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The Gender Selectivities of the State

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This article develops a strategic-relational approach to the gender selectivities of the state – an approach that I first developed to analyze the complex relations between the economy and the state. Although the substantive theme differs, the general line of argument is the same. In applying it to this topic, I have drawn freely from feminist theorists, recent work on masculinity, and some of the insights of "queer theory". (1) My aim is to show the contingently necessary nature of the gender biases involved in the state's institutional architecture and operation and suggest ways to explain this. The essay has four main parts. These deal with (a) the nature of the strategic-relational approach (hereafter SRA); (b) its implications for analyzing gender selectivities; (c) basic aspects of the gender selectivities of advanced capitalist democratic

states; and (d) some implications of strategic selectivity for feminist action. The article ends with some general observations on the complexities of describing and explaining gender selectivities within an anti-essentialist framework.

1. The Strategic Relational Approach and Strategic Selectivities

The strategic-relational approach was initially developed to overcome the dualism between capital- and class-theoretical analyses of the capitalist state – a dualism that led Marxists to refer one-sidedly to "iron laws" associated with the logic of capital or else to class interests and actions (Jessop 1982, 1990). This division is just a special case of the general dualism of structure-agency, however; and the same approach can be applied to the latter (Jessop 1996). Moreover, insofar as it solves the structure-agency problem, the SRA should also offer an alternative perspective on the relationship between patriarchal structures and the actions of gendered subjects.

The strategic-relational approach aims to move beyond Giddens's "structurationist" solution to the structure-agency problem. He insists on the necessary duality of these terms and then brackets (i.e., temporarily ignores) one or other when examining its complementary moment (1984). This solution treats structure at any given time in isolation from action and thus implies that a given structure is equally constraining and/or enabling for all actors and all actions – simply serving (no more, but no less) as a set of rules and resources for action. Similarly, action at any given time is isolated from structure, since actors are seen to choose a course of action more or less freely and skillfully within these rules and resources.(2) The mutual isolation of these complementary moments *at any given moment in the analysis* (as expressed in the bracketing of one or other term) is resolved *in and through time* to the extent that specific structures get modified in and through the intended and unintended effects of action and inaction, thereby creating new sets of constraints and opportunities. However, even allowing for the reflexive transformation of structure by agency (as proposed in Giddens's more recent work), there is little, if any, recognition (let alone adequate explanation) of the differential capacities of actors and their actions to change different structures.

One way to go beyond the duality of structuration theory is to examine structure in relation to action, action in relation to structure, rather than bracketing one or other. Structures are thereby treated analytically as strategic in their form, content, and operation; and actions are thereby treated analytically as structured, more or less context-sensitive, and structuring. This involves examining how a given structure may privilege some actors, some identities, some strategies, some spatial and temporal horizons, some actions over others; and the ways, if any, in which actors (individual and/or collective) take account of this differential privileging through "strategic-context" analysis when choosing a course of action.(3) In other words, it involves studying structures in terms of their structurally-inscribed strategic selectivities and actions in terms of (differentially reflexive) structurally-oriented strategic calculation. Some accounts of discourse adopt a similar approach to the ways in which discursive paradigms privilege some interlocutors, some discursive identities/ positionings, some discursive strategies and tactics, and some discursive statements over others (for example, Hay 1996; Jenson 1995). Combining structural and discursive concerns in a more inclusive SRA would help develop a reflexive analysis (concerned with extra-discursive and discursive structures, transformative

Figure 1: A Strategic-Relational Approach to Structure and Agency: Sorry, not available on-line

and self-transformative capacities, and individual and collective learning) well suited to the study of structurally-inscribed selectivities in different fields of action.

The basic differences between Giddens's solution to the structure-agency dichotomy and that proposed in the SRA are indicated in Figure 1. The various arrows in this figure represent (*darstellen*) the dialectical logic that underpins the SRA and its claim to transcend structuration theory. The first row of the figure presents the inadmissible dichotomy between (absolute) external constraint and (unconditional) free-willed action – the two terms that serve as the initial thesis and antithesis of the theoretical movement leading to the SRA analysis of

structured coherence. The second row then presents Giddens's structurationist analysis of the structure-agency duality, which sublates both thesis and antithesis by treating structure as an emergent effect of action and agency as a structurally constrained mode of skilful action. But this retains a dualistic form owing to its resort to the bracketing at any given point in the analysis of one or other aspect of the resulting duality. The core themes of the SRA occupy the next two rows of the figure and disclose its radical "methodological relationalism". The concepts presented in the third row refer to the strategic-relational aspects of particular conjunctures; the concepts presented in the fourth row refer to the strategic-relational aspects of successive conjunctures.

The concepts from the second row onwards preserve the admissible elements of the preceding row(s). Thus the scope for the reflexive reorganization of structural configurations is subject to structurally-inscribed strategic selectivity (and thus has path-dependent as well as path-shaping aspects); and the recursive selection of strategies and tactics depends on individual, collective, or organizational learning capacities and on the "experiences" resulting from the pursuit of different strategies and tactics in different conjunctures. Insofar as reflexively reorganized structural configurations and recursively selected strategies and tactics co-evolve over time to produce a relatively stable order out of a potentially unstructured complexity, we can talk of the structured coherence of this co-evolving, self-organizing order. This involves a structurally-inscribed strategic selectivity that differentially rewards actions that are compatible with the recursive reproduction of the structure(s) in question. Nonetheless, from the viewpoint of the SRA, this coherence is always multiply tendential. For, first, since the reproduction of structures is only ever tendential, so too are their strategic selectivities; second, since structures are strategically rather than structurally selective (see above), there is always scope for actions to overflow or circumvent structural constraints; and, third, since subjects are never unitary, never fully aware of the conditions of strategic action, never fully equipped to realize their preferred strategies, and always face possible opposition from actors pursuing other strategies or tactics, failure is an ever-present possibility (see, from a strategic-relational perspective, Jessop 1990; from an anglo-Foucauldian perspective, Malpas and Wickham 1995; and, from a discourse-analytical viewpoint, Scherrer 1995).

Viewed in these terms, the state is neither a neutral instrument (equally accessible to all forces and useful for any purpose) nor a rational calculating subject (with a pregiven unity and clear purposes). Instead, it is a social relation. This means that the exercise and effectivity of state power are the contingently necessary material condensations of the changing balance of forces in political struggle. State power results from a continuing interaction between the structurally-inscribed strategic selectivities of the state as an institutional ensemble and the changing balance of forces operating within, and at a distance from, the state and, perhaps, also trying to transform it (on the state as a social relation, see Poulantzas 1978).

More specifically, in analyzing the strategic selectivities of the state as a social relation, its bias as a strategic site of political action must be connected to specific strategies pursued by specific forces (or specific sets of such forces) with specific identities in order to advance specific interests over specific spatial and temporal horizons relative to specific other forces, each advancing their own interests through their own strategies over their own spatial and temporal horizons. Particular forms of state privilege the access of some forces over others, some strategies over others, some interests over others, some spatial and temporal horizons of action over others, and some coalition possibilities over others. This suggests in turn that a change in the self-identity of political forces, the pursuit of different interests, the development of different strategies, the adoption of different spatial and/or temporal horizons of action, or the building of different blocs, strategic alliances, or temporary coalitions could well lead to different outcomes, making it easier or harder to achieve specific objectives in and through a given type of state, a given state form, or a given form of regime. It also suggests that reorganizing the state – its modes of representation, its internal articulation, its modes of intervention, its social bases, the currently dominant state project or mode of political legitimation, or, where relevant, the state's broader hegemonic project for the wider society – will change its strategic selectivities.

