

SUNY Series, Feminist Philosophy
Jeffner Allen, editor

FAMILY MATTERS
Feminist Concepts in African Philosophy of Culture

Nkiru Uwechia Nzegwu

State University of New York Press

Published by
State University of New York Press, Albany

© 2006 State University of New York

All rights reserved

Printed in the United States of America

No part of this book may be used or reproduced in any manner whatsoever without written permission. No part of this book may be stored in a retrieval system or transmitted in any form or by any means including electronic, electrostatic, magnetic tape, mechanical, photocopying, recording, or otherwise without the prior permission in writing of the publisher.

For information, address State University of New York Press,
194 Washington Avenue, Suite 305, Albany, NY 12210-2384

Production by Dana Foote
Marketing by Fran Keneston

Library of Congress Cataloging-in-Publication Data

Nzegwu, Nkiru.

Family matters : feminist concepts in African philosophy of culture / Nkiru

Uwechia Nzegwu.

p. cm. — (SUNY series, feminist philosophy)

Includes bibliographical references and index.

ISBN 0-7914-6743-0 (hardcover : alk. paper) — ISBN 0-7914-6744-9 (pbk. : alk. paper)

1. Igbo (African people)—Kinship. 2. Women, Igbo—Social conditions. 3. Philosophy, Igbo. 4. Sex role—Nigeria. 5. Family—Nigeria. 6. Patrilineal kinship—Nigeria. 7. Feminist theory—Nigeria. I. Title. II. Series.

DT515.45.I33N93 2006

306.8708996332—dc22

2005014077

ISBN-13: 978-0-7914-6743-5 (hardcover : alk. paper)

ISBN-13: 978-0-7914-6744-2 (pbk. : alk. paper)

10 9 8 7 6 5 4 3 2 1

In memory of my mother
Veronica Umebe Uwechia
died 12.13.02

erosity of Marilyn Desmond, Chinwe Uwarase, Barry Hallen, Lynn Jones, Tejumola Olaniyan, Micere Mugo, Madonna Larbi, Paul Tyambe Zeleza, Cassandra Vency, Barbara Abou-El-Haj, and many other colleagues and friends too numerous to mention.

I would also like to thank the Institute for the Study of Gender in Africa (ISGA) at the University of California at Los Angeles, for the Senior Research Fellowship I received to begin writing this book. Two chapters of this book are radically revised versions of previously published works: An earlier version of chapter 4 appeared in the *Canadian Journal of Law and Jurisprudence* (1994b) and was also republished in *JENDA: A Journal of Culture and African Women Studies* (2001a). And an earlier version of chapter 1 also appeared in *JENDA: A Journal of Culture and African Women Studies* (2003).

At the foundation of it all is the family. I would like to express my profound appreciation for the unwavering support of my daughters Uzoamaka and Azuka, for whom the book was written, for the encouragement my brother Jide-ifo Uwechia, and for my mother Veronica Umebe Uwechia, who showed me the possibilities that women can attain when they believe in themselves, but who did not live long enough to see this book of her dreams come to fruition. Uzoamaka, Azuka, Jideifo, and Veronica na m nno i'ye were all sounding boards for many of the ideas in this book. *Daku nu o.*

INTRODUCTION

Igbo Family Structure and Feminist Concepts

Feminists have found most forms of family prevalent in history and in the present to be destructive of women's equality both within the home and in all other spheres of life, and sometimes of their basic well-being.

—Susan Moller Okin, "Families and Feminist Theory: Some Past and Present Issues" (1997)

Feminists have conducted a close scrutiny of the family . . . and have seen how oppressive it can be for women.

—Linda Gordon, "Why Nineteenth-Century Feminists Did Not Support 'Birth Control' and Twentieth-Century Feminists Do" (1982)

Contemporary human rights discourse has defined a framework for understanding African families that pits the rights of individuals against the norms of cultures and traditions. The 1986 African Charter on Human and People's Rights, the constitutions of various African nations, and the United Nations Draft Declaration of the Rights of Indigenous Peoples (Article 12) all protect indigenous cultures under the concept of people's rights while offering strong protection for individual rights. Tensions have steadily arisen between those eager to secure the individual rights of people over the customs and values of cultures that violate those rights. These tensions have coalesced around the rights of women. From the late 1980s, landmark cases in a number of African countries either stripped wives and daughters of whatever rights they had, or determined that they never had any. The 1999 case of *Maggya v. Maggya* comes to mind, in which the Zimbabwean Supreme Court equated the status of adult daughters to that of teenage sons, as well as the 1987 Kenyan case that denied Wambui Orieno the right to bury her husband, Sylvannus A. Orieno (Bigge

and von Briesen 2000, Stamp 1991, and A. Gordon 1995). In both cases, the judges in the two countries defined the boundary of the family in accordance with presumed traditional customary practices, restricting the rights of daughters and wives. In cases as these, where cultural norms are privileged, modern constitutional provisions that guarantee women equal rights with men are eroded. Such contemporary appeals to culture and selective invocations of traditions continue to be used in different countries to entrench the gender subordination of daughters and wives and to curb whatever rights they may have under the constitutions of respective countries. Interestingly, most of this curtailment occurs within the context of the family, specifically under the provisions of family law that rest on customs and traditions as well as on cultural conceptions of the family. These conceptions are historically derived from men's notions of customs, their perceptions of values, and their articulations of the structure of the family.

It is indeed true that the consequent problem of gender subordination in Africa over the last sixty years or so can be traced to European colonial policies and African men's views and constructions of the family. Because this male-dominant view of the family has never been challenged, it has gained legitimacy and paramount importance. Modern prejudices about women underlie this view, and such biases have worked to consolidate and protect men's rights within the family and in the society at large. The consolidation of husbands' and sons' rights has resulted in a patriarchal consciousness in which the subordination of daughters and wives is taken for granted and is assumed to be culturally rooted and based on their natural inferiority. This lends support to the characterization of African societies and African families as historically oppressive to women. Once scholars concede that women in African societies are culturally subordinate to men, it becomes difficult to uphold a human rights charter that simultaneously offers equality to women and safeguards the integrity of cultural traditions. Searing tensions are automatically generated for modern African women seeking to assert their constitutionally protected rights, as this goes against the tenets of the equally protected tradition. Often, to their great chagrin and embarrassment, they face the demoralizing prospect of having their rights struck down in their nations' highest courts by African judges who doggedly privilege the constitutionally protected right of "customs and traditions" over the rights of women in order to keep women in what they see as their culturally assigned roles, that is, in subjugation to men. The rulings of these African male judges have been crucial in configuring the current human rights discourse in Africa as one pitting women's individual rights against the collective right of a people (read: men) to their culture.

Of course, the ruling of the judges in cases such as *Magaya v. Magaya* suggests that African women are not really part of the culture, and so could not have a meaningful role in discussing and reforming any parts of the culture.

Their modern demands are deemed transgressive, even though women were sidelined in important conversations on the constitution of cultural norms and laws that took place over eighty years ago, conversations that treated them as social and legal minors and that resulted in their present second-class status. The present discourses on culture, then, are based on a historical, one-sided male construction of customs and cultural practices that must be re-examined. The issue of what constitutes culture and cultural practices raises the much larger question of who decides (and once decided) on which customs are privileged, and why? And, why must the rights of women be sacrificed?

Male judges in different African nations who rule for women's subjugation rationalize their rulings on the grounds that the community is always larger than the individual, and that traditions and cultural values are vital to the identity, well-being, and continuity of the community. These judges and their political supporters trivialize modern African women's insistence on the protection of their constitutional right of equality as an unacceptable commitment to the ideologies of individualism and feminism, which are characterized as antithetical to the African way of life and ill-suited to govern the distribution of power and resources within the family. Any challenge to what is perceived as "African culture" or "African values" is considered by these judges a direct threat to the vital force of African society and to what it means to be African.

The problem with this stance of male judges is that it fails to examine what we claim to be "the traditional African family" and the entitlements that accrue to members, especially given that the ideology of individualism underlies much of contemporary life and that the processes of modernization have radically reshaped and continue to reshape the very "African society" they are invested in protecting. Historical changes, of which modernization is a large part, have given rise to new forms of family relationships, new value systems, and new aspirations that were never part of precolonial societies, including the "traditional" society they constructed in the first three decades of colonization. Tensions and conflict have arisen in families between the newer and older family ideology, leading to family crises that underlie cases such as *Magaya v. Magaya*. The question that arises, then, is how do cultural proponents determine which social features are worthy of preservation as traditional and which are subject to modernization? Because discussions about the rights of women and the legal status of members of the family cannot take place without an understanding of the sociocultural nature of the specific African family under examination in different historical times, it is imperative to open up discussions on these subjects.

This book examines the modern African family and its corollary social vision in one specific region in Nigeria. It does so in light of Western feminist theorizations about the impact of the family structure on women and the impact of human rights discourse on gender equality in modern African societies.

The area of study is northwestern Igboland, which, prior to colonization and contrary to the popular beliefs of Igbo men, was a nonpatriarchal, nongendered society. In the last 150 years (1854–2004), the Igbo family has undergone vast structural changes as it responded to an intense barrage of cultural forces, including the trans-Atlantic slave trade, late nineteenth-century and early twentieth-century Christian evangelism, colonialism, rapid urbanization, the ideology of individualism and its sacralization of the self, migration to other parts of Nigeria and the world, anticolonial struggles, nationalism, independence, ethnic cleansing, the Nigerian-Biafran war, and contact with various forms of family relationships worldwide. In myriad ways, these economic, social, political, and cultural forces have extensively transformed Igbo families and have shown that the notion and idea of the traditional family is a highly complicated one. In some cases, the impact of these forces resulted in the total disintegration of some family features and forms of conjugal relations, and in other cases it wrenched family relationships grotesquely out of shape. What we are left with today is nowhere close to the late nineteenth-century family structure that predated British colonialism. The questions this book addresses are, what was the impact of all these changes on women's status and their role within the family? And what was the cumulative social impact of these changing family patterns between the second half of the nineteenth century and the end of the twentieth century?

The normative model of family embodied in colonial and nationalist policies and labor relations is radically different from what existed in Igbo society. These policies completely redefined women's identity as that of wife, and produced a developmentalist discourse and a series of nationalist and postcolonial policies that supported a dependency status for wives. This study grapples with the impact of cultural change in Igboland as it studies the norms, beliefs, and ideals that regulate the lives of female and male members of the family in different historical contexts. It recognizes that there is a push-pull relationship between an idealized notion of family and real-life families. It also notes that a similar relationship exists between codified (lawyer's) customary laws and the living customs of the people and between contemporary customs and those of the late nineteenth century. As such, this book is not a study of the idealized family and codified customary laws, nor is it one that idealizes the family and present customs or makes an emotional plea for their relevance. Although it acknowledges the importance of families and customs in the political, social, economic, and emotional life of Africans, it recognizes, too, the dysfunctions of real-life families and customs, the compromises that families require of women, and the customs that regulate these compromises. This study of families broadens out to explain the social structure within which families are embedded and to articulate the sort of male-female dynamics that they define. The objective of this articulation is to raise the question of the nature

of equality that exists in such a sociopolitical structure and to contrast it with the intrinsic notion of equality in Western societies—a notion privileged by feminists.

Because there is no single model of family, this book deals with different forms of family relationships, notably, the consanguineal, nuclear, mixtures of the two, polygamous, matrilineal, patrilineal, dual-descent, matrifocal, patrifocal, patriarchal, and matriarchal. A consanguineal family construes the family as composed of kin, while the nuclear treats the family as composed of a man and his wife and children. Polygamous families are made up of a male or female husband with multiple wives. A matrilineal family traces descent through the mother, while a patrilineal one traces descent through the father, and a dual-descent family traces descent through both the mother and the father. Matrifocality describes a family that is based or focused on the mother, whereas a patrifocal family is centered on the father. A patriarchal family is one in which the father has the dominant power in the family, and a matriarchal family is one in which the mother has the dominant power in the family.

In the general field of African studies and the subfield of African philosophy, very little attention is paid to families, and interest in the subject pales in comparison to interest in national politics and the political state. Questions of governance, democratization, the viability of civil society, the importance of rule of law, and the securing of people's provisions of human rights dominate the discourse. I appreciate the importance of these investigations, but I also recognize that the stability of a nation state depends on stable, functioning families. Where families are in turmoil, or displaced to refugee camps in regions of Africa that have experienced civil wars, or ravaged by HIV/AIDS, the result has been widespread post-traumatic stress disorders; collapse of some social institutions; moral meltdown; breakdown of law, order, and security; senseless violence; massive social problems; and a severely overburdened social infrastructure. Because there is a connection between family well-being and a healthy nation, and because family destabilization attacks the very foundations of societies, we ought to accord higher priority to discussions of the well-being of the African family.² Greater attention should, therefore, be devoted to understanding the sources of this destabilization as well as the impact of contemporary global policies and adopted values on families and how these, in turn, feed social pathologies that are an anathema to good governance.

In setting the parameters of this discussion on the family and its related social vision, it is important that we do not proceed with conceptions of the African family and society that have their roots in definitions offered by early British ethnographers and anthropologists who worked within the subjugation ideology of imperialism (Basden 1966, Thomas 1913–14, Leith-Ross 1965, Green 1964, and Meek 1937). As is well known, the conceptual scheme of that ideology is antithetical to the precolonial Igbo cultural scheme, which was

characterized by a different social vision that emphasized assertiveness and empowerment. As such, it is imperative that we go beyond the familial descriptions that these ethnographers produced to serve colonial objectives, and, that still inform contemporary descriptions of the Igbo family. Earlier definitions are flawed not because they were written by white men, but because they misrepresent the precolonial Igbo family. This family was not under the dominant control of men, nor was it one in which the sole duty of women was to minister to the needs of men. Early Western ethnographers, Christian missionaries, colonial anthropologists, and educationists viewed Igbo families and society through their patriarchal lens and the male-privileging value scheme of Western epistemology. Propelled by their interpretive scheme, they made patriarchy the organizing principle of the Igbo family and society and generated ethnographic descriptions that reinforced their interpretations by misrepresenting Igbo families as conjugal units. Consequently, they overemphasized the role of conjugal units, focusing on husbands as heads of households and treating daughters, sisters, and mothers as socially, politically, economically, and religiously irrelevant in the scheme of things. Perceiving all women to be dependents of male heads of households enabled them to define women's roles in terms of three principal tasks: the provision of labor, the production of children, and the provision of sexual favors for men.

