This is a summary of recent attempts to theorize the social sources of power in relation to the concept ‘patriarchy’. Particular attention is paid to Carole Pateman’s argument that the idea of the social contract on which liberal democracy is founded is a ‘patriarchal pact that establishes men’s sex right over women’. She questions the claims to universality and equality inherent in liberalism, and uncovers what she describes as the patriarchal character of the ostensibly neutral category of the individual. This character of individual which is the foundation of contemporary law and politics.

If one thinks about the question of gender in politics very broadly, there are a set of assumptions that runs through political though and practice about men and women and their respective sociopolitical role in society. Here we can draw a line from Plato through to modern liberalism via Hobbes: that essentially says that women are capable of politics and public life, but they take on the public life on the terms that are already established. Essentially because women and men are sharing one reason, hence women and men ought to share access to political life on the grounds that their objectives are fundamentally the same. On the other hand we can also find in Western political theory an alternative argument which runs from Aristotle through Rousseau and Nietzsche also Hegel which if it does not exclude women completely from public life it excludes femininity from public life resulting in the exclusion of women from public life on the grounds of their sex. This is claimed on the ground that their direct involvement in the political life is potentially dangerous for the politics. Because it deviates the polity through feminine irrationality and sexual attachment to emotions. It simultaneously underlines the feminine virtues of love and nurturing which are claimed to be appropriate to one sphere of social activity and not the other, i.e. the sphere of family and not to the political male. Hence women are excluded because they are claimed to be fundamentally different with relation to politics.

In these two currents of thought we encounter two alternatives assimilation versus exclusion. Pateman's argument challenges both these assumptions in that to argue for assimilation implies accepting the established male norms. This extends to not only political world but also in practical daily life in which women are seen to be striving to become compliant with male standards. On the other hand the line of exclusion of woman from politics is honest enough to at least recognize that there are various virtues attached to spheres of life but in so far as it is a sex specific argument it provides a reductive account of the social realities.

Most of the intellectual work in feminist theory could be regarded as an attempt in dealing with the dilemma of sameness and assimilation versus difference and exclusion. If we look more closely at ways in which political argument tend to exclude issues of gender, we notice that political theories generally employs different strategies for excluding questions of gender. One is the argument that the difference of gender are part of the per-political fabric of the society. The family as an institution for example is a natural organization of productive organ and this should not be allowed into politics. Locke makes a good argument in this regards. So here it is said that these differences belong to private sphere and part of the pre-political society hence not
politically valid. Another method for excluding questions of gender has been to say that politics is not universal. It concerns with providing a general frameworks, general ordering of collective life and it is not about difference in gender and elements that count as difference. This argument is also running through the discussion of minority rights, which denotes that such concepts are not politically relevant because politics is about what is to be shared and about our common spheres.

Carole Pateman's method is that she examines a series of readily recognizable arguments on patriarchy trying to discredit them. She postulates how liberalism is not post patriarchic tradition and that the liberal contractarianism is actually a form of modern patriarchy. If we take the concept of patriarchy, meaning rule by father, from Aristotle to Weber, it denotes an unconditional rule by father in the households. Feminists form 1960s take patriarchy to mean all sorts of sexist relation that favor men. What Pateman argues is that there are different forms of patriarchy. First there is traditional patriarchy in which a male head of family is regarded as a model to imitate. There is then the ethical form where eternal sources of truth and political power are not only analogous but indeed identical. Hence political authority is the same as divine authority which is indeed a patriarchal pyramid from God. The third form is the modern patriarchy as a fraternal contractual form that affects our modern society. Pateman begins her book by analyzing the liberal democracy and the notion of social contract that underpins it. This process instead of overcoming the patriarchy actually institutionalizes it through modern norms and practices.

Hence the main question for Pateman is why women who are formally accorded equal rights in modern democracies, continue to be subject to domination in marital states based on sex? If we take a conventional text in the history of liberalism, for example in Locke, the recurrent argument is that the liberal contractarian discourse has displaced the patriarchal ones. The argument there was that the political theory could only be founded on the consent of the governed as there is nothing divine or natural about political authority. Political authority is conventional it comes from the consent of the governed. Political authority gains it legitimacy from the contract. For Locke the political theory is only based on the relational notions of the government. Pateman adds that his liberal contractarianism that is claimed to have displaced the patriarchy through the social contract, is in reality an unstated biologically grounded sexual contract. The liberal construction of contract is grounded in the rejection of women as women being excluded and possessed. In this regard Pateman points to a number of examples. In which the patriarchal right of men in sexual relation and marriage as the veritable foundation of a male dominated liberal contract. Hence the liberal individual is a patriarchal category. If one allows women to access the status of a liberal individual, this would mean that this position has to be emasculated and by doping so this would not achieve any significant status for women. She further argues that the kind of the civil freedom that is obtained through a social contract cannot be properly understood unless we add the missing half of the story as well. Such an approach will highlight the fact that patriarchal rights are indeed established through the social contract. Hence the social contract is based on a prior but unstated sexual contract as its subtext. That underlying sexual contract is presupposed but ignored through the assumptions of natural foundations of civil society.