Continuing interaction over time between the reflexive reorganization of the state's strategic selectivities and the recursive selection of specific strategies and tactics oriented to those selectivities can result in a relatively durable degree of "structured coherence" (or stability) in the operation of the state and its wider political system (see figure 1). It is this emergent coherence that justifies talking about specific structures of state power and their dynamic (for example, liberal parliamentary states, authoritarian interventionist states, military dictatorships, or dependent developmental states; or, to give another example, male breadwinner and dual breadwinner welfare regimes). It also offers a basis for identifying the weaknesses and strengths of a given type of state, state form, or political regime, their crisis tendencies as well as their capacities to counteract these tendencies, and so on.

As an institutional ensemble, the state does not (and cannot) exercise power: it is not a real subject. Indeed, rather than speaking about _the_ power of the state, one should speak about the various potential structural power_s_ (or state capacities), in the plural, that are inscribed in the state as an institutional ensemble. The state is an ensemble of power centres that offer unequal chances to different forces within and outside the state to act for different political purposes. How far and in what ways their powers (and any associated liabilities or weak points) are actualized depends on the action, reaction, and interaction of specific social forces located both within and beyond this complex ensemble. In short, the state does not exercise power: its power_s_ (always in the plural) are activated through the agency of definite political forces in specific conjunctures. It is not the state that acts: it is always specific sets of politicians and state officials located in specific parts and levels of the state system. It is they who activate specific powers and state capacities inscribed in particular institutions and agencies. Moreover, as in all social action, unacknowledged conditions influence the success or failure of their actions and there are always unanticipated consequences.

Structurally-inscribed strategic selectivities are also spatio-temporal. This is so for at least two reasons. First, all structures have a definite spatio-temporal extension. They emerge in specific places and at specific times, operate on one or more particular scales and with specific temporal horizons of action, have their own specific capacities to stretch social relations and/to compress events in space and time,(4) and have their own specific spatial and temporal rhythms. And, second, _qua_ institutional ensemble, the state privileges the adoption of certain spatial and temporal horizons of action by those trying to access the state, influence it from a distance, or transform its structural selectivities. Thus the spatio-temporal selectivity of the state refers to the diverse ways in which spatial and temporal horizons of action in different fields are produced, spatial and temporal rhythms are created, certain practices and strategies are privileged and others hindered according to their "fit" with the temporal and spatial patterns inscribed in the state's structures. Moreover, once one allows for reflexivity on the part of actors as well as the recursive selection and retention (or evolutionary stabilization) of actions through structures over time, one can study the changing dialectic between reflexively reorganized spatio-temporal matrices (which are always differentially distantiated and differentially compressed) and recursively selected strategies and tactics (oriented to the most appropriate spatio-temporal horizons, to changing the forms of chronotopic – or time-space – governance, to the reflexive narration of past and present to change the future, etc.).

The SRA insists that the state's structural powers or capacities and their realization cannot be understood by focusing solely on the state as a juridico-political apparatus – even assuming its institutional boundaries could be precisely mapped and would also prove stable. Although the state apparatus has its own distinctive resources and powers, which are the basis of its relative autonomy, it also has distinctive liabilities or vulnerabilities and depends on resources produced elsewhere in its environment. This is why the state's powers are conditional and relational. The nature and extent of their realization depends on the structural relations between the state and its encompassing political system, the strategic ties among politicians and state officials and other political forces, and the complex web of structural interdependencies and strategic networks that link this state system to its broader social environment. For the state's effectiveness is always shaped by capacities and forces that lie beyond it.

If the notion of structurally-inscribed strategic selectivities is accepted, one must reject the idea of structural selectivity introduced by Offe to transcend structuralist and instrumentalist explanations of the capitalist state (1972). For Offe, structural selectivity was a *sui generis* property of the state's own institutional architecture; and it served to organize the capitalist class and disorganize the working class. A feminist account of the state's gender selectivity in analogous terms would refer to the pre-given roles of the state in empowering and organizing men and disempowering and disorganizing women. Such accounts appear unsatisfactory in both contexts. There are no pregiven interests of capital (5) as opposed to labour nor of men as opposed to women (6) that can be identified outside specific conjunctures and thus be guaranteed in advance through a given form of state. Such interests could only be established *at best* in relation to specific accumulation strategies bzw. gender regimes that might codify, render compatible, and stabilize particular economic bzw. gender relations (on accumulation strategies, see Jessop 1990:196-219). For there is no state power in general nor general state power – only particular exercises of state power and the sum of such exercises.(7) And it is an open historical question whether these exercises of state power are more or less coherent (and, if so, what the sources of this relative coherence might be) or comprise little more than a mechanical aggregate. Nor is there patriarchy in general or general patriarchy – only particular forms of patriarchal domination and the sum of patriarchal practices. And here, too, it must be an open question whether particular forms of domination are relatively unified or not (cf. Walby 1999). In this sense the sole intellectual purpose of general reflections on state power bzw. patriarchy is to define fields of enquiry through a process of rational abstraction. They cannot generate a general theory of the state and/or patriarchy.

2. Analyzing Gender Selectivities

A strategic-relational approach to the state's gender selectivities would be concerned with the manner in which the state transforms, maintains, and reproduces modes of domination (or institutionally and discursively materialized, asymmetrically structured power relations) between men and women. The SRA is premised on the contingent, relational nature of all identities, interests, strategies, and spatio-temporal horizons; and it allows for, without taking for granted, their reflexive transformation. These core premises problematize the state's gender selectivities by highlighting the contingency and the variety of gender identities and interests that might serve as reference points for assessing these selectivities. One cannot simply assume "the abiding existence of a homogeneous collectivity called 'women' upon which measurable experiences are visited" (Scott 1999:78). These core premises also indicate a broad range of possible explanatory factors. For an adequate strategic-relational analysis of gender relations would refer to the constitution of competing, inconsistent, and even openly contradictory identities for both males and females, their grounding in discourses and fantasies about masculinity and/or feminity,(8) their explicit and/or implicit embedding in different institutions and material practices,(9) and their physico-cultural materialization in human bodies. It is particularly important for our purposes, of course, how specific constructions of masculinity and feminity, their associated gender identities, interests, roles, and bodily forms come to be privileged in the state's own discourses, institutions, and material practices.

Such an approach is very useful in contesting the recurrent tendency to "naturalize" gender and gender relations rather than to analyze them as social and/or discursive constructs. This tendency is not confined to "malestream" analyses – it also occurs in much feminist work – especially in first and second wave feminisms (for good recent critiques, see Fraser 1997, Scott 1999). Several theoretical and political strategies have been suggested to overcome this tendency. Two are worth noting here. First, according to "queer theory", sexual bzw. gender identities (and, by analogy, all other identities) tend to be ambivalent and unstable and sexual orientations and practices are "polymorphous" (on the state, see, for example, Duggan 1994; for a critique of some of the political implications of queer theory, see Walters 1996). Second, whether or not they share this rejection of "heteronormative" analyses, a wide range of other approaches also emphasize the differential articulation (or intersection) of gender with class, ethnicity, "race", disability, and so on (see below). A radical deconstruction of gender and sexuality on these lines reveals the complex overdetermination of the state's gender selectivities, their inherently relational – including spatio-temporal – nature, and their

variable impact on political strategies and practice. Such an approach denies that the state is a simple expression of patriarchal domination and even casts doubt on the very utility of "patriarchy" as an analytical category. It takes us beyond the recognition that there are multiple structures of patriarchy, that these are liable to transformation, and that any changes within and across interlocking forms of patriarchy are contingent and overdetermined. For it suggests that the significance of such patriarchal structures and their articulation to produce specific "gender regimes" can be adequately grasped only through a further round of deconstruction inspired by third wave feminism, "queer theory", and similar modes of analysis of other sites and forms of domination.