Far more critical in this misrepresentation of the Igbo family as a gendered space that is governed by unequal relations of power is the methodological root of this epistemological problem and construction of society as patriarchal. Early European ethnographers, Christian missionaries, and educationists failed to recognize the ways in which their own conceptual schemes and ideological beliefs influenced their work. They did not see how their Christian beliefs about the family influenced their assumptions and interpretations about the Igbo family. Nor did they grasp the myriad ways that colonialism and colonial education pitted the interests of men against those of women in the first half of the twentieth century. These misperceptions resulted in the articulation of a static and erroneous model of Igbo family and society that ignored important relations of power, tensions, and figures of authority that fell outside the Western researchers' conceptual scheme. I hope to avoid the flaws of past studies by centering the Igbo ontological and ethical scheme, as well as the consanguineal logic of family relations, in an understanding of the political nature of the society, and the distribution of rights, duties, and entitlements in the Igbo family and society. Additionally, my study analyzes the family and society from the standpoint of multiple female members of the family, principally, that of *isi ada* (first lineage daughter), *umuada* (daughters), *ndi nne* (mothers), Ikporo Onitsha (Council of Onitsha Women), and *inyemadi* (wives). These multiple and shifting perspectives are seamlessly woven together, revealing crucial issues of family and social life and providing a kalei-

doscopic picture of the family and society in their ungendered form. Within Igbo family, all consanguineal kin are treated as persons with rights and powers who are engaged in dynamic interactions with each other. This epistemological standpoint is rooted in the view that adult family members—both females and males—have agency and clearly defined rights and powers within the Igbo social universe. At the social level, this results in the formation of a symmetrical system of governance. The study's location within that universe highlights and critically integrates into theoretical discourse important features that were missing in current and early descriptions of the Igbo family and society, and also offers another way of dealing with the political issue of women's rights.

Feminist Concepts and Methodology

In the past thirty years, mainstream Western feminists have undertaken a similar task to mine, rethinking earlier descriptions of the family in Europe and the United States.³ The objective of their project was to re-envision the family in light of capitalism, industrialization, and the First and Second World Wars—major historical events that have radically affected familial relations in numerous ways. Reflecting on the impact of these social forces on the structure of the family, white middle-class feminist theorists and philosophers have confronted the pervasive gender inequality and the limiting nature of their notion of motherhood, as well as the limited range of roles for women in the family and their society at large (Jagger 1977, Daly 1973, Okin 1989, and Pateman 1988; Thorne 1982, Nicholson 1986, Ruddick 1989, Nelson 1997, and Hansen and Garey 1998). They consequently raised fundamental questions about gender roles and family boundaries, after decomposing the family into its constituent parts of sex, gender, and generation. Focusing attention on the obvious gender-based inequality in the family, they challenged the idea of a monolithic family that privileged the nuclear family. They also began the exploration of the subjective experiences of power relations and of wives' contributions to the family (Hansen and Garey 1998, Nelson 1997, Thorne 1982 and 1992, and Okin 1989).

Speaking largely about European American families in the United States, including Western European and Jewish families, white feminist political theorist Susan Moller Okin (1997, 14) and white feminist historian Linda Gordon described the ways in which the traditional arrangement of relationships within the nuclear family are “destructive of women's equality both within the home and in all spheres of life” (Gordon 1982, 50). Driving home their point, white feminist sociologists and legal theorists pointed to the unequal power relations between the sexes and the privacy codes that allowed incest, rape, and wife battering to go unchallenged in their families. They also

showed the ways in which Western family experiences are determined by gender. To their lasting credit, white feminist scholars and activists in the United States spearheaded radical reforms in the family as they sought to establish more egalitarian relationships between the spouses. The global impact of their efforts has been the profound reshaping of global family histories, the introduction of new concepts governing relations in families, and ideas about how families the world over are to be viewed. Part of the underlying objective of this study is to ascertain the relevance and applicability of some of these feminist concepts, rooted in Western social structures, to the study of African families rooted in African social structures and, in the last century, modified within the crucible of imperialism and colonial racism.⁴

So what are these concepts? A review of the writings of white feminist scholars in the United States identifies a range of concepts that were used to problematize the family. These include, but are not limited to, patriarchy, gender, individualism, sexuality, reproduction, equality, motherhood, labor, household, the public and private spheres of life, and the notion of the family as composed of "breadwinner and full-time wife." Although these concepts are used in other disciplines too, they function differently in feminist contexts than they do in nonfeminist ones, where their hidden assumptions about male-female relations are highlighted. The issue, then, is what is feminism and what makes these concepts feminist when they are appropriated by feminism?

At its core, white feminist philosopher Sarah Gamble defines feminism as a movement that seeks to change a social paradigm in which "women are treated inequitably within a society [that] is organized to prioritise male viewpoints and concerns" (2000, vii). It is a multipronged struggle, against women's oppression that embodies an anti-female subordination thesis. In this struggle for personhood and empowerment, feminist scholars and philosophers deploy the identified concepts to address issues about gender in relation to the underlying distribution of power in the family in particular, and in the society at large. Their focus is on rights and power relations because they are concerned about the unequal division of labor within the family, and about who in the family possesses the dominant share of power, who is the weaker partner in the marriage and why, and who controls matters of sexuality and reproduction.

In the important essay "Is There a Feminist Method?" white feminist philosopher Sandra Harding provides a fuller discussion of what constitutes feminist methodology and practice (1989, 17-32). Although she argues against the idea that there is a method, she gives examples of how to determine that a chosen strategy is feminist. There are three key features: the utilization of gender as an analytic category of explanation, the focus on women's experiences, and the placing in full view of both the assumptions and beliefs on the same cognitive frame. The first is the most important feature of the feminist method.

Without it, a focus on women's experiences would not rise to the level required for it to be feminist. Harding observes that there are countless studies on women that are not feminist. The use of gender as an explanatory scheme elevates the discourse to the level of feminism because its built-in assumptions are calibrated to detect constructions of masculinity and femininity as well as of female oppression. It will detect any instances of sexual differentiation that are rooted in male dominance. The second feature of a feminist methodology is that it takes women's experiences as a critical resource. For Harding, this means generating "problematics from the perspective of women's experiences" and then using them "as a significant indicator of the 'reality' against which hypotheses are tested" (1989, 14). The third and last feature is requiring that researchers place their beliefs and assumptions about race, class, culture, and gender within the same frame. This allows anyone to apprehend the researcher's concrete beliefs and interests in the analysis, rather than reading him or her as an invisible, anonymous, disembodied voice of authority.

The last feature is not an altogether unreasonable requirement. It is one from which any research method will benefit, as it makes it easier for reviewers to evaluate easily the strengths and weaknesses of a study. Insofar as the second feature is an argument for the legitimacy of generating research problematics from women's experiences, there is nothing theoretically wrong with that position. In fact, it would not have been identified, were it not for the fact that most research themes within the Western intellectual structure of knowledge derive from conceptual schemes that devalue women. If such devaluation were not part of standard intellectual practice, the issue would not even be raised. However, the efficacy of the first feature in ferreting out women's oppression has been both its greatest strength and the basis of its immense popularity with feminists. It is also the source of its greatest weakness. The category of gender crudely reads any instance of sex difference or social hierarchy as an instance of female oppression. It is unable to determine whether an instance of sex difference is the result of some other organizing principle than a legitimate response to the ideology of women's subordination embedded within Western episteme, the possibility exists that it would become redundant if the ideology of female oppression that is operative in both the cultural and epistemological scheme no longer existed, or if there were cultures that did not share that ideology.

So what if the category of gender is absent in certain cultures? Would the feminist perspective still apply in studying families in those societies? Oyèrónké Oyèwùmí has argued that the organizing principle in precolonial Oyo Yoruba culture is seniority, not gender (1997). Elsewhere, I have argued against Ife Adunni that the Igbo society was ungendered and that social phenomena cannot be named as patriarchal in the absence of relevant supporting structures and

practices.⁵ To what extent then will the feminist perspective and related concepts apply in studying family relations in such a different cultural environment? The feminist perspective will not straightforwardly apply as Oyejùmí argues since feminism and feminist theory is rooted in the Western nuclear family that is fundamentally different from African forms of family (2002, 3). Feminism, a priori, injects patriarchy and the category of gender into cultures because its underlying standpoint presupposes the existence of unequal relations of power between males and females. Consequently, it analyzes all relations between males and females as entailing male dominance and female subjugation. Once the feminist methodology is applied, the society is assumed to privilege male viewpoints and concerns, and any instances of sex difference will automatically appear as instances of female subjugation.

This is not to say that questions cannot be raised about social hierarchies, the relationships between males and females and between husbands and wives in such cultures, or about unequal power in Igbo societies.⁶ They must be raised outside of the feminist paradigm if we are not to slide automatically back into and engage in gender discourse. It is not always clear that feminism represents a vision and model of society that is universally true. The mere existence of unequal power relations such as those between father and daughter, senior son and junior daughter, or sometimes between husbands and wives, does not prove gender inequality. Because the focus of this study is on cultural groups, social institutions, and principles and patterns of social organization in different historical periods in a nongendered society, the questions raised in this study will not automatically presume the existence of male dominance. Rather, the operative cultural logic in such cultures will be elicited to provide the explanatory scheme through which family relationships, historical events and judicial decisions will be understood.

Given that the Western intellectual scheme that defines scholarship is imperiled by the ideology of female subjugation, there is need for caution in discussing ungendered societies in a gendered framework. We need to be mindful that theoretical work within Western episteme would surreptitiously install Western concepts and Western cultural dynamic into other cultures, regardless of their differences. Working within a gendered framework robs a researcher or theorist of the requisite flexibility to respond effectively to relations that are not products of patriarchy. The epistemological challenge for this study is to avoid the irresistible undertow of the assumptions and concepts of Western epistemology. Thus, in this study, the gender category will not dictate the terms and trajectory of research so that other rationales and possibilities can be uncovered. The feminist standpoint and its concepts will, however, be invoked and interrogated simultaneously when appropriate. We are mindful that the forces of imperialism exported the ideology of patriarchy to cultures the world over, and as a result, gender has become a legitimate category of analy-

sis for aspects of social life of formerly ungendered cultures that have made the transition into modernity. However, there are cultural remnants of ungendered times that are not susceptible to gender analysis.

A culturally focused perspective is sensitive to historical changes. It attunes us to social and ideological convolutions created by the forces of colonialism and local resistance to them. The merit in this approach is that it guarantees that we adhere first to African social precepts and that we treat complex cultural configurations as central rather than as tangential to understanding. Given that some Igbo cultural institutions—the *Omu* (female monarch), the dual-symmetrical system of governance, the consanguineal family principle, and the multi-generational dispersal of power in families—are absent from the Western ontological scheme, this approach allows us to offer appropriate explanations that the feminist viewpoint and its categories cannot grasp because the truths of those ungendered institutions are outside its frame of reference. Thus, the most important reason for prudence in adopting a gender-explanatory framework of interpretation is that the possibilities the gender discourse automatically closes off will immediately open up.

Even in societies that have always been patriarchal, scholars from marginalized cultural groups have mounted devastating critiques on the explanatory scope of feminist concepts and theories because of the way white feminist theorists efface experiences that challenge their point of view. In the United States, for instance, African American scholars have demonstrated in various ways that the category of race and the ontology of racism complicate the pattern of gender relations in their minority cultural group. In some cases, race challenges the relevance of some concepts that mainstream feminists have upheld as universal. That women are restricted to the private spaces of the home while men work is not a phenomenon experienced by black and Chicano families and poor working-class white families. Attending to the cultural variance between the mainstream and black families, some African American women scholars—Patricia Hill Collins, bell hooks, Njira Sudarakasa, Elsa Barkley Brown, Evelyn Higginbotham, Angela Harris and Cheryl Harris—have narrowed the all-encompassing scope of white feminists' claims about the family.⁷ The value of these interventions is that they highlight the limitations of feminist discourses and the limited scope of feminist concepts when adequate attention is paid to the categories of race, ethnicity and culture. By exposing the fact that family experiences are racially and culturally constructed as well, they force us to see the race and class-bound nature of some of the concepts and issues of white feminism. In white, middle-class discourses about gender, the public-private dichotomy, the role of the mother, and the distribution of power among family members do not cross racial and cultural lines easily. This does not mean that the concepts lack relevance; it may be that they are totally inapplicable, or applicable in some way.

However, some African American literary writers, including Alice Walker (1986), Maya Angelou (1970), and Michelle Wallace (1990), complicate this picture of the black family as a safe haven by exposing the sexual abuses of women and the sexual molestation of children that go on therein. This exposure seems to suggest that the strategies recommended by mainstream white feminists may be applicable to black families. Although most blacks would prefer to keep these sexual problems private because of the racist barrage on black subjectivity and the racist bias of these pathologies, Walker and Angelou chose to air these secrets as an effective way of tackling the problem. Thus, while the work of the first group of scholars calls for a cautionary use of white feminist strategies, ideas, concepts, and analysis of the family, the second group of writers are insisting that white feminists' concepts and ideas are both relevant and applicable to African American families, which are embedded in the American experience. The latter group of writers is not denying the validity of the first group's insight about the distinct feature of black family experience as much as pointing out the complexity of black family relations and areas of overlap with the larger mainstream American experience.

Postcolonial Distortions in Reading the African Family

Chinua Achebe's celebrated novel *Things Fall Apart* popularized a model of traditional Igbo family as structurally similar to that described by Western feminists (1958). His formulation of the family, although located in a different cultural environment, recalls the patriarchal families against which feminists have rallied. It also contradicts my contention that precolonial Igbo family was ungendered. The Okonkwo model is polygamous. It consists of an overbearing patriarch, subordinate wives, and numerous children. The family experiences Okonkwo's wives and daughters vis-à-vis the experiences of Okonkwo and his sons were radically different. In fact, they approximated the experiences and type of relations that white, middle-class feminists identified in the nuclear family. Further making the case for patriarchy are some Igbo female writers, such as novelist Buchi Emechea and legal scholar Uche U. Ewelukwa, who have drawn parallels between a feminist conception of the patriarchal family and the Igbo conception of family (Ewelukwa 2002, 424–486). Accepting the ideological imperative that patriarchy was endemic to Igbo society as other societies worldwide, these Igbo scholars and writers have focused on specific experiences and activities that presented the Igbo family as abusive of female members of the family, particularly wives and widows. Their works suggest that the concepts articulated by white, middle-class feminists are indeed applicable in analyzing Igbo families.

