckinnon which would help throw some light to overcome challenges. She says,

The Collective reconstitution of the meaning of women's social experience, as women live through it. Consciousness raising inquiries into an intrinsically social situation, into that mixture of thought and materiality which comprises gender in the broadest sense. It approaches its world through a process that shares its determination: women’s consciousness, not as individual or subjective ideas, but as collective social being (Mackinnon 1989, p. 83).

It draws awareness on the restrictions at both home and workplace based on sex. All revolutionary movements start with a matter of creating respective perceptions for themselves. The groups which are oppressed need to demolish the pertinent ideas surrounding them and project an identity of their own. One of the first steps is to gather these women together and connect them to articulate and confront. The two broad areas will consist of the private sphere and their sexuality (Mackinnon 1989, p. 87). Mckinnon says that women are subjected to such denigrated treatment that they perceive themselves to be responsible for it. This happens because women have learned that men look at them from their vision and they have learned to look at themselves from the latter's context of vision. In the household, mostly women remain invisible because they are responsible to care for the same thing over and over again. There is no remuneration paid or recognition for her care and maintenance work largely because she is not seen to be contributing to the so-called real world.

Sexism is something that has already been accepted in the background as a form of habit. One of the other things which catch attention is that being a woman can be defined as socially about their personal and public relations. So, consciousness-raising can be said to be a focus on the social reality of being a female (Mackinnon 1989, p. 90). Social conventions have also made them inwardly dependent. They feel that they require the presence of others in their lives to live a holistic life which encompasses being in a marriage or aligning themselves with household work. The exercising of the position of power by men in certain ways defines them and women respectively. When this power is challenged it is sometimes seen as a threat to the identity and definition of men. Power is perceived socially as a male form. It is not only that men treat women badly, although they often do, but that it is their choice whether or not to do so. This understanding of power is one of the key comprehensions of feminism. The reality points to it because it is everywhere and relatively invariant; appears to be

nowhere separable from the whole, and from the totality it defines Mackinnon 1989, p. 94).

It can be understood that the structure in the private sphere through which women maintain the position of submission influences the public settings. Catherine Mckinnon puts that 'personal is political' come out of Consciousness Raising and has interconnected facets:

1. Women as a group are dominated by men as a group, and therefore as individuals.
2. Women are subordinated in society, not by personal nature or by biology.
3. The gender division, which includes the sex division of labour which keeps women in high heeled low-status jobs, pervades and determines even women's personal feelings in relationships.
4. Since a woman's problems are not hers individually but those of women as a whole, they cannot be addressed except as a whole.

Consciousness-raising tries to strike a redefined meaning of social relations and reconstitute the meaning. For Mckinnon, "one form of male power is inside women. Male power both is and is not illusory. As it justifies itself, namely as natural, universal, unchangeable, given and morally correct, it is illusory; but the fact that it is powerful is no illusion" (Mackinnon 1989, p. 100). Men formulate a woman's collective realities by stigmatizing their thoughts and living. In a stereotyped setting, women select the events which they are encouraged to feel and choose even though it feels to them that they don't belong there. This can be also called distortion of self.<sup>1</sup> Thus, it can be realized that these universal judgments cannot be true. The process of consciousness raising "affirms a product of the determinants - self as knower of one's condition - while building a criticism of the conditions that have produced one as one is."<sup>2</sup> For women to become their persons they have to set new conditions and choose their determinants. In a system like this, these factors create hindrances for a person to realize one's potential. To overcome it, the idea of Appropriation is used to seize the condition of domination and shape one's own life for common benefit. When a subjective alienation is overcome, it then leads to active citizenship.

Co-operative rationality in the last instance aims at participatory democracy and the common good, whereas instrumental rationality results in particularism and in the last instance in fascism. In class societies, there is a history of antagonism between instrumental and co-operative rationality. Dominant classes and groups develop ever newer methods of exploitation and domination that instrumentalise humans so that particular groups benefit at the expense of others (Fuchs 2020, p. 203).

Christian says that women sell their produce and reproduce as a labour capital. In a patriarchal setup, unpaid labour is a domain of women and advantaged

<sup>1</sup> Self is taken as an independent agency.

<sup>2</sup> Mackinnon, "Consciousness Raising," 102.

labour is a domain of men. Henceforth, Masculinity has been taken as a space for the amassing of cultural space.

## Conclusion

Rousseau tried to prove that the Social Contract set up is impeccable. But the main criticism lies in the fact that it is not moral at all. In a political system, a person has to be a good citizen. He is trying to bring in the same model in the private sphere, but it is failing because, in both of them, men have a fair share of women. According to Rousseau, if this direction is not followed then it will prove to be destructive for everyone. Even though it preserves the harmony of good governance but it is marred with injustice towards an important section. His idea of state will fail in the long run because non-contribution by women will affect its development. His strong ideas on masculinity will bring in a rigid stand towards schemes. When we say Morality is held by exercising virtue, in Rousseau's model women make decisions based on an artificially laid out system. so can we say that women are moral beings? A biased attitude towards another party (women) will bring in a discriminatory approach towards good governance. This flawed approach creates a sense of tension and takes away the 'Morality' out of the state. It also recedes the 'CARE' attitude out of the authorities and injects an 'Unopposed' rule. The method of Consciousness Raising highlights the issue of women looking at their personalities from a male gaze and expects men to give meaning to their holistic life. To become autonomous beings, women need to set and condition their boundaries.

This work exhibits that the relationship between citizenship and womanhood is flawed in Rousseau's world as it is not gender-neutral due to a lack of active participation. This division is further widened economically because of the existence of a dichotomy between employment and family. The latter is assumed to hold no significance politically. Social power is derived from that which has relational property associated with factors like class, wealth, status, etc. The said model is susceptible to the crisis in case the variables existing in it do not abide by them.

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