These assertions can be fruitfully developed in relation to what MacInnes, in a recent provocative study (1998), has suggested is the "post-patriarchal" modern period. I am not focusing on his work here because I believe it to be superior to the third wave feminisms (or kindred approaches) with which readers of this volume will be familiar – indeed, I will be offering some criticisms of his work. But it does enable me to pose two sets of problems that are important from a state-theoretical viewpoint. These are the implications of the capitalist mode of societalization for the survival and transformation of patriarchy in what some Marxists regard as the 'unity-in-separation' of the economic and political systems; and the complex articulation between the system- and the lifeworlds as more complex sites of domination and resistance. In both cases this enables me to return to key issues in the analysis of the institutional materiality of domination that sometimes get neglected in second and third wave feminist concern with the politics of identity (see also Fraser 1997).

MacInnes claims that the modern period is a transitional one between a (moribund) traditional patriarchal and a (potential) future non-patriarchal era. As such this period is marked by various structural and discursive contradictions insofar as important institutional and ideological legacies dating from the era of open private and public patriarchal domination have come to be threatened and, indeed, despite occasional significant temporary reversals, increasingly undermined by the more universalist logics of the market and liberal democracy. Thus MacInnes writes "(t)he history of the last 300 years has been the history of the erosion of patriarchy by possessive individualism" (1998:130). This erosion has developed unevenly, of course, and is still far from complete. Nor is the extension of possessive individualism an unqualified good. (10) Thus MacInnes is fully aware that there is still a sexual division of labour in which, as he himself notes, "males and females routinely perform different activities or occupy different social roles, receive different material rewards and have access to contrasting amounts of power and status because of their sex" (1998:1). But he adds that these enduring inequalities cannot be explained in terms of (naturalized) gender differences because, for him, these differences are themselves "the ideological result of a material struggle over the sexual division of labour" (1998:2). He argues that this naturalization of gender differences reflects social constructions of masculinity and feminity that are based on alleged differences between males and females (see also Weeks 1986; Scott 1999:71-77). This sort of fetishism can best be understood in turn as an unstable expression of efforts to re-assert the legitimacy of the sexual division of labour after the "naturalness" of patriarchy had been challenged by commitments to formal (11) equality in the domains of market relations and liberal democratic politics. MacInnes concludes there is "a real contradiction in modernity at both the ideological and material levels between the legacy of patriarchy and its historical defeat – between the sexual contract and the social contract" (1998:131).

MacInnes's approach implies that there will be significant structural and discursive contradictions between the gender selectivities and operational logics of the various functional orders of modern society – the capitalist economy, the formally democratic state, the family,(12) and so forth. Each of these will embed the historical contradiction between the *substantive* institutional and discursive legacies of patriarchy and the – at least – *formally* gender-neutral potential of modern institutions. However, drawing on third wave feminism and queer theory, one could also criticize MacInnes's own account on three grounds. First, his distinction between patriarchal, transitional, and post-patriarchal periods inclines to a progressive, liberal, and possibly teleological, reading of history. Thus it tends to ignore the scope for transformations in patriarchy, e.g., from private patriarchy to public patriarchy, as well as the scope for reversals. It tends to subscribe to the individualist, universalist values of the capitalist market, liberal democracy, etc., as well as the various discursive, institutional,

and systemic boundaries and/or exclusion-inclusion mechanisms with which these systems are associated. And it tends to imply that the erosion of patriarchy would have been accomplished when these individualist, universalist values have been achieved – even though there is a rich feminist (and, indeed, other radical) critique of the biases in such apparently 'gender-blind' discourses and institutions. All of this leaves little space for considering the arguments and strategies of third wave feminism and "queer theory", which criticize and oppose the sort of liberal strategies implicit in MacInnes's analysis. Second, perhaps because it is so strongly grounded in a critique of western political theory and radical first wave feminism, his arguments tend to be Eurocentric or, at least, to be grounded in the Enlightenment tradition. In this sense they ignore the problems posed by imperialism, colonialism, and post-colonialism and the "peculiarities" (from a Eurocentric viewpoint) of patriarchy outside the European and North American heartlands. Thus his analysis runs the risk of reproducing an implicit modernization thesis in which all societies face a putative post-patriarchal future like that developing in the allegedly most progressive western societies. And, third, MacInnes's analysis focuses more or less exclusively on the antagonisms rooted in the "sex-gender" nexus and therefore ignores the lessons of third wave feminist analyses of the intersection of gender, class, "race", ethnicity, nation, and other identities. Taking account of these issues poses quite different problems about identities, interests, alliances, political strategies and tactics, spatial and temporal horizons of action, respect for boundaries and borders, and so forth.

This argument is reinforced when one considers the complexities of the "lifeworld". This comprises social identities, values, discourses, and practices that are largely located beyond the system world. (13) It is a complex, heterogeneous space in which different modes of domination (as defined above) can, and certainly do, exist. Gender relations are just one, albeit a very important, locus of domination within the lifeworld: others include (likewise socially constructed) social relations such as ethnicity, 'race', nations, generation, and lifestyle. It follows that the lifeworld cannot be properly presented, as it sometimes is in idealized Habermasian terms, as a sphere of freedom in contrast to a sphere of domination that is confined solely to the system world. Both the system world and lifeworld, in their respective and often overlapping pluralities, are sites of struggle. Seen in the light of the preceding remarks, they constitute strategic terrains in the attempts to resolve the general contradiction between the legacies of pre-modern patriarchy and the logics of modern functional systems as these are overdetermined in particular social formations; and in the attempts to contest prevailing discourses of masculinity and feminity as these are expressed in and across these two disparate worlds in all their current complexity. The temporary, partial, and unstable compromises that tend to emerge in the various fields of gender struggle will be codified in different discourses, institutions, and practices. At least some fields will institutionalize the prevailing hegemonic or dominant images of masculinity and feminity – even as others, perhaps, provide bases of strategic resistance or tactical opposition thereto.

These ideas are consistent with the welcome rejection of two basic assumptions that were once implicit in much feminist argument: first, that there is a single, well-defined, and strongly institutionalized form of patriarchy with its own distinctive logic that is expressed in different fields; and, second, that there is a sharp division, if not antagonism, between all men and all women. It is now widely recognized in the literature that there are different forms of patriarchy (for example, Walby 1990); that there is wide variation in both masculinities and feminities and therefore in possible "gender regimes" (for example, Connell 1990, 1995); and that gender regimes are always and everywhere overdetermined by at least class, nation, ethnicity, and "race" (for example, Jenson 1986; Callaway 1987; Mohanty 1991; Canning 1992; Boris 1995; Yuval-Davis 1996; Collins 1998; Fraser 1997). The debate has moved well beyond the stage when the state could be defined as the "patriarch general" (Mies 1986) or its policies toward women could be derived from the logic(s) of production and/or reproduction in capitalist societies (Barrett and McIntosh 1985). Instead the current theoretical and analytical agenda concerns how best to analyze the contingent co-evolution, structural coupling, and discursive articulation of various state structures, discourses, and practices with equally various patriarchal structures, discourses, and practices – whilst paying due regard to the structural contradictions, strategic dilemmas, and discursive paradoxes that are typically
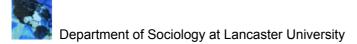
associated with these processes. The following remarks pose three closely interrelated sets of questions in this emerging strategic-relational research agenda.