Taking a seemingly opposing view, another group of scholars, principally, Felicia Ekejiuba (1995), Amadiume (1987, 1987b), and Chikwenye Okonjo

Ogunyemi (1996), underscored the strong maternal ethos and the relationship of complementarity that exists in the traditional Igbo family. Amadiume goes much further to make a strong case for the matriarchal basis of Igbo societies in the early stages of their history and for the gender flexibility that exists therein.⁸ She argues that Nnobi matriarchy was an "older system that is being intruded upon by patriarchy" (1987b, 11). This viewpoint suggests that the family experiences of Igbo women—mothers, wives, and daughters—were vastly different from those of European, European American, and Jewish women. The suggestion raises the following questions: What then is the correct conception of Igbo family? Why did the maternal pole/axis atrophy while the paternal pole/axis flourished? Why did Igbo society and family move from their historical matriarchal basis to the dominantly patriarchal forms of today? (Chapters 1 and 2 will explore these questions extensively and provide answers to the ongoing postcolonial distortions in readings of African family.)

It is worthwhile to note that in spite of their many differences, the conception of family of the two sets of women writers overlap, not just in their adoption of some feminist concepts and in their attempts to present an accurate view of the culture, but in that they take for granted the thesis that Igbo society was historically patriarchal. The injection of patriarchy into history makes male domination and women's subordination an organizing principle in Igbo societies prior to colonial rule. Thus, regardless of whether the view of family each group of writers defends is a positive or negative account, one thing is clear: the perception that Africa's "traditional past" was dominantly patriarchal prompts an analysis of Igbo societies to uncover the axis of subjugation of women. The flaw in this line of thinking is that it assumes that its description of Igbo family and society is correct. This enables theorists to set up an a priori gendered reference frame and a trajectory of analysis that ignores radical social norms and practices, the complex histories and social structures of African societies prior to and during colonization. By assuming a history and tradition of gender oppression, very well documented in colonial and missionary literature, such analyses reinforce the central idea of their starting position. The circularity in reasoning is ignored in the goal of proving that African families, like all families in other regions of the world, and as depicted in the literature, were patriarchal. The underlying goal of this line of thinking is intellectual conformity to the ideas articulated in anthropological literature as well as in the feminist framework. But how can we assume the global similarity of family systems and the Igbo family's conformity to patriarchal family dynamics prior to closely studying the Igbo's own conception of family?

Feminism has had an inordinate impact on our understanding of the family. It has offered a critical lens and a set of tools for evaluating families and societies at large. It has ensured that the study of the family focuses on the roles and positions of women in families and on the power relations between the

sexes so as to eradicate gender discrimination. It has also worked to spread the "fact" of women's subjugation around the world. Meanwhile, in its evangelical mission, feminism had become a colonizing system of beliefs that sought to remake every family and every society in the image of its own. Beginning in the 1980s, a new group of white Marxist and feminist-inspired Africanist women scholars emerged and explained the modern economic dependency and subjugation of African women on the indigenous structures of inequality embedded in African traditions.⁹ For them, scholarship on Africa must recognize the oppressive nature of African tradition as well as the fact "that sexism is indigenous as well as imposed" (Robertson 1987, 123). But where is the historical and cultural evidence for this gender oppressiveness of African tradition? The evidence was provided by European imperialism; it was contained in a corpus of ethnographic materials that were used to justify colonial domination.

Scholars who have a facile appreciation of the pernicious, deep-seated nature of colonialism and of the core tenets of patriarchy risk importing the underlying assumptions and prejudices of their Western epistemological scheme into their data collection and interpretation of African culture. Because of the surreptitious ways the assumptions of their epistemological scheme operate, it is absolutely essential that we engage that scheme, the feminist method, and the colonial ethnographic literature with a critical mind. A less-than-critical stance will result (and has resulted) in the insertion of patriarchal relations and feminist concepts into African culture during a period when patriarchy did not exist in our region of study. The high prevalence of the feminist method's misuse and the unquestioning reliance on colonial ethnographic literature has resulted in one of the modern myths of Africa, which is that the traditional Igbo family was patriarchal. Responding to the seductive pull and believability of these myths, scholars—both African and nonAfrican—freely invoke the concepts of patriarchy and gender in their work and project them further back into Igbo history, through discourses that devote only cursory attention to cultural histories and social structures. In the process, as various chapters of this book will show, they generate specious traditions that end up erasing communities' histories as well as material evidence of women's social autonomy in the past.

Exploiting the Concept of Tradition

African philosophy of culture is concerned with the sum total of a people's ways of living, histories, conventions, and practices that have been passed on from generation to generation and that endow them with a distinctive character. This means we have to consider social institutions at different points in time, including the changes produced during and after the colonial period. We need to be mindful that the dialectics of modernity speak about change and tradi-

tions in convoluted ways, and that references to tradition are sometimes projections of the present unto the past, projections designed to compel a particular type of action or mark a behavior as authentic. As will be discussed in chapters 2 and 3, certain "traditions" of male privilege were legislated and subsequently produced in order to bring Igbo society in line with European norms.¹⁰ Meanwhile, Igbo traditions of women's autonomy and assertiveness were simultaneously inverted so that referencing them now attracts dismissive comments about their being foreign, as well as feminist in nature.

Historically, the Igbo social structure and philosophical scheme expose the error of presuming that the society is patriarchal. Prior to colonialism, numerous northwestern Igbo communities possessed dual-sex systems in which there were separate political lines of governance for men and women. This separation between the sexes did not imply the exaggeration of differences, a suppression of similarities, the superordinate status of one sex over the other, or the creation of irresolvable conflict between the sexes. Rather the political division of duties and tasks seemed designed to make men and women interdependent. Because sociopolitical powers were assigned to each group, each group required the assistance and collaboration of the other. The relationship between the groups was symmetrical, although within each group it was organized asymmetrically. Owing to the symmetry of the structure, men's interests could not undermine women's interests, proving that men did not have the rights anthropologists and feminists attributed to them.

Igbo family histories and social practices also expose the falsity of constructing Igbo families as exclusively privileging men's interests and concerns. Ekejiuba described practices that her maternal aunt utilized to recharge her life and expand her hearth-hold after a failed childless marriage (1995). Supported by members of her consanguineal family, both male and female, she had a child in an *idigbo* relationship in which she did not marry her male paramour so she retained custody of all the children of the union who became members of her own lineage. To expand her family, the aunt also had children from wives whom she had married in woman-woman marriages. It is important to stress that the institution of *idigbo* and woman-woman marriages entailed a panoply of rights that are inconsistent with the patriarchal paradigm. Besides, a family organizational principle that encourages *idigbo* relationships and woman-woman marriage could not have been patriarchal. Patriarchy is not complementary to or supportive of models of spousal unions that do not privilege the dominance of men. As the 1934 study of Margaret M. Green attests, Igbo societies were not the male-dominant enclaves that contemporary scholars have made them out to be. (How women's subordination was avoided is taken up in chapter 1.) Even though colonial rule had deployed Western gender attitudes in present-day Igboiland, the societies did not immediately transform into patriarchal societies. The transformation was gradual and systematic, occurring

at both the conscious and unconscious levels, and in both public and private sectors of the people's lives.

During the period of colonial rule, patriarchal traditions were created by the colonial administration and Christian missions. Over the course of forty years and more, the post-World War II generation of educated Igbo elites increasingly aspired to and embraced the patriarchal nuclear family model as the modern, civilized, and progressive model of family. As products of Christian mission schools and Western higher education, these elites adopted the patriarchal ideology inherent in the Western educational systems because of the advantages they believed it conferred on them. Husbands and wives worked assiduously to bring their family in line with it. As this patriarchal structure of family was inserted into the Igbo culture with its strong matricentric ideology, a force of erasure was activated that, over time, expunged an array of daughters', mothers' and wives' tasks, duties, rights, and positions that had secured the autonomy of women. The progression of this erasure and the corollary devaluation of women that followed subsequently led to the rise of reactionary attitudes towards women. By the 1970s, a new generation of women and men had arisen who seemed unaware of the older matricentric ideology that had prevailed in Igboland prior to colonial rule. Because this new generation grew up in Christian homes that were committed to patriarchal values, both men and women learned that the husband is the pre-eminent figure in the household and that the prime duty of wives is to do whatever is necessary to make life comfortable for husbands.

The modern political economy of Nigeria, which privileges the nuclear family model, has difficulty integrating the lingering elements of indigenous consanguineal ideology of kinship that prevailed prior to colonialism. This new political economy and its labor market treat the nuclear family as the basic family unit for all development planning purposes (Fapohunda 1987, 283-287), even as individuals romantically continue to insist on the social priority of kin ties of the traditional African family. Yet, ever since the Christian mission arrived in Onitsha in 1857 and colonialism by 1892, neither the Igbo family ideology nor the Igbo family itself has been the same.

This focus on the nature of the family is dictated by five compelling factors. The first is the prevailing view that Igbo families retained their traditional character and remained authentically African even after the infusion of salient European cultural values. The second is the standard assumption that colonialism and its nuclear model of family created libtary spaces for women. The third is the realization that a combination of colonial and postcolonial marriage policies and Christian marital norms have injected nuclear family values into the culture that are in serious conflict with the indigenous lineage structure of family and the social structures that support it. The fourth factor is the awareness that the prevalent intra-family feuds in varied parts of contempo-

rary Africa and Igboland demand serious investigation, since they are the result of competing family systems in the throes of decomposing, reconstituting, and recomposing elements of their structures. The last is the dubious use of tradition to confer legitimacy on a family model that is rooted in European family ideology and that is especially discriminatory towards women.

The dichotomy between family as defined by nuclear family ideology and family as defined by kinship ideology raises questions about what many assume to be the traditional Igbo family. In taking the Okonkwo model of family as quintessentially Igbo, we miss the fact that other models of family and conjugal units existed, including consanguineal families, woman-woman families, matrilineal families, and dual-descent families. Not only was the Okonkwo model not universal, it was also not traditional. Colonial and contemporary experiences of the state and religiously instituted patriarchal family values blind us to the ways in which the Okonkwo model contravenes the indigenous principle of Igbo family organization. In fact, the central principle of the Okonkwo family most closely resembles the pater familias principle of the clear family, save for its polygamous character. In contrast, the traditional Igbo family was primarily consanguineal, based on kinship relations with powers dispersed among members in a hierarchical order. Family heads lacked the sort of jurial mandate and autocratic power that characterized nuclear families and is synonymous with kin who do not co-reside, rather than with conjugal units. The so-called traditional Igbo family of Okonkwo does not conform to the dictates of the consanguineal model. It is essentially a conjugal unit in which there are no male or female kin whatsoever. The absence of kin and its demand for proper behavior from members exposes the family as a version of the Christian family that is found in communities set up by converts after separating from their families upon conversion to Christianity. Only in such an environment did Igbo families exist without kin.

Critical examination of families is important given the radical changes Igbo families have undergone. With the introduction of nuclear-family ideology into Igboland, the once prevalent consanguineal ties began to erode. The new ideology increasingly replaced longstanding Igbo family values with nuclear family values, resulting in fundamental changes in the power relations and the distribution of family resources—mainly land, farmland, and home—between a husband and wife, which forced the displacement of permanent union the central structure of family. For various reasons, the post-World War II re-ally created a sociopolitical context in which generations of Christianized Igbo males opted for the nuclear-family model of marriage that collapsed women's identity to that of wife and assigned a dependent status for them. Privileging the nuclear model had far-reaching, unintended consequences. It cre-

ated a range of insecurities and pathologies for wives, such as alienation, disenfranchisement, and loss of self-esteem, which the statutory marriage and probate laws did nothing to address. It also narrowed the range of conjugal unions that had existed such as *idigbo* (in which the children of the couple belong to the female partner), woman-woman monogamous and polygamous marriages, men's polygamous marriages, infant son and adult woman marriages, and girl-man marriages, which have all but died out. Those that still exist do so in attenuated forms.

Despite these changes, one would not realize that substantial modifications of family relations have taken place, to hear some Igbo men hold forth unreflectingly about the enduring nature of "our culture and traditions." This mostly occurs when daughters, wives, and women in general assert their rights. It is clear that on such occasions, the term "traditional" is being invoked to modify women's behavior. On closer inspection, however, what is being represented as traditional are patterns of behavior that actually derive from the Christian ethical scheme that missionaries and teachers utilized to regulate the lives of these men. Confusing these Christian values with the traditional Igbo values they had rejected, husbands and fathers typically appeal to false traditions to justify autocratic powers in the home and their egregious abuses of wives. In this duplicitous manner, traditions were invented to rationalize and authorize patriarchal relations of power that served to enhance the interests of men.

Family as a Nexus of Contestation

It is ironic that the historical changes that produced the modern Igbo family have created a convergence of interests between Igbo men and Western feminists. Although philosophically opposed to each other, both share the central assumption that the African family in general, and the Igbo family in particular, have always been male dominated. Both are engaged in the enterprise of casting their patriarchal view of families as traditional and culturally rooted. Both share the task of representing African women as voiceless and inferior to men. Both have successfully established as true the myth that African women lack agency. This book is consequently organized around a series of interconnected arguments addressing and exposing the flaws of this shared misconception. It begins by treating the family as a nexus of contestation of cultural forces of change. Without attempting to present a chronological account of family development, it examines the evolutionary moments of change that transformed the Igbo family in inherent ways.

Recognizing the strong maternal ethos of Igbo families, chapter 1 explores the form of Igbo family structure in the northwestern corner of Igboland prior to colonization. It exposes the unwarranted conflation of patriliney and

patriarchy as well as the belief that the family is coterminous with the household. If patriliney is not equivalent to patriarchy, and patriarchy is not the organizing principle of the Igbo family, then it is crucial to consider how powers and responsibilities among consanguineal kins diffuse laterally and vertically across generational lines. By understanding the constituent parts of the Igbo family and centering the ideology of motherhood, we are able to see the undervalued sources of power and channels of influence of Igbo women. In the past, the convergence of these channels on the mother had checked the development of patriarchal force by significantly curtailing the rights of fathers and husbands over daughters and wives.