Accordingly Pateman argues that in Locke’s political thought, women contract into marriage and give up their right to contract. Pateman then turns to Freud's account to try and disclose how the
social contract based on the sexual contact has come to being. Freud’s account of the primal law is based on the concept of rule by father. The sons then rebel and kill their father and seize the power. The ensuing paradigm turns to be a new form of patriarchy i.e. a fraternal form of patriarchy. The brother’s clan having just killed their father realize that none of them is strong enough to be an absolute leader to establish law and order in the society. So the social contract for Freud replaces the rule of father, so one moves from patriarchy to the fraternal brother clan of the civil society in which equal rights are accorded to bothers. Following this progress, exchange and heterogeneous marriages are established which form foundations of modern societies. Hence Pateman argues that Freud's argument already begins with a father that is already a father and that the sex right has already been incorporated into the father right. Thus sex right necessarily precedes fraternal right which is exactly the missing part of the story. In this sense a physical birth is transformed into a political birth. The story of the sexual contract is repressed, accordingly the social contract looks as though it is the defeat of patriarchy and the claims of equality for everyone towards instituting a government around a consent or vote. Accordingly the process of sexual relations then becomes an essentially a non-political concept. So the liberal primary distinction between political and non-political, established and maintained through that idea of the individual who is in possession of his person walking into a fully agreed contract that moves over the political rule. Thus the existence of a sexual and a social contract engenders two spheres of public and private life with patriarchy being the real foundation for both. On one hand Pateman scrutinizes the private sphere and observes that the patriarchy is fully operative here through things such as the right of the men to take his wife as a housewife or the marriage rules such as the fact that until 1992 it was possible for a man to rape his wife on the grounds that one gave contractual right through the marriage. Pateman further argues that the whole society is patriarchal by highlighting the contractual nature of all interactions ranging from prostitution to labor contract etc. Hence the conclusion is that the story of social contract is the victory of patriarchy for at least some man. This is based on exclusion and subordination of women as the liberalism is founded on the previously elaborated patriarchal pact that assume men's sex right over women. So contract is the distinctively modern form of patriarchy. She concludes by a call for opening the relationship between public and private spheres of the liberal politics and taking a closer look at the individual rational autonomous fundamentals of the liberal political thought.

Liberals tend to argue that it is possible and indeed necessary to divide society in private and public domains of activity. This is because of the need to defend private individual interests and to limit the legitimate reach of the state to protect the private sphere form public interference. One could trace such arguments even to the Greek time, but in the 17th and 18th century in western political thought we are able to find a clear formulation of the distinction between public and private spheres. It is important to highlight that such a distinction is not between the polity and the household, rather it is between the public power of the state and the private relations of individuals both with relation to their conscience, in the context or religious matters and in relation to the commerce in the civil society.

There are also other feminist narratives on the questions of public and private spheres. Some of these are centered on the fact that public and private spheres are closely interrelated. For instance patterns of work and the structure of public schools for children or the idea that one could work 60 hours per week or the legal definition of marriage as a heterosexual unit etc. all imply that the public power is designed in a way to interact with private relations. Hence unlike what liberals
claim the public and private are thoroughly interconnected and could not be separated. Within the feminist ideology there are four different doctrines regarding this public/private relationship. On the one side we have people like Kate Millet, in a book called "sexual politics" who discusses the identity of public and private life. She postulates that public and private are not only interrelated, they are indeed identical. There is power and domination in sex itself. There is no private sphere. Everything is based on power relation all the way through the society. The second argument was the previously discussed line of thought as Carole Pateman where the concept is to critically evaluate the liberal political thought based on the assumptions that women can be either assimilated or excluded. This could be done by by proposing new pacts based on different assessments of relation between sexes on different levels. A third position is the Carl Schmitt’s line of thought which is comparable to Rousseau’s argument that says we need to hold on to the distinctiveness of these two fields because they are spheres of different kinds of activity and different kinds of virtue. If we merge the two we will end up in a totalitarian system because men will win out in all. Rousseau makes a similar argument when he says that if women are to receive the same education as men, there will be no virtue. A final position (fourth) which is again similar to the Pateman’s position that argues that if you think about the relations between public and private life, the important this to consider is that nothing should be excluded from the political debate. Nonetheless in this line of arguments individuals should be able to claim privacy for themselves. Hence there are different kinds of arguments when feminists try to think about the interrelation between public and private and how the idea of these spheres do not operate in isolation and need to consider with relation to one another.

Hence, Carole Pateman’s theory is that in liberal individualism the idea of a separate autonomous rational individual only works with some kind of distinction between public and private life and subordination of affects, desires and differences within liberal conception of polity. In addition she argues that the sex specificity of many of these individual contracts like marriage and prostitution etc. could not be removed and this sexual aspects of contracts moves beyond the individual sphere into the public sphere. It is interesting to note that Pateman puts the housework and prostitution in the same category of analysis.

Hence the main questions turn out to be the dilemma of assimilation and sameness as opposed to difference and exclusion or discrimination, in other words if you want to argue for the recognition of gender differences in public life then there will be the question of whether you are asking for these differences to be endorsed and highlighted in legislations which in turn could cause other concerns buy highlighting aspects like gender, ethnicity etc that might even lead to a sort of locking people in distinct groups with predictable negative consequences. This is the essence of what some have labelled as the limits of equality versus difference.

In summary, there are two sets of questions to consider here: 1. those regarding the drawing of lines between public and private spheres by studying the rule and regulation appropriate for each domain and 2. The questions of what kind of public and what type of private is possible and desirable? For example recent feminist writers appear to argue against the idea of privacy by claiming that the whole notion of private sphere of life is indeed tantamount to creating a sphere of domination. Despite all this there is no doubt that feminist thought has made significant contributions to the study of various socio-political questions by bringing interesting aspects of such arguments into a new light of appreciation.