First, to what extent do the various orders in the "system world" consistently tend to select and thereby reinforce some gender-coded differences and/or some sexual orientations rather than others in terms of their own particular operational codes and programmes? Even if the general codes of functional systems are gender-neutral, as a Luhmannian approach might suggest, particular programmes applied by specific organizations and actors may well be gender-biased. Thus one could ask how far, in what respects, and under what conditions it is in the interests of "particular capitals" or, indeed, "capital in general" to exploit gender differences to enhance opportunities for profit? Moreover, given that there may well be opposing interests among different capitals in this regard, is it possible to manage the resulting contradictions, dilemmas, and paradoxes through specific institutional and/or spatio-temporal fixes? Making due allowances for different operational codes and programmes, similar questions can be posed about other functional systems, such as politics, law, education, art, science, war, religion, or medicine. In all cases, I suggest, there are advantages as well as disadvantages *from a system perspective* in exploiting or otherwise reinforcing gender differences.

Second, how far, in what respects, and under what conditions, do hegemonic and/or dominant concepts of masculinity and feminity bzw. maleness and femaleness serve to organize men's and women's differential participation in the system world? While the first set of questions concerns the general interest, if any, of functional systems in gender discrimination, this second set inquires into possible discursive, institutional, and material obstacles to "gender blindness" where such neutrality might otherwise be favoured by the general code or specific programmes of a given functional system.

The third set, although analytically distinct from the second, shares its concerns. It involves asking how far, in what respects, and under what conditions, concepts of masculinity and feminity bzw. maleness and femaleness organize social identities, interests, values, discourses, and practices that are external to, or cut across, the system world. Concepts of masculinity and feminity as well as of maleness and femaleness should be studied in terms of their discursive constitution, institutional embeddednesss, and personal embodiment. Masculine and feminine bzw. male and female stereotypes may be more or less sharply differentiated from each other in terms of their substantive and/or evaluative content in regard both to systems and the "lifeworld". They may also be more or less tightly (or loosely) coupled to a wider (or narrower) range of activities in both regards. The less substantive and evaluative differentiation there is between the concepts of masculinity-feminity and/or maleness-femaleness, the less tightly coupled these twin concepts are, and the narrower is the scope of their institutionally and discursively constituted relevance, the less likely it is that we will find well-established gender selectivities. Studying these concepts offers us one way to explore the differential impact and decline of the legacies of private and/or patriarchy considered as sites or mechanisms of gender domination.

A further comment on the "lifeworld" will be useful before we consider the state's gender selectivities. I believe that its significance as a site of hegemonic struggles is due to its relative formlessness as an ensemble of heterogeneous social relations. It is the site of various colonizing tendencies to integrate its elements more effectively into the service of specific institutional orders; and also of various struggles to resist and reverse such colonizing tendencies in the name of identities and interests that lie outside and/or cross-cut them. Moreover, given the tendency to increased functional differentiation in modern societies, we might understand the increased significance of identities anchored in the lifeworld as one way to reduce the increased complexity of the system world. For identity politics could provide a basis for self-description and self-reflection about the impact of these changes on values and interests and a basis for resisting an ever-growing dispersion and fragmentation of one's activities. In this sense the contemporary lifeworld bzw. "civil society" has become an even more hotly contested space than before. For it serves both as an horizon of action for strategies to secure the dominance of particular institutional orders; and as a reservoir of more or less antagonistic practical "instincts"(14), calculated interests, or explicit values

(rooted in other identities and experiences) and social resources and capacities for resisting such colonization.

These three sets of questions provide a useful way, I would suggest, to analyze and explain not only the gender selectivities of the state and the overall political system but also the contradictions, dilemmas, and paradoxes with which the selectivities are associated. They indicate that there are various forms of gender regime and gender selectivity and that these can have markedly differential effects on different social categories or social forces according to their identities, interests, and strategic orientations towards maleness-femaleness, masculinity-feminity, or sexual orientation. The specific configuration of selectivities associated with a specific gender regime in particular conjunctures is a product of a complex set of path-dependent interactions. Among the factors involved are the operational logics of modern functional systems, the legacies of pre-modern patriarchy, current modes of domination in the lifeworld and the struggles around them, attempts to colonize the lifeworld by specific systems and resistance thereto, and the hegemonic struggles to secure an overall balance between system integration and social cohesion. If one accepts this approach, then there is no transhistorical inevitability about patriarchy. For it challenges accounts of patriarchy that treat it as monolithic and/or inertial and, instead, it highlights the polymorphy and contingency of gender regimes. It also suggests that any impression that patriarchy (whether seen as monolithic or polymorphous) is necessarily inscribed into capitalism and/or the state probably results from the structural coupling and contingent coevolution of the system world (especially the market economy and the liberal democratic state) with modes of domination rooted in the lifeworld. Any such inscription is "contingently necessary" (Jessop 1982:212-19). This does not mean, of course, that gender domination is less real because it is far from transhistorical. But social forces might be better placed to challenge, modify, and eliminate gender domination if they recognize its contingency and search for its vulnerabilities as well as its strengths.

3. The State's Gender Selectivities

There can be no final judgement about the state's gender selectivities for three main reasons. First, even in the modern period there are many different forms of state and political regime with quite different structures of political opportunity. Second, there are different forms of gender-conditioned, gender-conscious, and gender-relevant mobilization, different identities and interests around which such mobilization occurs, different standpoints and horizons of action with which it is associated, and different strategies and tactics that are pursued. And, third, since gender selectivities are the product of both structures and strategies, any blanket claim risks being tautological, trivial, or overly abstract. Nonetheless, certain broad principles can be established. In the present chapter I will seek to identify these primarily from first and second wave feminist perspectives that tend to work within some of the key institutional features of the modern state and its environing political system. Further comments on the gender selectivities of the state, that qualify or extend some of the preceding arguments, will be offered from a third wave feminist perspective in the fourth chapter (*Kapitel*) and the conclusions (for an earlier strategic-relational deconstruction of the supposed gender blindness of the state, see Sauer 1997; and for an analogous "queer-theoretical" analysis of the local state, see Cooper 1994).

3.1 Historical and Formal Constitution of the Modern State

To begin with, introducing the neo-Marxist distinction between the historical and formal constitution of the modern state can refine MacInnes's analysis. This contrasts (a) the complex, path-dependent, historical emergence of a modern state with a legitimate monopoly of organized coercion vis-à-vis its political subjects within a given territorial area and (b) its acquisition, if at all, of a formal structure adequate to the expanded reproduction of rational capitalism (see Jessop 1982:112-17; cf. Weber 1968). This distinction has two key implications. On the one hand, modern states were not constructed on a political *tabula rasa* on the basis of first principles but on the historically variable foundations of past social forms and discourses. The path-dependent structural coupling of old and new helps explain the contradiction between the pre-modern era's substantive patriarchal legacies and the emergent, formally rational form of the modern state. The uneven survival of such patriarchal

legacies affected the efforts to establish the formally rational (and at least potentially gender-blind) features of the modern state. On the other hand, since its formal constitution develops in an inherited patriarchal context, the modern state also displays a substantive, path-dependent structured coherence with patriarchy. This involves: (a) the reproduction of a *de facto* patriarchal modern state through the recursive selection and reinforcement of "appropriate" political practices that tend to reproduce the disempowerment of women; and (b) the self-limiting nature of attempts to change this state form with the result that its gender selectivities are maintained. An exemplary study of such structural coupling (although not presented as such) is Vogel's account of how the contradiction between private possessive individualism and patriarchal state control over marriage was entrenched in the 1804 French *Code civil* (Vogel 1999). Periods when these selectivities are significantly altered are of special interest for revealing which identities, strategies, and tactics were effective and the exceptional conjunctures in which they made a difference.