The colonial experience initiated the transformation of the Igbo family system into a patriarchal one. Focusing on the provincial and native courts of southeastern Nigeria, chapter 2 explores the processes involved in the creation of patriarchy in Igboland between 1890 and 1940. It attends to how the court system collected and codified a body of laws that constituted the customary laws of Eastern Nigeria. By critically re-reading the oral and written histories of Igbo women, we explicate the impact of these colonial laws, edicts, legal policies, and judicial institutions on the character of Igbo families and Igbo societies in the first quarter of the twentieth century. The objective is to understand the impact of colonial legal policies and ideology on families, especially on the status, roles, and experiences of female members of the family. How far did the collected body of "customary laws" reflect the family ideology and the traditional laws of Igbo societies rather than the family ideology and the colonial state? This question helps to ascertain in what manner the native courts reconstituted women as individuals and brought them into the legal scheme and the sphere of humanity.

If, as is widely accepted, the colonial administration did not recognize the existence of "native" women and made them invisible, then how and when did they incorporate them and their rights into the legal codes? The central contention of chapter 3 is that European colonialism empowered African men to turn the nongendered Igbo cultural landscape into a gendered one, making it appropriate for the utilization of feminist concepts. It focuses on the way the male-privileging customary laws continued to institutionalize the rights of men through the judicial system of postcolonial Nigeria. With special attention devoted to widowhood and the politics of inheritance, I highlight the systemic ways wives and daughters were forced to give up their rights. Family transformation steadily occurred as the precept of gender subordination worked through the judicial system. Because of the complex way in which such disenfranchisement occurred, I utilize two judgments, *Nzegwu v. Nzegwu* (1986), and *Nzegwu v. Nzegwu* (1997), to expose how the judicial system facilitated the creation of gender inequality. The investigation highlights the long-term effects of these male-privileging judicial precepts and their creation of dys-

functional modern family relations that are inherently prejudicial to women's long-term interests.

Because discussions in the preceding chapters allude to but do not fully explicate the emancipatory elements of the nongendered Igbo social scheme, chapter 4 undertakes an extensive examination of Onitsha sociopolitical structure in light of feminist conceptions of equality, patriarchy, sexuality, marital relations, power, and women's identity. It does so by means of a docu-drama that sets up a conversation between the Onu (female monarch) and her counsellors on the one hand, and Simone de Beauvoir, Germaine Greer, and Helen Henderson on the other. The dialogue highlights the main grounds of difference between female identity in the nongendered Onitsha dual-sex sociopolitical system and female identity in the gendered European mono-sex sociopolitical system. The dialogue is projected back in time to achieve the recovery of a dual-symmetrical conception of equality and to contrast it with one that is explicated from a mono-sex system. The dialogic process facilitates the exposure of tacit assumptions about women, their roles and statuses, and the invisible expectations of each of the socio-political systems.

Underlying most feminist gender analyses is a hidden social ideal of equality that regulates and shapes the direction of research and seeks the elimination of women's subjugation. On closer inspection, one finds that the prevailing notion of equality in these contexts is informed by the mono-sex character of Western political systems. Drawing insights from the docu-drama, chapter 5 examines the conceptions of equality in two sociopolitical systems. The first is the mono-sex system in which biological sex is putatively ignored even though it fundamentally regulates the society along male privileging lines, and the second is the dual-sex system in which biological sex is recognized but does not affect the social valuation of human worth. The dual-sex system challenges the idea that sexual division of labor implies women's subjugation or patriarchy, instead it provides a robust conception of equality that rests on duty and responsibility. By contrast, the mono-sex system provides a conception of equality that does not combat sexist oppression because it embodies an individualistic conception of equality that does not provide much emancipatory potential for the individual. Noting that true equality can be attained when a society is ungendered, I advance a conception of rights that recognizes sex groups in ways that equalize the power relations between women and men. I conclude by testing the efficacy of this group-based notion of rights in the United States.

In concluding, I contend that the emergence of a healthy Igbo culture and political philosophy will require breaking down reactionary dogmas that have arisen in response to the colonially imposed patriarchal structure. Igbo land today is imperilled by a culture of violence, brutality, political excesses, and gargantuan social problems. These problems call for imaginatively re-

thinking the very foundation of the society, and ridding it of fictive traditions and ideologies that forced women to adopt a diminished worldview.¹¹ Once we know that fictive traditions reinforced the prevailing anti-female ideology in the culture, we need not hold onto reactionary principles and specious traditions.

tion of white America, including white immigrants, are beneficiaries of an exploitative system that for over two and a half centuries represented blacks as property. This subtle recasting of racism generates constitutional challenges against the compensatory provisions of the Civil Rights Act. The ameliorative strategies proposed to compensate the progeny of exploited blacks suddenly appear as reverse discrimination and as an illegitimate attempt to treat some Americans (i.e. blacks) as more special than others. The brilliance of the reverse discrimination argument is not simply that it works, or that it has been dismantling the provisions of the Civil Rights Act, but that it raises the bar so high that equality is not easily attainable by blacks. Thus, when legal challenges are mounted by proponents of the reverse discrimination idea on the grounds that all Americans are equal and that no one should be entitled to special privileges, they do a number of things. They cover up America's sordid history, they egregiously misread the provisions of the Civil Rights Act as demands for special privileges, and more importantly, they used the racially loaded concepts of liberalism to shore up white supremacy.

Like Hsiung, Mills's work on racial contract unsettles standard ways of thinking about racism, liberalism, and liberal equality. Often seduced by its ideals of fairness, objectivity, and justice, we fail to see that its central ideology of white supremacy takes black people's rights away at the moment liberalism seems to grant it. This is because the notion of individuals at the heart of the United States constitution stacks the odds against nonwhites, having defined the individual as white male. So while the state speaks of material progress for blacks and for everyone, a direct link is made between the abstract idea of the individual and the concrete manifestation of an individual as a white male. The linkage short-circuits the compensatory provision of the Civil Rights Act because the black recipient is not the same as the individual at the heart of the constitution. This forces the state to apportion out its largesse in ways that are consistent with the tenets of racialized liberalism and that do not undermine the material advancement and success of whites. Working under that impossible condition, the state then requires blacks to abide by the protocol of individualism and, as individuals, to prove in a court of law that they really have been discriminated against, that they satisfy the requirements of the Act if they are to obtain compensatory relief. The irony here is that blacks are forced to give individual accounts of the discriminatory experiences they had when they were not perceived or treated as individuals, and they lacked the necessary means to keep the sorts of individual records a liberal justice system requires. It is not surprising that most cannot take advantage of the Act's compensatory packages not only because they lack the resources to do so but also because the public pressures on individuals who have chosen to do so are daunting.¹⁴ In effect, white America sets up matters to avoid collective responsibility for the centuries-long oppression of blacks by pitching the history of slavery as a mat-

ter of individual misfortune. This discourse of individuals and the ideology of individualism that sustains it enable white America to shift the blame of socioeconomic failure onto the progeny of the enslaved, and then chastise them for their substantially lower quality of life.

The short summary of Mills's work on racial contract is that America's problems of equality cannot be corrected within a liberal framework and its conception of society. Constitutional amelioration fails to curb the validating concepts, structures, and institutions of the racialized American society or to limit the extension of equality to those who deviate from the normative standard of whiteness. It is the color bar that is buried deep within the Constitution's substructure that continues decades after the passage of the Civil Rights Act to reinforce racial inequality.¹⁵ With rights continually circumscribed by a hyperbolized category of race, the possibility of blacks and people of color achieving equal treatment with whites remains slim, for the simple reason that the racial paradigm still holds an essential part of who they are against them.

The Problem of Gender and Class

In *Feminism Unmodified*, Catharine Mackinnon lays out the gender limitations of the liberal notion of equality operative in the United States.¹⁶ Similar to blacks and other people of color, white women are sometimes represented as asking for special privileges when they argue for their rights. Mackinnon reveals that gender inequality is the norm in America's "democratic" society and its legal justice system because of its white-male yardstick. As she puts it, "virtually every quality that distinguishes men from women is already affirmatively compensated" in the society:

Men's physiology defines most sports, their needs define auto and health insurance coverage, their socially designed biographies define workplace expectations and successful career patterns, their perspectives and concerns define quality in scholarship, their experiences and obsessions define merit, their objectification of life defines art, their military service defines citizenship, their presence defines family, their inability to get along with each other—their wars and rulerships—defines history, their image defines god, and their genitals define sex. (1987, 36)

Even when constitutional provisions are introduced to correct the problem, little is achieved, because sex is treated as a matter of difference rather than of domination.

Mackinnon argues that the credibility problem women face when they insist on equality goes to the heart of the liberal system and its male-privileging vision of society. It exploits women's difference from men as a reason not

to recognize the legitimacy of their difference.¹⁷ Although she did not address the issue of race, the liberal system also exploits women of color's racial difference from white women to cast them as paradigmatically deviant. MacKinnon shows that according to the difference doctrine, "it is sex discrimination to give women what we need, because only women need it. It is not sex discrimination not to give women what they need because then only women will not get what they need" (1987, 36). This negation of the subjectivity and rights of women is an ingenious strategy that allows liberal democratic nations such as the United States and Canada to override women's rights. After an extensive study of the subject, Judy Fudge contends that those who uphold the doctrine of liberalism have to acknowledge that just because there is no white male beneficiary of needed legislation does not mean that there is no sex discrimination (1988). For if, indeed, equality implies that the only way white women and women of color can get things is to get them for white men, then this principle of equality is adding more to white men's advantage than dissolving their advantage over women.

The problem of liberal equality is that it pitches women's difference in ways that either minimize it or make it matter. When the latter is the case, it stigmatizes women, and when it minimizes their difference, it denies them equal treatment. Liberalism presents a society as race- and gender-neutral, although racist and sexist relations constitute it. When the category of race intersects with gender, additional layers of complication are added, and black women become double losers.¹⁸ While the in-built male yardstick discriminates against both white and black women, the racial property of whiteness unites both white men and women. And although white women are privileged by their skin color, and black men can find common ground with white men on the basis of sex, black women have no such common ground with the normative individual of the yardstick. So, when symbolic advantages are won for women on gender or race grounds, the advantage goes principally to white women and black men, not to black women. Meanwhile, some white males are not above complaining that the gender equity provisions of the Civil Rights Act discriminate against them in that they give people of color and white women what they do not give to white men. This idea that white women and people of color are taking away from white men offers a window into the privileged male heart of white America. Ironically, white men's natural sense of entitlement and their natural presumption of privilege tell us that the standard of equality has long been skewed to their advantage, and that the society has always responded to their needs.

Before moving to articulate the nature of the society underlying liberalism, it is also worthwhile to note that there is a class dimension to the conception of equality in liberal democratic countries. The issue of class inequality comes from the capitalist market relations of the society. In the United States

this inequity manifests in labor laws that privilege corporations and in the inadequate punishment for corporate malfeasance and white-collar crimes.¹⁹ The judicial system's lenient treatment of rich criminals, fraudulent Wall Street analysts and accountants, and rapacious CEOs contrasts sharply with the harsh sentences that are handed down to lower-class burglars and robbers. This discrepancy in sentencing and in the punishment meted out to the rich and the poor tells us that the legal, political, and social rights of America's moneyed class routinely supersede those of the middle class and working poor. It also tells us that people are really neither "the same" nor equal before the law, since possession of capital buys political access and the best legal representation.

Liberal equality and its doctrine of individualism do not provide a particularly effective basis for equality because they value the moneyed class more than others. As Al Sharpton succinctly puts it, "all of us are created equal, but all of us don't end up equal" (2004, 15). The range of criticism from cultural, racial, and sexual positions exposes the structural flaws of liberalism. Liberal equality underwrites the doctrine of sex difference that reinforces the advantages and privileges of white men. Defenders of this notion of equality have tried to mute criticism by appealing to constitutional and legislative frameworks guaranteeing equality. But in recent times, critical race theorists and feminists have undercut the legitimacy of this appeal to formal and substantive equality on the grounds that it is ineffectual in delivering equality.²⁰ Despite attempts to present them as effective because of their cultural, racial, and gender neutrality, the ameliorative quality of these theories of equality is over-interpreted in ways that maintain the underlying inequities between males and females and between classes.

With all these critiques in mind, we need to determine if under a different sociopolitical structure, a notion of "individual" and "rights" would emerge that would foster a nonpatriarchal political ideology. However, before we undertake that task, we need to revisit the sociohistorical roots of liberalism to better understand its male-privileging contours and its preference for the patriarchal theory of state. This will enable us to detect and avoid the pitfalls of the liberal view of equality and the society that defines it.

PART 2: LIBERALISM, PATRIARCHALISM, AND THE MONO-SEX SYSTEM

To conduct this examination, I shall use the term "mono- or single sex"²¹ to characterize the sociopolitical system. The system's ideology is patriarchal, and the character of the system is mono-symmetrical. The mono-sex mode of identification allows us to draw attention to the single-sexed structure of society and to observe the sex that is privileged by it. Although liberalism emphasizes

the individual, it would help to see that there is only one sex in the state and in the society, and that any divergence from this sex relegates one to a subordinate position. Centering the single-sex nature of the system allows us to think clearly about other possibilities to circumvent the inherent problem of gender inequality.

Feminists in the United States have correctly identified that both the state, the society, and the family are patriarchal entities. Their chosen strategy for solving the problem of gender inequality in these spheres is twofold. In the family, they call for wives to seek equality with husbands and to have equal weight in decision making and in running the family. Their rejection of the ideology of male dominance in this sphere attempts to underwrite a nonpatriarchal family model in which the two sexes, rather than just one sex, constitute the center of salience. In effect, feminists are advocating for a dual-sex mode of power sharing instead of the single- or mono-sex model of power distribution in the family. Interestingly, at the level of the state, they inexplicably refrained from pursuing a similar path. Instead, they are seeking integration in all the male spheres of government rather than working for a different model of governance by, for example, setting up a complementary chain of power distribution to secure their equality and autonomy. The question that is not sufficiently addressed is whether equality is possible in this male-privileging model. The short answer is no, given that women are forced to live by and meet the conditions of those formerly male spheres.

So what underwrote this push for integration? Feminists' reluctance to push for the creation of a distinct line of authority that parallels that of men seems to be the outcome of buying into the dream of "oneness" and "sameness" offered by liberalism. But we need to revisit the critical moments in the making of liberalism to determine if this course of action is worthwhile. From the seventeenth century onward to modern times, a single asymmetrical line of authority constituted the state in Britain, the United States, and Canada. A man was at the apex and other male actors were in key positions all the way down to the base of the political structure. Until the twentieth century, women did not exist within this political world. A woman could rule, as did Queen Elizabeth I and Queen Victoria, and (Margaret Thatcher in the twentieth century), but they drew their power from their fathers, or from figures of authority in dominantly male political parties. One can say that their rule was masculinist in that they ruled in extremely masculine systems.