3.2 Formal Features of the Modern State

I now explore three key features of the formally rational modern state. These are its constitutionalized *Gewaltmonopol* vis-à-vis the economy and civil society and its territorialized sovereignty vis-à-vis other states; its nature as a *Rechtsstaat* based on a clear demarcation between public and private; and the nature of statecraft, statistics, and other aspects of official discourse as forms of power/knowledge.

The modern state's *Gewaltmonopol* has two interesting features: first, it excludes direct coercion from the organization of production for the market; and, second, from a police-military rather than economic perspective, it promotes the pacification of civil society and allows the centralization of military force to defend the state's territorial integrity. These features are often considered hallmarks of modernity. However, although formally "gender-neutral", they are actually quite consistent with continuing patriarchal practices. The absence of direct coercion by no means rules out gendered divisions in the labour process. Moreover, insofar as the modern state is also a *Steuerstaat* (i.e., a state that depends for its revenues on monetary taxation of the market economy), attempts to challenge such divisions could prompt a fiscal crisis or capital strike. The absence of direct coercion from production is also quite consistent with state indifference – official or unofficial – to abuse and violence in the "private" sphere directed against women and children (for a feminist critique of Elias's arguments about the origins of civilization as pacification of society, see Bennholdt-Thomsen 1985). Nor does the pacification of civil society exclude other forms of domination. Indeed continuing gender bias has provoked attempts to politicize the personal, to open public space to women's interests, and to establish children's rights. Likewise the state's control of police-military functions does not as such prevent hegemonic masculinity influencing their exercise. This is reflected in the historical link between citizenship and military service obligations, in institutionalized gender and "heteronormative" bias(es) in the organization and operations of the police and military, in state- or military-sponsored prostitution, and, too often, in practices such as martial rape or torture. Indeed, in so far as police-military functions are still central to the state's overall operation, they may spread masculinist or patriarchal influence throughout the state system. (15)

Territorialized sovereignty is another important feature of the modern state. It has been the historical basis of inter-state relations, military-police organization, nation-statehood, and the national demarcation of legal and civil rights (Behnke 1997). A growing body of feminist criticism has shown that international relations (especially in their realist or neo-realist geo-political and geo-economic versions) are premised on a view of the state and inter-state relations that are thoroughly infused with dominant masculinities (e.g., Enloe 1989; Grant and Newland 1991; Locher-Dodge 1997; Peterson 1992; Pettman 1996; Sylvester 1994). I have already commented on the gender selectivities of the military-police organization. The nation-state also tends to be strongly gendered. Indeed, "[t]he control of territory (by each state) is entwined with a definable gender contract that is a result of social struggle and is linked to a wider gender order in society" (Cravey 1998:538). The sovereign state functions as a "power container" that institutionalizes gender and gender relations as well as classes and class compromises. It does this in three ways: its construction and consolidation of particular masculinities and feminities; its role in defining and monitoring the boundaries between

different masculinities and feminities, classifying and sanctioning "deviant" behaviours; and selecting only some identities as the basis for integrating individuals into the state apparatus as state managers, representatives, or dialogue partners (Radcliffe 1993: 201). Similar points hold for citizenship rights, which are also far more differentiated *de jure* and/or *de facto* than the liberal rhetoric of universal citizenship rights might suggest.

Globalization, the emergence of cyberspace, and the extension of universal human rights are now challenging these associations. Although human rights tend to generalize liberal assumptions of (western male) citizenship so that they are limited in intent and practice to men, they can serve as important strategic resources in gender and/or sexual preference struggles (Okin 1979; Reynolds 1986). They may also underpin transnational movements based on solidarity in difference, a particularization of rights, and a differentiated universalism (Lister 1996: 11); and, linked to citizenship, they can also provide the basis for multi-tiered and pluralist struggles amenable to the pursuit of a broad spectrum of feminist concerns (Nash 1998).

Much has been written on women and the modern *Rechtsstaat*. Its emergence did not immediately or directly challenge patriarchal forms of property *in general* as opposed to *particular* pre-capitalist instantiations thereof. Nor did it challenge the sexual contract implicit in the family as an organizational form. Moreover, even where formal equality was instituted in the public sphere, it still co-existed with substantive inequalities. These issues can be explored in terms of three interrelated aspects of citizenship: (a) the "isolation effect" and its implications for political struggles; (b) the relationship between the "sexual contract" and social contract; and (c) the role of gender relations in reproducing the nation during the period of national states and in a possible future post-national era.

First, the grounding of political representation in individualized forms of national citizenship associated with the abstract individual rather than class position creates an "isolation effect" (Poulantzas 1973). This encourages the organization of political space(s) around issues of formal equality, negotiated difference, or contested identities. In addition, macro-politics tends to take the form of hegemonic struggles to define the "national-popular" interest in a sovereign state (Gramsci 1971). Second, even if citizenship is formally gender-neutral under universal suffrage (a right typically conceded quite late during modern state formation), it is historically and substantively based on a model of male citizenship (Lloyd 1984). The reasons for this include stereotypical contrasts between male rationality and female emotion, men's military and fiscal duties as opposed to women's reproductive duties, and the perceived (male?) need to preserve domestic peace in the patriarchal family by depoliticizing gender relations (on the third reason, see Pateman 1988, MacInnes 1998). Unsurprisingly, therefore, contradictions arose between the abstract right to citizenship and the particularities of gender. The resulting conflicts have led to an uneven development and expansion of rights as well as to corresponding changes in the state (Wiener 1996:112-116). The development of human rights in three successive waves or generations (negative liberal individualist freedoms, positive rights based on state intervention, and, thirdly, solidarity rights) has also failed to address the specifically patriarchal bases of women's oppression. This is reflected in the fact that the Convention on the Elimination of all Forms of Discrimination against Women (1979) is the UN convention that has been ratified with the largest number of reservations by the largest number of signatory states (James 1994:568-69). Thus, '[d]espite the protection of women's rights incorporated into the language of the Universal Declaration, the Covenants, and the various human rights conventions, normative systems of gender-based oppression continue to be operational across time and space, spanning all levels from the familial to the international' (James 1994:576). Interestingly, this observation illustrates the complexities of contemporary feminism. For other feminists have criticized human rights discourse and practices not for their disregard of the specificities of women's oppression but for their cultural blindness – for imposing a universalizing approach to women's rights without regard to legitimate cultural differences (Brems 1997:149-50). However, as Fraser notes in the context of her critique of third wave feminism, neither universalism nor multi-culturalism provides a basis for distinguishing just, democratic, and emancipatory identity claims from unjust, anti-democratic, oppressive identity claims (1997:103-4).

Third, the national state has taken three main forms: *Volksnation*, *Kulturnation*, and *Staatsnation*. Gender is most important in the first form because membership of the "imagined community" of the nation is derived from descent and is inherited through the family. This gives women a key role as maternal "bearers" of the nation but also leads to stricter control over their reproductive role in the "national" interest (Yuval-Davis 1996). Membership of a *Kulturnation* is more dependent on acculturation or assimilation. Women still have a key role as socializers, however, along with state and non-state ideological apparatuses.(16) The *Staatsnation* is yet more open because inclusion depends on loyalty to the constitution and patriotism. The decomposition of each of these forms of national state is putting a general strain on the role of gender in their reproduction. At the same time it creates opportunities to rethink what it might mean to belong to a state (Staats*zu*gehörigkeit) in a post-national era when the ethnic and/or cultural bases of Staats*an*gehörigkeit (nationality) are being dissolved through trends towards more multi-ethnic or "melting pot" and/or multicultural or fragmented, "hybridic" post-modern societies have become more evident. These trends are undermining the position of women as "bearers" of the nation and/or national identity and have opened political spaces to redefine citizenship, to multiply the spheres of legitimate political action both within and across national borders, and to develop multiple political loyalties or even cosmopolitan patriotism (see Habermas 1992, Held 1992, Wiener 1996, Nash 1998).

4. Strategic Selectivity and Strategic Action

The general features of the modern state need to be re-specified at more concrete and complex levels of analysis and related to strategic alternatives to begin to reveal more fully their strategically selective implications. There is now a vast historical and/or comparative literature on the gendering of particular state formations, welfare regimes, and policy domains; the specificities of different feminist movements and currents, successive "waves" of feminism, and the impact of lesbian, gay, and "queer" struggles; the intersection of different types of struggle (class, gender, ethnic, generational, anti-imperial, third-world, post-colonial, post-socialist, etc); and different strategies, alliances, tactics, spatial and temporal horizons. It is impossible to address even a small fraction of these studies here. Instead I want to highlight a few relevant issues around some basic dimensions of the state and political system.

4.1 Political Representation

Forms of political representation display gender biases. This can be seen in the legal definition of individual citizenship, the mode of separation between the private and public spheres, the nature of the public sphere as a site of political deliberation, the relative importance of territorial and functional bases of political decision-making, individual and/or collective mechanisms of decision-making, and electoral rules such as proportional representation, majority voting, or simple plurality. More substantive differences in representation also make a difference. They include issues such as the social, ideological, and organizational of political representation in the party system, interest groups, or social movements; varying capacities to access the public sphere and mass media; and differential capacities to access or intervene in the state.

The private-public separation also has specific effects. These are stronger, of course, the more this distinction is fetishized. Not only do women tend to be confined to the private sphere; but the public sphere is also said to favour appeals to rational and "universal" rather than emotional and/or "particular" interests (Cohen and Arato 1992; Calhoun 1994; Landes 1998; Rosenberger 1997). Together these tendencies are said to marginalize women's issues and interests. In first and second wave feminisms this has been associated with attempts to move into the public sphere and to emphasize either the value of 'maternal' or other feminine values to political life and/or the capacity of women to engage in rational argument. Moreover, where women do enter the formal public sphere, advocates of women's "natural" roles find it easier than advocates of lesbian, gay, or "queer" movements and/or other challenges to these roles. It is also easier for liberal feminists to access the public sphere than radical, socialist, or anarchist feminists. Focusing on the public sphere also produces neglect of areas where women are politically active outside the formal party and parliamentary political arenas – such as informal neighbourhood politics, local social movements, or client-state negotiations in the

welfare regimes (O'Connor 1993:506). This does not mean, of course, that the private-public distinction should be wholly rejected as opposed to being demystified; that it is useless to engage in struggles to draw the distinction in other ways or to exploit its ambiguities or, indeed, to note for the irrationality of certain masculine forms of politics; that new networking forms of politics or governance may well be challenging the apparent clarity of the private-public distinction; or even that ideas and strategies grounded in the third wave feminist concept of cyborg politics might not better correspond to women's experience of the private-public distinction and exploit more effectively the energy of 'borderlands' (on the latter, see, of course, Haraway 1991).

Regarding territorial representation, the more local the level of political organization, the easier is women's access to political power. Different biases occur in corporatist or functional forms of representation. Estate-like corporatism is more patriarchal than social democratic forms (Neyer 1996). Even the latter privilege the male-dominated world of business organizations, trade unions, and other producer interests at the expense of those without gainful employment and consumers. Unsurprisingly, the greater is the political influence of corporatist compared to parliamentary institutions, the greater is the social and economic gap between men and women and the harder it is to realize gender equality policies (Neyer 1996:84; on the double gender marginalization produced by the parliamentary *Fraktionsstaat* and corporatism in Germany, see Young 1996).

The marginalization of women candidates and women's issues as well as the de-thematization of the private sphere have long shaped electoral politics – especially in a majoritarian rather than proportional representation system. The former encourages catchall parties that are less inclined to allow serious space for feminist concerns. But women can have a greater or lesser impact on formal politics according to the nature of any compact between feminists and a party (or parties) that allows women's policy activists to access state institutions (Threlfall 1998:71). The type of issue raised also shapes women's unity and influence. Thus they are strongest for issues around sexual politics – abortion, violence against women, incest, pornography – or daily life – work hours, child care, pay and employment equity (O'Connor 1993:511). Social movements may take up women's issues but they have less privileged access to the state or face the dilemmas of being in and against the state (on femocracy see: Franzway u.a. 1989; Stetson and Mazur 1995; Threlfall 1998; Watson 1992). Moreover, as the suffrage expanded to include workers and women, significant areas of political power were displaced from elected legislatures to the executive, quangos, and functional representation (Hernes 1987; Siim 1991; Dahlerup 1991).

4.2 The Architecture of the State

Gender effects are found in the formal and material distribution of powers in and/or among parts of the state apparatus. As well as the relative separation of executive, legislative, and judicial powers, there is also a hierarchy of departments within the state system and a relative distribution of powers across its different tiers. It is well known that, the closer a department is to the core of the repressive state apparatus (military, police, security, foreign policy, and treasury), the fewer women are present. Likewise, the higher the tier of government, the fewer women are involved. These trends are related, of course, since the state's "softer" functions tend to be located at the local level. We also need to consider the informal "parallel power networks" that help to unify formal hierarchies. Some feminist research indicates that these parallel power networks are often more male-dominated than are formal bureaucratic bodies (Ferguson 1984). For such networks tend to display the atmosphere and mores of a men's club. Some gay theorists also suggest that the military is more heterosexist than civilian state apparatuses (Greenberg and Bystryn 1996). A related concern is the continual redefinition of the state's boundaries of action to re- or de-politicize certain issues. Overall, one must examine how the state's precarious unity is created and how this, in turn, creates various gender selectivities.

State feminism provides an interesting test case here as it promotes policy-making bodies led by women and/or dedicated to women's issues. These are a response to pressures from below as well as an attempt to co-opt feminism. They can empower women to pursue their own interests but can also generate public forms of patriarchy whereby women come to depend collectively on "father state" rather than individually on fathers, husbands, or sons

(Hatem 1992; Walby 1990). Threlfall identifies several forms of state feminism – ranging from social democratic femocracies to patriarchal-authoritarian forms of national mobilization – with a correspondingly wide range of effects (1998). There is a similarly broad range of dilemmas and contradictions in women's involvement in and against the state (see Stetson and Mazur 1995; Threlfall 1996; Findlay 1988).

4.3 The primary "media" of state intervention and forms of intervention

The state deploys various means of intervention, each of which has its own forms of gender bias: here I consider force, law, money, and knowledge. The masculine and military values linked to the state's monopoly of force (*Gewaltmonopol*) were noted above. The formality of *positive law* tends to abstract not only from substantive class differences but also from those based on gender. Moreover, even where the latter are recognized (if not also, indeed, actually constituted) in some branches of the law, their recognition may serve to create and/or re-impose forms of public and private patriarchy (MacKinnon 1989). Thus law may offer women special treatment by virtue of their gender (e.g., maternalist or natalist policies) or protect them only if they accept their subordinate status in the private sphere. Law also gives the state rights to intervene in women's lives – especially if they present themselves and/or are presented as victims (Brown 1995). More generally, "in accepting law's terms in order to challenge law, feminism always concedes too much" (Smart 1989: 5). For this concedes the hegemony of law and its androcentric standards, fetishizes legal categories and methods, and marginalizes non-legal knowledge and experiences as well as extra-legal strategies (Smart 1989). The shift from formal procedural to reflexive law might make a difference here by opening legislation and adjudication to debate over substantive inequalities. There is some progress in this regard through the work of feminist legal theorists as well as of legal practitioners on behalf of their clients (see Farganis 1997).