During the second half of the twentieth century, women began to appear in the political realm, but more as handmaidens than as architects of state policy. Up to the end of the twentieth century, the character of the political structures in the United States, Canada, and most European nations had changed somewhat visibly. But this still did not guarantee equal power to women. This remains true even under the reign of Margaret Thatcher. Although women in-

creasingly moved into the public world of work and politics, men were still in all the dominant positions in government and the business world. The dominant ideology of the state remained very much masculine. Even after the ratification of the Civil Rights Act in the United States and the Charter of Rights in Canada, the legislative houses in both countries remained predominantly male. As a result of this male dominance in governance, the societies and political structures of their nations can be described as mono- or single sex. This is not because there were no members of the opposite sex to be found within its structures, but because humanity was ideologically defined in terms of the sex of the dominant group.

The sociopolitical ideology of the Western mono-sex system emerged from and derived its justification from a Christian cosmological scheme, a model that was viewed as made in heaven. Its legitimizing myths claim that the male creator of the universe had given men dominion over women. Even, and by extension, all women, were subordinate to Adam and to all men. To subordinate their procreative powers to men, the legitimizing myths of the European and United States political state claimed that women had been created out of the rib of Adam, to keep him company. The seventeenth-century theoretician, Sir Robert Filmer, a contemporary of the empiricist philosopher John Locke and a defender of state patriarchy, contended that God gave Adam the power to rule over the world and his wife. Upholding the political and familial subjugation of women, he stated that "her desires were to be subject to his" (Pateman 2001, 126). This divine grant of power to Adam was enshrined in the doctrine of coverture of English common law. It states:

By marriage, the husband and wife are one person in law: that is, the very being, or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband; under whose wing, protection, and cover, she performs everything; and is therefore called . . . a *feme-covert* . . . her husband [is called] her baron, or lord.²²

Although this use of the Bible to justify women's domination by men rests on centuries of scholarly work in philosophy, theology, and political and legal fields, it was also used to establish the doctrine of the divine rights of kings (the idea that kings are God's representatives on the earth; Butler 2001, 59). But in the seventeenth century, the political paradigm of monarchical absolutism was under attack by the burgeoning merchant class and adult men who had been disenfranchised by the ideology of patriarchy. Theorists such as John Locke championed the rejection of the doctrine of divine rights of kings. He attacked the idea that the natural ruler of civil society is the father—the king. In his rebuttal, Filmer argued that in the same way that the "natural" ruler of the fam-

ity is the father, the king is the natural ruler or father of the society. Linking paternal power to political power, and vesting it in the king, Filmer cast kings and fathers as the dominant elements in the political and civic sphere of society and in the home. For him, all unmarried men are subject to the will of their fathers, and all fathers are subordinate to the king, who makes all the political decisions for his children. Women had no place in this sociopolitical scheme because "the man . . . is the nobler and principal agent in generation" (cited in Pateman 2001, 126).

According to Pateman, Filmer's doctrine of patriarchy rests on an epistemological scheme in which unmarried men lacked relevance until they became fathers. However, women were trapped in a state that was "procreatively and politically irrelevant." They were perceived as "empty vessels for the excesses of men's sexual and procreative power" (2001, 127), and they had no autonomous sphere of existence within the moral universe. Philosophers like Locke attacked this doctrine of patriarchy not because it treated women as irrelevant, but because it stressed the dominance of the king over the landed gentry as well as the subjugation of sons to fathers (Pateman 2001, and Butler 2001). As constituted, patriarchy and its political structure of monarchy robbed men (that is, adult sons) of their autonomy and political freedom, and so to liberate them, Locke articulated the concept of the individual. The concept was deployed to undermine both fathers' authority over sons and the legitimacy of the king's power over adult male citizens. First, Locke pried open the linkage between political power and paternal power by introducing a dichotomy between civil or political society and the family. He argued that although it may be true that fathers or patriarchs have dominance in the home, the granting of powers to Adam did not extend to the king in the political arena. The crux of Locke's argument is that because the private world of the family is distinctively different from the public world of the state, the derivation of power from the family to the political realm is untenable. Eventually, the passage of the English Bill of Rights of 1689 limited absolute monarchy.

As Hsiung has rightly pointed out, there is a one-to-one connection between the theory of rights and that theory of society. We see it in the provisions of the 1689 Bill of Rights that guarantees equality for men. Because the public-private dichotomy undercuts the derivation of political power from fathers to the king, a new theory of state and a new theory of rights and society were required. Locke presented the idea of a social contract that advanced the idea of autonomous individuals who are rational and capable of making decisions about morality and governance. In his *Essay Concerning Human Understanding*, he argued that such individuals were possible because reason is universal and not the exclusive preserve of the king. The thrust of his argument is that because individuals are rational and can make responsible decisions, they do not need a sovereign to do this for them.²³ They could come together

to form a social contract and to contractually transfer to a public authority the duty to protect individual rights and freedoms. In the *Second Treatise of Government*, Locke used the social contract to secure the conceptual basis for the liberty of sons and the demise of absolute monarchy. He did not secure the freedom of daughters and wives because it was not in the interests of men for this to occur. So despite his suggestion that women too are rational, Locke did not undermine the sexual contract upon which women's subjugation had occurred under patriarchy (Butler 2001).

In the United States, Gerda Lerner contends that the "American Constitution embodied the patriarchal assumption, shared by the entire society, that women were not members of the polity" (Lerner 1998, 444). She draws on the 1776 letters between President John Adams and his wife Abigail to establish that the political culture of the time was patriarchal and to expose men's willful attempt to preserve women's subordinate status. In his view, granting women the code of laws Abigail sought would lead to social chaos. As he put it, "we know better than to repeal our Masculine systems" (Lerner 1998, 445). Carol Pateman and Mary Lyndon Shanley cogently argued that although the doctrine of patriarchy of fathers was subsequently overturned, it did not result in the overthrow of the masculine, male-privileging ethos that underpinned the Western political culture (Pateman and Shanley 1991). Patriarchal ethos, as defined by male dominance in civic society, continued unabated up until today. It sat well with the new population of liberated sons (the new individuals) who were primarily interested in protecting their new privileges at the expense of females. In very definite ways, this male-privileging tradition of Western political thought expanded and entrenched the character of women's subjugation. It rested on a conception of the "political" and of a society that excluded women as a group by structurally placing all men ahead of women.²⁴

The theory of society and the theory of state that formed the bedrock of modern nation-states of liberal democratic dispensation promoted gender inequality. Even the civil society that emerged from the curtailment of the absolutist powers of the state and which contemporary African nongovernmental agencies (NGOs) are touting as a liberatory space is intrinsically a masculine male-privileging sphere. Although liberal democracy has been touted as the most progressive form of governance, this is true only if we undisplay its mono-sex system of governance and the inherent gender inequality of its social contract theory. Whistler Locke and Rousseau cogently argued that individuals constituted the primary building blocks of society, they did not extend the notion of freedom and rights to women and enslaved peoples. Although women were not seen as individuals at the formative moments of the liberal political culture, proponents of that culture assumed that its benefits could be universalized to everyone. They imagined that its masculine bias and its mono-sex system could be separated from its advantages, and that it could

equally promote the aspirations of the two sexes. But given the asymmetrical, male privileging political culture of liberalism, what makes feminists believe that opting for assimilation into that culture would result in a radically different state of affairs?²⁵

Mackinnon questions how the advantages of liberal democracy can be separated from the advantages that accrue when masculinity and male privilege shape the constitutive structure of the system of governance. Feminist scholars in the West (and here I include women of color in the United States, Canada, and Western Europe) have convincingly argued that liberal democracy along with its theory of state and of society, is characterized by a domination ideology that represents as "natural" a condition in which only white men are rational beings and all others are irrational beings. If the embedded racial and sexual codes continue to recognize only white males as worthy, and all others (including white women and people of color) as legal minors,²⁶ how then can rationality, freedom, and equality be extended to women and people of color by the very system that denies their being? In the following discussion of liberal equality, I make no distinction between formal and substantive equality insofar as both are features of a mono-sex system.

The Mono-Sex System and Its Theory of Equality

The Western mono-sex system is designed around white men's interests, needs and expectations, and it institutionalized these as part of the state machinery. A cursory look at present-day upper echelons of political administration, the judiciary, the corporate world, and the military confirms this picture in the United States, Canada, and Western Europe.²⁷ Economic, political, judicial, and law-enforcement powers are concentrated in the hands of rich upper- and middle-class white men whose economic status as "heads of household" relationally quadrupled in importance. Unable to compete since the societal playing field is unfairly and unjustly tilted, white women have traditionally relied on marital ties, family connections, or male benefactors for support and survival.²⁸ Although the mono-sex nature of the system discriminates against women as a group, most women in the United States are averse to tying equality to groups rather than to individuals. Taken in by the promise of individual freedom, most take pride in the individualistic ethos of their society and point to it as the basis of America's global strength and well-being. But what is the nature of this individualistic model of equality to which most subscribe?

The American mono-sex political system propounds a theory of equality that putatively treats both women and men as equal. In actuality, it assigns a subordinate status to women. Mary Daly states in *Beyond God the Father* that the political implication of this subordinate status is that "women have had the power of naming stolen from us. We have not been free to use our own power

to name ourselves, the world, or God" (1973, 8). The social and epistemological ramifications of this lack of power to name one's reality is that it limits women's mental capacities which they should have developed along with their self-perceptions and their ability to understand their own social situations. For Daly, this devaluation of women's possibilities fosters an inadequate description of the world and presents it as an adequate one. It produces women whom Sheila Ruth describes as "male-identified" (1990, 81),²⁹ that is, women who are socialized to identify with men's power, security, omniscience, and might. Consequently, political alliance between women is undermined by the male-identified ideology that causes them to turn against one another. As Kate Millet explains, this "created a lively antagonism between whore and madam, and in the present between career woman and housewife" (1990, 498).

Genda Lerner goes on to argue that the dominance of this male-identified ideology has "skewed the intellectual development of women as a group, since their major intellectual endeavor had to be to counteract the pervasive patriarchal assumptions of their inferiority and incompleteness as human beings" (1998, 446). Subjugation rather than equality for women is implicitly built into the mono-sex system. For white women, the situation is somewhat ameliorated by the white-male yardstick that rewards their subordinate status by ranking them as higher and superior to other racial groups in a world dominated by white men. Thus, racial superiority mitigates gender inequality, and the price of this advantage is tighter bonding with white male authority under the aegis of conjugality and patriarchy (Ruth 1990, 82-84).

As long as the polity remains dominantly mono-sex, white women find it difficult to transcend the imposition placed on their potentialities and power by the male-privileging aspects of the mono-sex system. Further complicating matters for gender equality is the public-private dichotomy that entrenches men's privilege. The emotional ties of marriage in the private sphere ameliorate the subjugation they experience in the public sector. Because the character of the sexual contract underpinning the liberal democratic theory of society is masked, white women do not easily see the ways the public sphere is connected to private, and their public disempowerment is made possible by the terms of their private life. As Okin revealed, the exploitative edge of that deep-seated sexual contract in the private sphere promotes inequality and injustice for women in the public domain. The emotional ties of nuclear-family living preserves the stability of the system by blocking the emergence of a woman-identified radical political consciousness required to challenge the patriarchal power of men. Attuned more to the benefits that have accrued to them from an imperfect system, white women are unwilling to jeopardize the familiar for an unfamiliar reality, regardless of the latter's promise of equality. There seems to be insufficient lack awareness that rejecting the traditional conception of marriage and the underlying sexual contract that comes with it need not im-

ply the end of marriage *per se*. The rejection merely opens up the possibility of different forms of marital relationships, some of which need not be based on a sexual relationship. After all, social-contract theorists obtained the freedom of adult sons by rejecting the traditional model of father without nullifying the conception of fatherhood.

Unlike sons who sought to become part of the masculine ideology of the mono-sex system because of the advantage it conferred to them, feminists have to realize that gender equality cannot occur within a sociopolitical system that imposes subordination on women. They cannot obtain gender equality even if they devote their energies to removing the legal obstacles to gender equality. The only way women can become dominant in a mono-sex system is to overthrow the last vestiges of the patriarchal society and establish a matriarchal society, but that is equally not a desirable option. It is a mistake to replace one problematic system with another.

Because proponents of liberal equality are wedded to their social ideology, they may not realize the ways in which the constitutive ethos of mono-sex society is detrimental to the promise of equality. They cannot see that the mono-sex ethos helps conceal the fact that the individual represented as "the basic element of autonomy and sovereignty" is really a man whose rights are enforced by the very same system that undermines women's equality. Feminists would claim to know this fact, but this knowledge is not adequately reflected in their strategies. The sociopolitical structure within which relief is sought is the structural problem that continues to undermine the extension of rights to women in very complicated ways. Their subscription to the idea that everyone is equal and "similarly situated" undercuts any justification for change by obscuring the fact that the real problem is the social, economic, and political relations that make the female sex problematic. There is insufficient appreciation that in a context in which only one sex is privileged, the rights of the privileged group would override the material rights of the nonprivileged group. Legal remedies would not solve the problem for, as MacKinnon disclosed, a "law guaranteeing sex equality requires, in an unequal society, that before one can be equal legally, one must be equal socially" (MacKinnon 1989, 239). The fact of the matter is that women are not socially equal in a mono-sex system and the law cannot change that reality.

Of course, things can change but only if we restructure the society. Nothing says that this cannot be done and that women will forever remain subordinate to men. The very real hope of feminists is that change will come, but it is still a long way off. If feminists are really desirous of change they would have to take the radical step of withdrawing from the male-privileging system and push for another system that equally values the sexes as they did in the sphere of marriage (Fudge 1988: 485-54). The catch here is that the racialized, mono-sex system of the United States and Canada fosters the myth that this course

of action is both unintelligible and impossible. The function of this myth is, of course, to deflect attention from, and prevent attacks against the asymmetrical line of power that ranks women as a group below men as a group. Its goal is to convince everyone through its discourse of individualism that the system is gender-neutral, and all self-affirming individuals are treated equally. To do this effectively, the mono-sex system uses doublespeak to conceal the vital fact that its assignment of rights and power is by route of groups.³⁰ The very problem of group inequality is difficult to overcome when the system impedes the effort of the subordinate group to see themselves as a group, and to name the nature of their oppression. The status quo is maintained when the subordinate group cannot form a politically conscious resistance group, because everything tells them that everyone is equal, and that individuals rather than groups must be the basis on which equality is defined and achieved. In an Orwellian sense, the mono-sex system asserts that all humans—both men and women—are equal, but in actuality men are "more equal" than others.