Money is the basis of formally rational calculation on capitalist markets and in ideal market conditions such calculation would ignore differences that do not affect profit-and-loss or purchasing power.(17) In the real world, of course, this disadvantages most women, who are typically poorer than men. Nonetheless the emergence of the "pink pound" or pornography targeted at women rather than men suggests that markets will exploit profitable new niches. The state reproduces the same utilitarian calculus whenever it adopts cost-benefit analysis (with women's costs-benefits having a lower value than those of men) or confirms differentials rooted in the division of labour or differences in income or wealth. This is especially evident in the ways in which the state reproduces the relation between capital and wage labour – including a politics of *workers-men* (Kulawik 1996:52); in the gender-specific impact of structural adjustment policies (Connolly 1996); and in the sphere of welfare policies (e.g., pensions or social security benefits). Knowledge has become more and more important for the state's operations. However, not only are there frequently substantive biases in bodies of knowledge (linked as they are to power), but there is also a sense in which the very formal, systematic, rational and scientized form of knowledge embodies masculine perspectives. In addition, insofar as statecraft is intrinsically connected to the concepts of sovereignty, *Realpolitik* and hegemonic masculinity, then political knowledge reproduces gender differences (see, for example, Grant and Newland 1991).

These media can be combined in different ways to support specific forms of state intervention. Welfare regimes illustrate this very well because they are located at the intersection of state, market, and family-gender relations and thereby embody many of the contradictions between women and the state. Maintaining the traditional family was an important object as well as presumption in the initial design of welfare states; for the state organized welfare "not around a biological core, but a state-sanctioned, heterosexual marriage that confers legitimacy not only on the family structure itself but on children born into it" (Collins 1998:63). Nonetheless variations occur in welfare regimes not only concerning de-commodification (reducing workers' dependence on the labour market) but also regarding a person's insulation from involuntary economic dependence on other family members and/or state agencies (O'Connor 1993:512). In the latter respect women rely disproportionately on dependence-enhancing income and/or means-tested benefits rather than on universal citizenship rights. Thus they can be regarded as second-class citizens bzw. welfare claimants.

There is wide variation in the women-friendliness of welfare regimes (for a review, see O'Connor 1996). Skocpol notes how a maternalist welfare regime developed at the states level in the USA ahead of Europe's more paternalist, male breadwinner model at the national level (1992). Yet, as Kulawik (1996) notes, although the maternalist regime was based on women's political mobilization at decentralized states level, this actually served to ensure the secondary status of American welfare compared to rights-based European regimes. There are variations within Europe too. The more estate-like (ständischer) corporatist welfare regimes found in Austria and Switzerland are less women-friendly than social democratic welfare regimes in Scandinavia (Neyer 1996). Even the latter, whilst more advanced in integrating women into the labour market, de-familializing care work, and enabling women to share in welfare policy making, have actually seen little real increase in women's social and political power or development of an autonomous collective identity as feminists (Kulawik 1996:61).

4.4 Gender specific inequalities within the social basis of state power.

The social bases of state power are linked to hegemonic masculinities and feminities as well as to the material foundations of state power. These affect the formation of a relatively stable social compromise and loyalty to the state form or regime. They also shape the compatibility between the demands of political legitimacy (electoral success) and those of real politics (including both accumulation and geopolitics). These features must be elaborated for individual state forms. In this context one can consider not only institutionalized class compromises but also specific forms of gender contract. Duncan has defined the latter as "the balance of power that is worked out between men and women in particular places" (1994:1186; cf. Connell 1996; Naples 1997). A key question here is whether the social basis is also the principal beneficiary of state power. It is a well-known psephological fact, for example, that women tend to vote for conservative parties; but this does not ensure they benefit from the latter other. Patriarchal, maternalist, and nationalist discourses all have key mystificatory roles in this regard. For these shape the identities and interests that provide the material and symbolic substratum for gender contracts, for the recruitment and stabilization of supporting classes, for the stakes to be negotiated in temporary alliances, and for the roles of different sex/gender categories in private and public life. Together with material structures of power, they also shape the forms of social inclusion and exclusion. In all cases there are clear links to the structural aspects of the gendered selectivity of the state.

5. Accumulation strategies and economic projects

Accumulation strategies and economic projects should be understood in a broad sense and include, alongside techno-economic conditions for economic growth, their multifarious extra-economic conditions. Once the analysis of economic strategies is expanded to include their social conditions of existence, a broad field is opened up for the analysis of gender specific inequalities (see especially Gibson-Graham 1995).

6. Hegemonic projects related to the State

Hegemonic projects define the nature and purposes of the state and are typically gender biased. This is a vast field of research and space limits preclude giving more than one recent example. Thus Brodie (1997) explores this in the successive meso-narratives that have structured the state as a form of political domination. She argues that liberal citizenship was oriented to universalism over particularism – with women regarded as particularist and unable to transcend this to achieve universalism. Next, the "laissez-faire state was extremely active in ensuring the autonomy of the market and the domestic sphere and the power relations exercised within them. It pronounced its "others" (sc. market, home) as apolitical and self-regulating and, thus, not subject to public intervention" (Brodie 1997:230). Later, the Keynesian welfare state "realized a radical expansion of the public through direct intervention in the economy, and by subjecting the family, and other aspects of private life, to new forms of state scrutiny and assistance. …. The family wage and the dependent homemaker/mother were cultural forms that were cultivated by the welfare state" (1997:232, 233). This state form advances the claims of white middle class. Finally, the neo-liberal meso-narrative emphasizes performativity. In its fatalism in the face of market forces, its emphasis on the positive effects

of globalization, and its gender-neutral approach to restructuring, it can be regarded as a phallocentric discourse (1997:238).

5. Conclusions

Although "there is no patriarchy in general", particular forms of patriarchy do exist. Indeed they are institutionalized in, and reproduced by, the modern state. But it is worth distinguishing the gender-conditioned aspects of the state, its substantively gendered nature, and its gender-relevance beyond the state. Each aspect needs to be considered, not in terms of fetishized, naturalized sex or gender distinctions, but in terms of the multifarious forms in which sex and/or gender are constructed. For this vastly complicates any analysis of the state's gender selectivity.

First, particular gender regimes condition the state insofar as they shape political opportunities and constraints. Just as capital and male-dominated unions sometimes find it "profitable" to exploit existing gender differences to segment the labour force structurally and divide it organizationally, so state managers and politicians may exploit gender divisions by fashioning political appeals, building social bases, etc., on gender lines. Moreover, even when women win formal equality as citizens, gender regimes may prevent its realization. For example, while state action may compensate for private patriarchy or the gendered division of labour, it may also create forms of public patriarchy that bind women to men via the welfare state (Hernes 1984; Kulawik 1996; Walby 1990; for the counterargument that women need the welfare state to advance some of their interests, see Hernes 1984). In short, insofar as the modern state's operations are gender-conditioned (because they are structurally coupled to and co-evolve with patriarchal relations), its own gender-neutrality will always be more or less limited. Second, insofar as the modern state reproduces patriarchy and patriarchal ideology in its own organization, it is itself gendered. This occurs through a myriad contingent practices and, following Butler (1990), one could say that states *perform* gender. And, third, state activities are *gender-relevant* insofar as they reproduce institutionalized contexts and discourses in which patriarchy appears natural – for example, the role of social policy in reproducing the patriarchal family or gender specific differences on the labour market.

Nonetheless, since the modern's state patriarchal features derive from a contingent co-evolution with patriarchal relations beyond the state, feminist strategies that make it "bad for government" to pursue patriarchy-friendly policies may be effective. This is the story of the last two decades in the advanced capitalist democracies. There is still far to go, however; and many achievements may prove reversible. Yet the lines of conflict have become harder to decipher due to the proliferation of feminities/ masculinities and/or the growing recognition of the problems of heteronormativity. This makes it even more imperative to establish which are the naturally necessary aspects of the state as a patriarchal institution; which are contingent structural features of the state in a patriarchal society; and which are random and hence modifiable.

The implications of the contingently necessary nature of the state's selectivities are complex. It is far easier to note what they exclude than work out what they entail. A strategic-relational approach to this question excludes naturalizing, universalizing essentialisms based on simple oppositions such as male/female and masculine/ feminine. For the state's structurally inscribed strategic selectivities do not operate in the sort of binary fashion that would justify its description as the 'patriarch general' or as necessarily heteronormative. But even those who reject such essentialist claims sometimes deploy "strategic essentialism" and/or "asymmetrical anti-essentialism" in political struggles. In this regard, whereas strategic essentialism involves a self-conscious, provisional, and even ironical, deployment of essentialist arguments for strategic purposes in specific contexts, asymmetrical anti-essentialism only tolerates such arguments when voiced by subaltern groups to contest their stereotypical "otherization", to resist their inclusion within Enlightenment time and space, and to assert the authenticity of their cultures. (18) But, however self-conscious and self-limiting, both strategies are problematic insofar as they have privilege an identitarian approach to political mobilization, i.e., an essentializing politics of identity. This reifies boundaries between groups and, by homogenizing and collapsing individual into collective identities, also tends to be undemocratic within groups (cf. Yuval-Davis 1999: 94). At most they can provide the basis

for political mobilization based on an aggregative, serialized but still essentializing concept of identity that ignores "the complex interweaving and continual re-embedding of identities and subjectivities" (Sum 1998:10). Such effects are opposed in the emerging third wave feminist emphasis on intersectionality (and the parallel critique of essentialism from queer theorists) and on the benefits of dialogue between different standpoints or positions (cf. feminist standpoint epistemologies).

Thus the emphasis should be on possible, negotiable, and partial collaborations between feminists and other social categories around specific projects; and on how different projects can be unified into broader, more general struggles. This approach has been described as "transversal politics" and, according to Yuval-Davis, it stops "where the proposed aims of the struggle are aimed at conserving or promoting unequal relations of power, and where essentialized notions of identity and difference naturalize forms of social, political and economic exclusion" (1999:97). This approach fits feminist ideas about contextual ethics; and the need for situated, local understanding rather than universal, codified knowledge. In adopting this approach, one moves beyond the old feminist question – "can we achieve feminist goals directly through the agencies of the state?" – to a new question: "what kind of state should we be attempting to construct?" (Curthoys 1993:36). A provisional answer is that this should be a state form that institutionalizes a mode of political engagement that sustains conflict in political productive ways (Butler 1997: 269). This works against both universalist feminisms and against multi-cultural rainbow coalitions that operate in mechanically aggregative manner. Thus we need "to find a way to combine the struggle for an anti-essentialist multiculturalism with the struggle for social inequality and democracy" (Fraser 1997: 108). But this in turn requires attention to the politics of complexity as well as the politics of identity (Sum 1998). In short, it requires attention to the complex strategic-relational interaction between state structures and individual and collective identities and interests in specific conjunctures (see also Demirovic and Pühl 1997). The preceding remarks provide some preliminary theoretical indications on how to proceed in this regard but they cannot substitute for practical interventions to test the nature and limits of the state's selectivities and the merits of different strategies.

Notes

(1) In writing this paper I have benefitted from discussions with Anne-Marie Fortier, Andrew Sayer, Mimi Sheller, Ngai-Ling Sum, and Sylvia Walby. Needless to say, I am solely responsible for the arguments presented here.

(2) From a strategic-relational viewpoint, however, this "freedom" exists only in relation to a given structure. It does not mean that actors have free will.

(3) On strategic context analysis, see Stones (1991).

(4) Implied here is a distinction between space-time distantiation (the stretching of social relations over time and space) and space-time compression (the conquest of space by time through increased velocity of movement and the social "production" of more events within a given time period). They provide different bases for the exercise of power (see Jessop 1997).

(5) Unless, that is, one posits the abstract interest of capital-in-general in securing an appropriate and changing balance between commodity and non-commodity forms of economic and extra-economic reproduction. But this is so abstract as to be little more than a tautology derived from the general analysis of the circuit of capital where land, labour-power, and money are all fictitious commodities (see Jessop 1990).

(6) This claim is perhaps less contentious now than it would have been a generation or so earlier. For the post-structuralist, post-modern, post-colonial, linguistic, discursive, reflexive, and other "turns" in the social sciences and humanities have fundamentally undermined the belief in essential, pregiven identities or interests of men and women. This is evident from the emergence of masculinity studies and queer theory alongside the increasingly divergent trends in women's studies.

(7) This argument derives by analogy from Marx's famous comments on production in general (Marx 1857).

(8)Although these issues have less wide-ranging consequences, issues about the state's selectivity are also raised regarding different biological sexes (including "awkward" cases, whether due to genetic endowment or surgical intervention), sexual identities (with increasing recognition of transgender identities), and sexual preferences (both through the rise of the gay, lesbian, and bisexual movements and through open debate over issues such as, in no particular order, pornography, sado-masochism, bestiality, incest, and paedophilia).

(9) In distinguishing between discourses, institutions, and material practices, I am not trying to deny the materiality of discourses nor suggesting that institutions or material practices are non-discursive. I am simply noting that not all discourses are translated into institutions and material practices with emergent properties that are irreducible to the content of these discourses.

(10) This is indicated by the fact that neo-liberal theorists such as Friedrich von Hayek and Milton Friedmann believe that, because gender discrimination blocks the efficient allocation of resources in the interests of profit maximization, it will disappear as rational market calculation comes to dominate a widening range of social relations.

(11) Formal equality in market relations and liberal democratic politics is, of course, compatible with substantive inequalities -- whether generated by the very logic of the wage relation and social relations of production in capitalism, by the contingent articulation between exchange relations and pre-existing substantive inequalities (as exemplified in segmented labour or product markets), by the contradictions in capitalist societies between the state's democratic public form and its substantive dependence for resources (and, often, legitimacy) on the performance of capitalist economy, and by the contradictions between the formal equality of citizens and their differential access to public will formation, policy-making, and policy implementation.

(12) At least when examined as an ideological state apparatus, that is, as a complex institutional ensemble subject to juridico-political control, rather than as the sum of actually existing families.

(13) My use of system world and lifeworld here differs from that of Habermas in so far as I distinguish more systems than the economic and juridico-political and regard the lifeworld as more than a sphere of communication.

(14) Compare Lenin's metaphorical reference to "class instincts" or Foucault's "plebeian spirit of resistance"; more analytically, on antagonisms, see Laclau and Mouffe 1985.

(15) Institutionalized racism and nationalism are also, of course, central features of the organization of police-military functions.

(16) In the case of both ethnic and cultural nationhood, martial rape can be used as a weapon against the nation, destroying families, cultures.

(17) On efforts to re-entangle money into gendered social relations, see Zelizer 1998.

(18) On strategic essentialism, see Spivak 1988; and, critically, Duggan 1994, Sum 2000; and, on asymmetrical anti-essentialism, Bunting 1993.

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