The shortcomings of liberal notions of equality have been extensively discussed by feminists who have noted that women in the United States and Canada are still struggling to achieve equality with their men (Fox-Genovese 1991, MacKinnon 1987, Fudge 1988). Structurally, women still end up at the lower rungs of the economic, political, and social ladder, even with the "guarantees" of the Civil Rights Acts and the Charter of Rights. There is growing recognition that a robust notion of equality is required to address the shortcomings of liberal equality (MacKinnon 2004, Kogge's 1994, Fudge 1988), and that this requires changing the structures of the society. The shortcomings of liberalism make clear that it does not offer a viable way out of the morass. The question is, what can be done? How do we change a mono-sex society so that men cannot effectively dominate women? If, as has been argued so far, the sociopolitical system is a contributory factor to this state of affairs, then we need a context in which the two sexes are equally privileged. What sort of social reality would we have if instead of a single-sex system, we had a dual-sex system as occurs in families: one for women and the other for men? To ascertain whether or not this is a viable option, we now turn to a historical environment in which such a system was utilized in social organization.

PART 3: THE PRINCIPLE OF COMPLEMENTARITY AND THE DUAL-SEX SYSTEM

Some critics would assert that a dual-sex system is caught in the same difficulties as the mono-sex system, in that it defines a rigid gender system (Amadiume 1987a)³¹ or precludes the possibility of a third gender (Herd 1994).³² These lines of critique may appear devastating, but they are, I believe, funda-

mentally misdirected, because the proposed dual-sex system does not arise from within the same conceptual parameters as the patriarchal, asymmetrical, mono-sex system within which these critiques are conceptualized and rooted.³³ The proposed dual-sex system does not presuppose gender or gender-based assumptions. Quite unlike the mono-sex system, the cultural scheme within which the dual-sex system is embedded publicly recognizes biological or sex differences, but unlike the former, it does not define those differences within a paradigm of domination and subordination. What gives the patriarchal mono-sex system its distinct sexual dimorphic characteristic is not its recognition of sexual differences, but the male-privileging principle of sex inequality that lies at the heart of the system. Underpinning the principle of equality is a rigid gender paradigm that maintains the inequality of the system. This ensures that within its value scheme, there can only be one dominant sex, which stands in a hierarchical relationship to the other sex.

We cannot overemphasize that although a dual-sex system recognizes sex differences, it rejects the paradigm of female subordination and inferiorization. Working within this system requires us to step completely outside of the mono-sex system and to leave behind its patriarchal values, asymmetrical mode of thought, and criteria of meaningfulness. When the dual-sex system is critiqued for its sexual dimorphism, it is a clear indication that the critique is coming from a gendered, mono-sex framework that is still translating biological sex differences using a value scheme that is both patriarchal and asymmetrical. In fact, one is invoking an inapplicable standard to understand and critique the dual-sex system. Stepping outside of the mono-sex system opens up a range of possibilities for other forms of social organization without erasing the differences between biological sexes. The challenge here is not to slide back to, and continually invoke the values of the old framework by confusing discussions about the sexes as proof of the continued reign of the patriarchal, asymmetrical, mono-sex system.

Once we step outside of the mono-sex scheme, the rigidity that Amadi-ume perceives between sex and gender dissipates. In fact, the entire language of gender dissolves! Why? Because we are no longer working within a paradigm that presupposes female subordination, and their assumptions are no longer being presumed.³⁴ In the nonpatriarchal world that emerges, we have the challenging task of rethinking all the normative ideas, assumptions, and values that derived from the mono-sex system. More importantly, we will have to understand the new ways in which sex is talked about without connoting gender. "Gender" carries epistemic and ontological connotations that do not belong to the social environment being discussed in which women are not structurally inferior to men.

A historical example of the dual-sex system is the Onitsha, Aboh, and Obamkpa political systems of the late eighteenth and nineteenth centuries.

They were structured along dual-symmetrical lines of male and female spheres of authority that Kamene Okonjo describes as dual-sex.³⁵ This bimodal structure operated trimodally.³⁶ Each sex had a modal sphere. The area of shared obligations and duties constitutes the third space of collaborative activity between the two groups. The mechanism for social and political action in the dual-sex system was the governing councils of the two spheres. Women and men (I am using these in the sense of adult females and males)³⁷ had their own autonomous governing councils to address the community needs and social obligations that arise in their spheres of influence, and to guide the nation's development.³⁸ In the trimodal state of action, the two councils and constituencies came together in conference sessions to address issues at a supra-national level.³⁹

Prior to 1886, the *Ikporo Onitsha* (Council of Women of Onitsha) had the Omu as its leader. As was the case in Obamkpa and Aboh, the Onitsha political structure had two monarchs: the Obi (male) and the Omu (female). The Omu, along with her council of Oru Ogene, was the head of the female side of national administration. They complemented the role and duties of the male administrative side represented by the Obi and the Ndichie at the apex. With her council, the Oru Ogene, the Omu represented the interests of the nation of Onitsha in trade, economic matters, and certain political social and spiritual functions, as well as the interests of women.⁴⁰ The Obi did the same with the Ndichie in the male sphere of authority.

For most of the nineteenth century, the Obi was a politically weak, spiritual entity living in seclusion in his residence. His political powers were effectively circumscribed by the spiritual dimension of the office and the political powers of Ndichie. Once the Obi was installed, he emerged in public once a year, during his annual rededication ceremony.⁴¹ By contrast, the Omu was a public figure, having attained her position by the power of industry, entrepreneurial skill, or spiritual force.⁴² She ruled publicly and was not in seclusion, as was the Obi. It is important to state that no conjugal or familial relationship existed between the Omu (the community's maternal principle) and the Obi (the community's paternal principle). They both embodied spiritual powers. Each lived in his or her own palace, each underwent similar purification rites prior to installation,⁴³ each performed annual rededication ceremonies, and each possessed the Onitsha insignia of royalty. Both were nonautocratic rulers, since the administrative infrastructure of checks and balances did not support despotism. Each was responsible for maintaining social harmony in his or her specific spheres of authority and in the society at large.

Structurally, this political structure of sex differentiation is one in which women's and men's interests were institutionalized by the state so that the heads of the two administrative structures complemented rather than duplicated each other's powers and privileges.⁴⁴ They were not in an adversarial relationship. Predominantly, each council was responsible for the governance

and administration of members of the respective sex.⁴⁵ Because the political structure defined an interdependent relationship, they functioned in a complex weave to create a tight social fabric. Omu and Ikporo Onitsha had jurisdiction over matters of trade, and the men (adult young unmarried men) had the task of keeping the trade routes open. In riverine towns such as Aboh, the Omu played a vital part in military campaigns. Her canoe with its ritual mat, believed to make fighters invisible, led the men to battle. So although men were in charge of military campaigns, women were in charge of the rituals required to mobilize the deities and divinities as well as to fortify the moral resolve of fighters so that a favorable outcome could be achieved.⁴⁶ Both sexes had agricultural responsibilities: men planted and produced yams, the labor-intensive staple crops that sustain the community for half the year; and women produced vegetables, corn, and cocoyams, the staple food that sustain the family during the second half of the year when the yams ran out. The adjudication of disputes occurred in both the men's and women's spheres, and sometimes jointly. Lastly, both played key roles in spiritual matters, propitiating the nation's deities, purifying homes, and ensuring that the community maintained spiritual balance.

Because roles, responsibilities, and obligations fell equally under female and male spheres of influence, the administration worked in a complementary manner. Women's sphere of activities complemented that of the men, and vice versa. The notion of complementarity invoked here in no way parallels the notion advocated by conservative American women in the mono-sex system. In the latter system, gender domination and inferiorization of women are the norm, and so complementarity emphasizes gender inequalities that have arisen as part of the patriarchal division of labor. This is an entirely different framework from the dual-sex system. Thus, to state that the Omu and Ikporo Onitsha complemented the Obi and Iregwu (the rank and file of adult men) is not to imply that Ikporo Onitsha provided the "feminine," "caring," emotional side of the divide.

Additionally, sexual and reproductive capacities did not translate into a source of systemic disadvantage, as they did in the mono-sex system; rather they were loci of strength and advantage. Political interaction between the sexes was mediated by a conscious awareness of Iregwu and Ikporo Onitsha's respective social roles and responsibilities. Care was valued by both women and men as the hallmark of good family (lineage) and conjugal relations. It was also a part of their social roles. Women did not value care simply because they were women. They did so because they were mothers, sisters, daughters, wives, friends, good trading partners and so on. Men, too, valued care for similar reasons. The social ideology of the dual-sex system did not require women's entire existence to revolve around the care of children and others. Men were also required to be caring. Older children cared for younger children; parents,

grandparents, and older lineage members cared for younger ones. Industriousness, assertiveness, and independence were valued attributes for all adult members of the society, given the duties they performed as part of their administrative roles. No one sex had a monopoly on these and other psychological attributes. Both men and women could be assertive, cowardly, fearless, bold, patient, and shrewd. Both women and men needed political acumen, foresight, and assertiveness to survive in the sociopolitical conditions of the times and to perform their tasks. Oratorical skills and intellectual acumen defined leadership and were possessed by leaders in either group.

Within the dual-sex system, the roles, responsibilities, and obligations of adult women did not pattern the feminine traits of the mono-sex system. Behavioral traits were not gendered. Like community fathers, community mothers or Ikporo Onitsha displayed traits and attitudes that appeared on both sides of the divide in the mono-sex system. They applied the relevant trait to the job at hand. They were shrewd, logical, and rational in matters of trade. They had a good head for calculation, and ably performed this task efficiently. They were eloquent speakers in the political arena and possessed moral integrity. Because roles and responsibilities were primarily social, anyone could perform the task should the need arise. Ikporo Onitsha (that is, married or divorced daughters, widows, and some wives) could plant yams, and community fathers (that is, married or divorced sons and widowers) could grow vegetables and cocoyams. Community fathers could trade, and Ikporo Onitsha could participate in keeping the trade routes open.

The social nature of familial roles and the institution of marriage made it possible for a female to be either a wife or a husband. As was explained in chapter 1, some daughters did not marry, some married and later divorced, and some became widows. These three sets of daughters could enter into *idigbo* relationships with male lovers, or they could marry wives, who bore children for them. Furthermore, as Amadiume indicated, in the absence of any male within the lineage or conjugal unit, the most senior daughter would end her marriage and assume the headship of the male side of the line, even as she remained the head of the female line. These kinds of headships occurred when a family sought to thwart the rotation of seniority rights out of their subfamily to a junior one, which would have extinguished their rights. However, contrary to Amadiume's claims, this has nothing to do with a daughter becoming male, as that suggests that membership in and valuation by a family is dependent on being male.

The basis for the national division of duties along lines of sex is administrative convenience, and was not gender-based. For this reason, the division did not preclude members of the opposite sex from participating in them. (The fact that Ikporo Onitsha was in charge of trade did not mean that men were barred men from trading in the market or they could not take on that duty).

The goal of the division was to allocate administrative spheres of control to both sexes so that they could function as *partners* in the management of the community at large. Under the dual/symmetrical arrangement, duties were conceptualized in ways that gave both sexes comparable measures of autonomy and independence. Because rights accrue to groups rather than to individuals, the political effect of this complementary principle is that both women and men had political significance and were valued, and that their worth was incorporated into the conception of ideals and attributes. None dominated the other. Acting collaboratively on national matters,⁴⁷ the heads of the two modal spheres and their councils formulated the nation's political stance on issues. This clearly defined, interdependent structure ensured that each sex group was viewed as a vital cog in the sociopolitical wheel. The consultative process of political rule also ensured that both the viewpoints of Ikporo Onitsha and Iregwu were well represented in decisions that affected the whole community.⁴⁸ No decision that affected the lives of women, their administrative area of control, or their status was made without the knowledge and agreement of the Women's Council.

Decision-making proceeded up and down and between the chains in a consultative manner until a satisfactory decision was reached.⁴⁹ Suggestions, ideas, and advice were informally elicited from the other side and from different sectors of the community. Heated debates and conflict might arise, but these were dealt with in a nonadversarial manner until a fair and judicious resolution that maintained group cohesion was obtained. It did not mean that consensus was arrived at all the time. It proved elusive on occasions, and sometimes it was not necessary. On the occasions when consensus proved elusive, those who deeply felt that their perspectives were sidelined could overturn the decisions, indicating the non-autocratic nature of policies. Sometimes there were serious consequences to these actions. These resulted in major sociopolitical disruptions that split the community into opposing camps. Nevertheless, after a period of time, peace was eventually restored.

At the national level, the interests of the entire community converged. Because the governing councils were a central unifying organization, they promoted pan-community values. They also built cohesion among Ikporo Onitsha and Iregwu and promoted a community-centered consciousness. The strength of the dual-sex system was that no one sex had a monopoly of power, authority, and privilege. Both sexes had blocks of power and authority, which ensured that women's presence and roles in community governance were not taken for granted. Both men and women were able to protect their collective rights and could respect what each brought to community administration and development. Denial of the other's rights and refusal to respect them led to disruptive social challenges and social withdrawals. Ikporo Onitsha exercised power in the same way that Iregwu did. Power and authority were built into so-

cial and political roles, allowing occupants of those positions to wield influence. Insofar as women and men occupied positions of authority, these attributes were perceived as human social attributes. The point here is that the societal conception of power captured the fact that Ikporo Onitsha exercised power and authority.⁵⁰

The two parallel administrative structures and their trimodal space of consensus building and sociopolitical action also radiated downward through the nine village wards to the family level. As Hsiung described about the Confucian model of equality, the Onitsha model preserved the integrity and autonomy of the family, which in turn, acted as the bulwark against the state. But unlike the Confucian model, the Onitsha model did not frame the identity as one in which daughters were subordinate, and their interests were best represented by men. Even today, the head of the female line is the overall *isi ada* (the ward's head daughter) and on the male line is the overall *diokpa* or *di okpala* (the ward's head son). The pattern repeated downwards at the lineage and family level, with the *isi ada* and *diokpa* at the head of each line. Although the interests of the lineage daughters converge with those of the lineage sons, the parallel line of authority still exists. Both maintain their autonomy but they also come together for joint family meetings. However, the position of *inyemedi* (or lineage wives) is a separate matter. They are not part of the two parallel lines that terminate at the family level because, as wives, they are really not part of the marital family. Even though the interests of the two family groups converge in certain areas, *inyemedi* do not participate in *umuada* meetings, since there are consanguineal matters of interest to *umuada* that *inyemedi* do not share. Equally, there are conjugal matters of importance to *inyemedi* that are of no interest to *umuada*.⁵¹ So what character of equality emerges from this sociopolitical system?

The Dual-Sex System and Its Conception of Equality

The theory of a dual-sex system society gives rise to a theory of rights that does not involve the extraction of entitlements and the assertion of rights against the state. Individuals are not pitted against the state, and the state is not seen as an adversarial entity. In nineteenth-century Onitsha, the state was a natural progression and extension of the lineage structure, which assimilated immigrants into the polity. The state reflected cultural values, notions, and philosophies about family, society, and the relation of various members of the family to the state. The state was characterized by loyalty to the citizenry, utilization of the principle of moral suasion, the integrity of selected leaders and spokespeople, and the participation of both men and women in the formulation of laws, rules, and norms that governed the wards. Because the political structure was non-absolutist, there was nothing for freeborns to fear from the

state, for each person was or reflected the state. One of the male monarch's roles was to take on the sins of the community and to spiritually purify the community; and the female monarch's role was to nurture and grow the community through ensuring the economic well-being of the town. That of Ndichie was to head the political and military units that made up the wards, and the Onu Ogene and Ikporo Onitsha assumed the maternal status as well as economic and spiritual responsibility of the entire community. In these roles, Ikporo Onitsha possessed political, judicial, and spiritual powers that enabled it to be a dominant political force in Onitsha.

Equality was defined on the basis of membership in a specific sex group. At its most basic level, the concept that *Nwaz onye Onitsha adaro aka ibe ya* (literally, no Onitsha person is greater than another) encapsulates the idea that adult men and women are equal, and inherent in that idea is that this prerogative is accorded to all adult citizens. This basic notion of equality supports and empowers any adult to speak in any public forum, either in *ime obi* (the male monarch's meeting chamber), in the Onu's palace, at *ilo mgbeleme* (Ikporo Onitsha's public meeting ground), in Ndichie's and Onu Ogene's reception chambers, or at family meeting houses. This notion of equality takes precedence over all political positions, and in this way, it safeguards the political, judicial, legal, and social right of anyone to be heard or to initiate action regardless of political status, and to participate in political deliberations. At a meta-level of distribution of responsibilities, equality is also attached to roles and duties, ensuring that the tasks of both biological sex groups are comparable and equal, even though they may be different. Equality is not accorded to individuals simply because they are individuals, but because they are bearers of rights that derive from social, political, and religious roles and offices. They have duties to perform, whatever they may be. Because of this link between equality and duties, equality can be exercised and enforced without interference from others. In a very basic sense, this notion of equality is attached to personhood and is secured by citizenship duties and rights. For example, while a stranger would have to obtain permission to assert his or her rights (given that he or she has no social duty), an indigene merely enforces his or her equality rights or duties by invoking them.

This notion of equality informs the political administration that was described in the last section. The idea that "no Onitsha person is greater than another" captures the properties of individuality and sameness that give meaning to equality. But this notion of "the individual" and "sameness" is different from one that exists in the mono-sex system. It does not presuppose that an individual is male or female, it does not see individuals as both socially independent and bearers of inalienable rights, it does not treat rights as disconnected from duty, and it does not construe individuals as self-sufficient, self-reliant, and self-realizing. It presumes and treats the individual as a socially dependent

being, in interdependent relationship with others. The language reflects this gender neutrality by treating everyone as a human being and not marking the sex. This dual-sex conceptual scheme gives both sexes the same level of significance while accommodating their biological differences. At the substantive level, however, equality in terms of social duties and rights derives from the powers that accrue to groups as a result of their social responsibilities. Although groups are the primary political focus, it is crucial to note that individuals do not cease to exist.

Politically, each modal group is composed of individuals who are in varying kinds of relationships and subgroups. These subgroups provide other meaningful reference frames for members to live by, and for mutual support. It is not true that the notion of individuality is foreign to Onitsha culture, simply because emphasis is given to group relationships. The notion of individuality is very much in existence and is reinforced by the strength of the group. People's right to equality is secured at the level of their biological group rather than as autonomous individuals. The extension of equality to groups rather than to undifferentiated individuals meant that no one group or sex was privileged or devalued. Sex difference led to equitable division of roles and responsibilities as a complement of the other, each group had community-wide duties and responsibilities that contributed to the well-being of the society and to the maintenance of the group's identity. Although these duties vary in type, they were weighted the same. The groups could periodically renegotiate their duties and the meaning of the roles, but once the renegotiations were complete, the duties socially interlock. For example, keeping the market routes open (a task that falls under the jurisdiction of men—Ndichie and Iregwu) is crucial to women, who are the principal agents of trade (and under whose watch falls both local and long-distance trade). If men fail to live up to their responsibilities, trade and commerce, the duties of Ikporo women, would suffer, and so would the quality of life of the community.

The dual-sex system values both sexes for the skills they bring to building community and shaping the culture. Again, this does not imply that the notion of individuality is nonexistent in the culture. Rather individuals are conceptualized as relationally tied to social groups. The underlying model of equality recognizes difference but treats and values the sexes as equal.⁵² Both the adult-male group and the adult-female group were equal in relation to their service to the nation, and their contribution to the society's well being. Though this construal of equality operates at the group level rather than at the individual level, it nevertheless possessed the same traits valued at the individual level: autonomy, sameness, and difference.

The centrality of the sameness standard generates sex inequality in the mono-sex system, but not in the dual-sex system. In the mono-sex system, the idea puts women in the impossible position of asserting their difference from

men even as they insist on similarity with them. Because women are compared to men under the similarity standard yet are judged by their distance from them under the difference standard (Mackinnon 1987, 34), Fox-Genovese wonders, "How can women, if they are different, ever hope to be equal? How can . . . they aspire to be equal, [if they] continue to insist that they are fundamentally different?" (Fox-Genovese 1991, 244). The dual-sex system resolves this problem by factoring difference into the system at the foundational level and tying equality to groups, and accepting that women and men can be equal but different. The conception of equality as comparable worth allows this to happen. It ensures, on the one hand, that both groups share vital similarities—administrative skills, psychological attributes, and temperament—that the dual-sex system positively values. The system positively values the fact that men and women share important physiological differences and captures this in what Pateman calls the "social conception of individuality" (Pateman 1987, 122). This conception recognizes that women and men are biologically differentiated but not unequal. In building sociopolitical cohesion, the physiological characteristics of individuals were politically unimportant in defining the ground rules for social and political respect. Respect was earned by the manner in which duties were tackled. Tying equality to the ideal of comparable worth vis-à-vis the duties performed by both groups meant that similar values were assigned to each group's contribution to society. This basis of value assignment extends to each individual member of the group the benefits, properties, and traits achieved at the group level.

Individual members of the two sex groups may occupy subordinate social roles at different moments of their lives, but the subordination is attached to the role, not to bodies. For example, women who are wives would be in a subordinate relationship to members of their marital family, including their children. But this is true only when they are in or playing the role of a wife. Role-playing or being in specific roles does not negate their other superordinate identities, such as their roles as mothers, their structurally dominant role of husband to the wives in their natal family, and their pan-national status as members of Ikporo Onitsha. Given that subordination is relationally tied to roles rather than to bodies or person, when one is no longer in that role (i.e., playing the role) one is no longer subordinate. This is how the fluidity of identities that Amadiume erroneously explained by reference to gender occur. Gender cannot explain this fluidity because it is locked in a rigid underlying framework of sex inequality. The fluidity of identities is a consequence of attaching rights and duties to roles. Given the multiplicity of social roles people have to play at any given time, no one is permanently locked into any one role, as occurs in the mono-sex system. The only enduring identity is the one people receive at birth as either a daughter or son of someone. Because equality is dis-

placed from bodies to tasks and duties, individual women and men have the same rights, not because they are individually ranked, but because their duties, though different, are socially comparable at the group level.

In a context where power and rights are distributed on the basis of duties, mutual respect develops between the sexes if these duties are performed in a satisfactory way. Women's and men's views are deemed critical, both because of the work they do and the special insights they bring to the running of the society. In this nurturing environment, both are their own persons, and women are unaccustomed to men's making decisions for them. In political matters, each group has a strong political voice, and it is as groups that people make and enforce political decisions. The dual-sex system incorporates the concept of individuals and embodies the trait of autonomy. In the following section, we will address the way this concept and its defining features differ from those of the mono-sex system by examining the problems and weaknesses of the mono-sex system's notion of individualism.

PART 4: THE PROBLEM OF MONO-SEX INDIVIDUALISM

A critical review of the mono-sex system reveals that the notion of the individual offers the false hope that gender equality is possible. Anyone can be an individual and equal to another, even though they are not. At the abstract level, "the individual [is] the repository of all legitimate rights and . . . the basic element of sovereignty" (Fox-Genovese 1991, 121). Theoretically, the doctrine of individualism envisions a society that is "composed of impersonal and interchangeable units of sovereignty with a model of human beings as rational, accountable and autonomous" (1991, 123). It presents people as distinct individuals isolated from each other with a sense of self as independent of family and community relationships, and as not constituted by social relations. Borrowing Frantz Fanon's description, this picture of individual is one in which "each person shuts himself up in his own subjectivity" (1966, 47). This mono-sex view of individuals is seductively powerful, given that the individual is presented as an objective and impersonal category. Theorists believe that it can easily be extended to include women, who would then benefit from it politically. This has led some feminist scholars to redefine the concept so that "women have the same claims as men on the role of individual" (Fox-Genovese 1991, 119). But Fox-Genovese notes that "the goal of 'the rights of women' has revealed itself as deceptive. Rights have not granted women equality with men, much less obliterated centuries of discrimination against women" (1991, 229). Colleen Sheppard argues too that "equality rights were acknowledged only to the extent that they left the *status quo* intact (1991, 415, her emphasis).

Lorraine Code has critiqued the idea of the autonomous man that redefines individualism—self-sufficient, independent, self-reliant, and self-realizing. She views this idea as misguided because it prods a society to value independence and to undervalue relations of interdependence (trust, friendship, loyalty, and responsibility). It also construes the individual as atomistic bearer of rights, whose autonomy is compromised by social relations that stress cooperation and interdependence. Carolina Mackenzie and Natalie Stoljar acknowledge that this conception of atomistic subjectivity and its central idea of “hyperbolized autonomy” (Code 1991) that defines the autonomous man is the problem at the heart of individualism. Their work tries to repair the problem, contending that this defective conception of autonomy and autonomous agents does not render the basic idea of autonomy untenable. Rather it requires a replacement of the atomistic subjectivity trait with a relational view of subjectivity that understands that people are in relation with others and only become persons within this matrix of relationships. For Mackenzie and Stoljar, the relational view of subjectivity does not undermine philosophical accounts of autonomy or provide any compelling reason for rejecting it (2000, 8).

Under relational autonomy or a relational view of individualism, individuals' capacities are constitutively social and relational (Friedman 2000 and Barclay 2000). Social institutions, practices, relationships, and norms that affect agents' freedom can impede hyperbolized autonomy by limiting the range of available options, but this will be totally consistent with a relational view of autonomy. If this impact on relational autonomy occurs in an oppressive social context, such as a mono-sex system, autonomy would be antithetical to women's interests. Such a situation would explain why Fox-Genovese argued that socially imposed restrictions ultimately curtail women's freedom and autonomy. However, according to Friedman, a definition of autonomy in which social constraints limit women's autonomy is misguided, because autonomy *per se* is not antithetical to women's interests. In fact, for her, autonomy has the capacity to disrupt oppressive social relationships, not reinforce them. Linda Barclay provides support for this view by contending that although we cannot be autonomous in the absence of social relationships we can reject some social relationships, and choose new ones. For her, this element of choice proves that we are not so strongly constituted by social relations and shared values that we cannot change them. Susan Babbitt disagrees. The problem that she rightly identifies is that we cannot assume that marginalized and disempowered people living within the context of a coercive ideology can understand what is in their own true interest. They may not be able to reject problematic relations or choose new ones, even if the premise is that everyone has the right to choose freely and can benefit from these advantages (Babbitt 1996, 35). The disempowered ideology fostered by coercive structures limits the conceptual horizon and narrows the range of options for the disempowered and dispossessed.

This leads us back to where we were before, which is that voluntary rational choice and relational autonomy within an oppressive context would not get women anywhere. Fox-Genovese would argue that Barclay and Friedman do not take seriously enough the ways in which the doctrine of individualism is “explicitly fashioned by and for men” (1991, 119), and the ways in which that fashioning impedes their assumptions. Her point would be that they are too focused on the idea of the individual and not enough on the social, where the constraining structures lie. A critical part of this problem is that males who are privileged by the mono-sex system and who have developed a strong sense of group belonging are pitted against women who have not had the institutional space to develop a strong sense of self and collectivity. The main problem is that the inherent sexual inequality of the mono-sex system militates against gender equality.

Providing judicial support for Fox-Genovese's view, Mackinnon and Fudge present an array of judicial studies that detail the ways in which judicial interpretations are based on oppressive social norms to curtail the autonomy and freedom of women even after such rights are protected by the Charter or Bill of Rights. This routinely happens because socially situated justices are reluctant to recognize that the real justification for protective legislation to advance women's equality and autonomy is not the fact that they are female, but rather that social and economic relations have been used to curtail their rights.⁵³ Fudge contends that “the abstract and universal form of legal rights within liberalism has not proven to be amenable to the concrete, contextualized analysis which is a necessary first step for ameliorating women's systemic social subordination” (1988, 551). To argue as Friedman and Barclay have done, places the onus on the individual and provides justification for the argument that protective legislation is unnecessary. For if women have autonomy, which means they have rights, liberty, and voluntaristic contractual relations, then legislation that redistributes power is not required. Fudge points out that the root of the difficulty in incorporating women's difference into the notion of the individual is that it conceals a masculine ethos of male dominance. “Subjects appear free and equal before the law yet this formal legal equality and freedom is enabled in a social context of overarching inequality” (Fudge 1988, 534). As a result

the very way in which rights are framed in constitutional documents such as the Canadian Charter of Rights poses another barrier. These rights are framed in abstract and general language, and although the equality provisions contained in the Charter are amenable to progressive interpretations offered by feminists, as the decisions issued to date clearly demonstrate they are equally amenable to formal and narrow interpretations which are antithetical to feminist struggles. (Fudge 1988, 533)

Unlike Friedman and Barclay, the issue for Fox-Genovese, Mackinnon, and Fudge is not whether women *can* have autonomy or *can* exercise their autonomy but whether the very real constraints in the society allows them to transcend the society's patriarchal structure. The issue is not whether women can reconstitute some of their personal relationships of love, friendship, and marriage along positive lines but whether they can remove the socially entrenched racial and gender discriminatory structure that are impediments to equality.

Whereas Barclay's and Friedman's reforms revolve within the boundaries of liberalism, Mackinnon and Fox-Genovese are challenging the very boundaries of liberalism that are responsible for gender inequality. Although, Mackenzie's, Stoljar's, Barclay's, and Friedman's reformulation of autonomy is pitched at the individual level, it is still epistemologically useful. The problem is not with their reformulations but with the sociopolitical structures within which their concept of autonomy is embedded. Because the mono-sex system within which the concept of autonomy and the doctrine of individualism are located is fundamentally a male-privileging system, it will reproduce the sorts of problem that Fox-Genovese, Mackinnon, and Fudge are highlighting. The only way to avoid the latter problem is to transfer the relational conception of autonomy and its notion of the individual to a sociopolitical system such as the dual-sex system that fundamentally treats both men and women as equal. Properly conceptualized, autonomy (as relational) and individualism are not problematic concepts, as Mackenzie and Stoljar indicated. They would function properly when situated in a system that treats the equality of men and women as a fundamental characteristic of its structure and that defines rights only after women and men are socially situated as equal to each other. This definition of autonomy and individualism overlaps neatly with that of the dual-sex system.

Fox-Genovese is correct to assert that "a feminist critique of individualism must simultaneously engage the strength and weaknesses of our [Western] tradition." That engagement, however, must leave us free to think outside of the box. Having correctly determined that the basis of this problem lies in feminists' difficulty in "reimagining the collectivity—society as a whole—in such a way as to take account of women's legitimate needs" (1991, 230), Fox-Genovese undermines her own insight by sliding back to restore a tradition that she should have let lie. She states: "To jettison them now means to forego the possibility of coming to terms with our history and perhaps the possibility of shaping our future as well" (1991, 243). But to come to terms with this history is to face it squarely, acknowledge its deficiencies, and then move beyond it. We cannot allow sentiments to trap us within it, given that, as Gerda Lerner reminds us, for millennia, for far longer than any other structured group in society, women "have lived in a condition of trained ignorance, alienated from their own collective experience through the denial of the existence of

Women's History. . . . [They] have . . . been forced to prove to themselves and to others their capacity for full humanity and their capacity for abstract thought" (1998, 446). Thus, Fox-Genovese was wrong to veer from the path to which her argument led. The questions she should have asked were: Why should there be just a male head and a male dominant line of power? Why should only one sex be privileged in the polity, and what is the legitimacy for an asymmetrical distribution of power and resources? To grasp the ideological nature of the mono-sex system is to see that the social collective can be reimagined differently, perhaps through the dual-sex frame. After all, there is nothing fixed and immutable about the mono-sex asymmetrical system. It could be radically restructured to create parallel structures: one for males and the other for females with a trimodal space of action.

It is important to stress that this structure will differ from the separate-but-equal policy of white supremacists in the post-Reconstruction era United States, when blacks were drained of resources and kept in perpetual penury. It will also differ from the radical feminist separatist stance that rejects collaboration with men, as it will differ from the conservative women's groups that define the subordinate role of women as "complementary" to the superordinate roles of men. Carol Gilligan (1982) had raised the possibility of a different value system. But her system is based on the attributes that patriarchal ideology assigned to women. Insofar as the ideology is the obverse side of the current male-privileging scheme, it has no emancipatory potential, and as Mackinnon observes, it is an insult to women's possibilities.

The critical point of all these critiques is not that the mono-sex system offers false hope of gender equality through peddling a gender-loaded conception of the individual as gender-neutral, but that a redefined notion of autonomy and individualism is consistent with the dual-sex system and would promote self-assured, independent women. We need to work for structural change and a social structure that positively values women. We need to see too that to recognize difference is not to open the door to inequality, as was the case during segregation in the United States, but to recognize the ways in which the ideology of "all people" promotes inequality.

PART 5: THE DUAL-SEX SYSTEM IN THE UNITED STATES

In concluding, I propose to examine how the dual-sex system could work in the United States, I propose a restructuring in which the male and female sides are equal and the duties of each side has equal value.⁵⁴ Although this is a hypothetical experiment, it points to a perfectly conceivable scenario. Before the idea is rejected as utterly preposterous, let us recall that change begins at the level of hypothesis. The model offers an equitable form of relationship between

the sexes as well as insights for a new bill of rights for women. Certainly a lot of wrinkles need to be ironed out to make this system effective. In fact, the idea that the American sociopolitical system could become dual-sex is not so far-fetched in a political system that is already a diarchy, made up of the Republican and Democratic parties. This diarchy is imperfect, since one party controls either the executive arm of government and/or the Congress, rather than both controlling it at the same time, as the dual-sex system requires. Suppose for the sake of argument that the Republican Party is construed as the female side of the dual-sex symmetry, and the Democratic Party is the male side of the symmetry. The key difference from the present state of diarchy is that both sides are in power at the same time and are ruling in a complementary, interdependent manner. This raises certain questions: What kind of administrative arrangement should we expect, given the dual line of symmetry? What structures, social institutions, attitudes, and consciousnesses would change as a consequence of this system? How would these changes deal with issues of gender discrimination? How would equality be defined and understood? How would we understand the new American society? Many of these questions cannot satisfactorily be answered in this conclusion, but they chart the direction of future research.

Mindful of Babbitt's point that the oppressed may not know their true interests, we recognize that the long history of discrimination against people of color and women in general will be difficult to transcend. However, if the oppressed are able to form their own group, the first dramatic effect will be a shift in consciousness. We acknowledge that the dynamic of race has for a long time defined the basis of social and institutional ordering in the United States. This means that a shift to using biological sex will initially prove disorienting, since men of all colors will be on one side, against women of all colors. White will no longer be the normative color as all colors will have equal value. That shift in consciousness does not mean that race issues will be totally eliminated. They may be redrawn in other ways, but the equalization of color at the foundational levels and the nonprivileged status of the color white means that things will not function as in the old days. Part of the complication will come from de-emphasizing colors and giving a higher social priority to sex matters rather than to race. People will have to become accustomed to seeing themselves in other ways.

Privileged white men in particular will have a difficult time letting go, given their sense of entitlement in the American polity and their firm conviction that they know best. Of course, they will tender spurious arguments as to why this model can never work. But if we face down these complaints and move ahead, we will find that bereft of the institutional trappings that have for so long reinforced their privilege, white men will have to reorder their priorities to form meaningful alliances with men of color whose institutional esteem

would be boosted by the dual-sex realignment. Although there has been a longer history of political collaboration between white women and women of color, white women will have to go through the same process with women of color in order to get over their reliance on white men for their privilege. What is clear is that along this sex line of division, the category of race will no longer have the force to confer institutional advantages on white men and women as it does in the present. Initially, all groups will have to refashion their identity, aware of the ways in which culture, consciousness, and lived experience are shaped by race and class. But as the sociopolitical experiment takes hold, other issues will undoubtedly arise as some of the familiar lines of division fade away.

It is natural that the initial stage will be marked by confusion, as people unlearn old and familiar habits and attempt to forge new principles and values. Let us suppose that everyone is able to work through the problems of the transition period. It will be clear to both groups that the objective of this equal distribution of responsibility is to avoid the present situation, in which women make up over half the population but are treated as minors, while men exclusively rule and dominate the society. Thus, for women to be valued as the social adults they are, they must have equal representation at judicial, political, economic, administrative, and social levels. Once this stage passes, and the dual-sex system becomes more familiar, we will notice a change in consciousness in which both men and women will increasingly become group-identified and openly so. Both men and women will increasingly become accustomed to seeing each other work with comparable authority in different and equally weighted positions of power. Adult women and adult men will occupy interdependent political and economic positions and spheres of authority. Women will have full authority and control over matters that fall under their jurisdiction in the same way that men have authority and power over matters in their own domain.

If the society is to work, both will have to negotiate collaboratively what duties and responsibilities each of the two groups will have. To ensure that this change progresses as it should, all economic and financial matters will initially be under the jurisdiction of women. Regardless of how the other duties are divided up, the economy, judicial matters, law enforcement, military affairs, labor, and employment will all have to come under the principles of the dual-sex system. To avoid perceiving any sector of the polity as male or female, there will be rotation of administrative duties. But such rotation will not affect the fact that some judicial matters that concern women (such as those that relate to their reproductive health) will come under their jurisdiction. They will no longer have to live in a world in which such matters are debated and decided by men who do not have the same experiences. This does not mean that they will ignore the medical contributions of men to the debate. It is more that since

women are no longer minors, men cannot control and make the final decision because women will have a dominant voice of authority. In the new dispensation, men will not have dominance over all positions of power, leadership, and authority.

Let us suppose that under this new dual-sex system, leaders will be elected. The electoral decisions for the two groups may occur simultaneously, or the groups may opt for different electoral cycles. Whatever the preferred method, the decision to elect new representatives on the male side will not affect the status quo and nature of political decisions, elections, and representation on the female side. Both sides, however, will remain interested in the candidates of the other, since they would have to work together once elected. Although women cannot vote in men's elections and vice versa, nothing stops them from supporting and campaigning for preferred candidates.

At the apex of this dual-sex system will be two presidents—a male and a female—who will work collaboratively in ruling the nation. Whereas today the role of the Congress is to make laws and check the powers of the presidency, in the new political system, the powers of both and the duties that women and men do will each be structured to check the excesses of the other. As heads of the nation, the presidents will each have a governing council or cabinet to advise and assist in key tasks. Both spheres—female and male—will administer their affairs separately, but will regularly meet in conference sessions to deliberate on matters that require the perspective of both sexes. The prevailing spirit in these conference sessions and the entire administrative tasks will be based on consensus, since neither of them will have sole authority to overturn the other's work or to rule the nation alone. For example, if men controlled the armed forces and women controlled the treasury and the office of budget and appropriations, it would be foolhardy for the male president and his counselors to declare war on some country unilaterally. Without the endorsement of the female president, the treasury and office of budget and appropriation would not finance the war. The female president would refuse to authorize payments needed to mobilize, prepare for, and wage war. What this means is that the basis for declaring war must be very clearly defined, and the process for defining these grounds would naturally lead to a re-evaluation of national priorities and a rethinking of wars usefulness in solving problems.

On the basis of this debate, in which national priorities are ascertained, the distribution of funds to issues of women's greater priorities—commerce, education, justice, childcare, and social welfare—will have to be determined. Strategies will have to be devised to deal with and deter aggression and resolve conflicts. Depending on the national vision, the immediate strength of this system is that it introduces a different set of values that may curb adventurism. It will also stop a hawkish female or male president from unilaterally committing national resources to war without due consideration for the lives that would be

lost and for the negative impact of such a war project on other aspects of national life.

By transferring substantive powers and equal authority to women, the new United States dual-sex system will foster a new value scheme that would correct the past history of women's minimal participation in governance. This political system will give them an important platform upon which to enter the political arena in large numbers, and to accord significant weight to issues they are passionate about, whatever they may be. With their enhanced authority and power, they can determine how much of the national budget will go to specific sectors of the economy. They will determine very clearly the lines along which society shall move, and will reshape national policy to meet the needs of various segments of the population. It is safe to say that world problems will not end, even if all societies adopted the dual-sex system. However, this system will eliminate the public-private dichotomy as well as the basis of gender inequality. When gender discrimination is eliminated, both parties are more attentive to family matters. As moral advances are made, and people begin to place a higher premium on life, stronger measures would be put in place to resolve and diffuse tensions long before opposition hardens into intransigence. One thing at least is certain; that under this dual-sex system, women would be the other half of the administration, and men would have to become accustomed to seeing them in positions of national significance and great responsibility.

Although divided along male and female lines, this political system would not promote antagonism but interdependency. This would begin by having one half see the other half as adults, possessing the requisite skills and ability to be in positions of authority. As a nation run by responsible adults, the country would continue to experience moments of conflict. But because each sex needs the other to survive, given that the services that each control would be integral to the smooth running of the government, they would have to reach compromises. In the same way that the armed forces today do not think about seizing power, men should not be able to encroach on the power and function of women. To attempt to do so would lead to serious political instability that would unravel social cohesion.

In present-day reality, the basis of political fusion is the market. Since the Reagan era, both political parties—Republicans and Democrats—have defined themselves in relation to where they stand on economic matters: for big business or for bigger business; for the rich or for the upper middle-class; for free enterprise and hefty government subsidies of corporations or for minimal government regulation of the market and subsidies for corporations. The dual-sex system provides an opportunity to rethink these market-oriented priorities and to introduce people-oriented, social justice goals. Ensuring that campaigns are publicly rather than privately funded will remove the corrupting influence of money and big business from elections and governance. Functioning as a coun-

tervailing force, women could advance causes and issues that are of concern to them, and like men, could bring them to national attention. In conference committees, where national and social goals would be reviewed, women would directly participate in defining what these goals are. By virtue of their group strength, they would initiate policies, in contrast to the present time where they have no clear sense of who they are collectively, and of what their group-identified objectives are. Unlike what presently occurs under the mono-sex system, women would not have to plead with men about the importance of certain issues, and hope for their goodwill; they would not have to spend years trying to justify and mobilize support for these issues. They would have the power to authorize change.

The new dual-sex system presupposes at the onset that the power men and women have would be of equal weight, which is why they would have equal responsibilities and power in the running of the nation. The "equal" here does not mean that the tasks and duties are uniform, but that they would have equal weight and that equal value would be assigned to them. For example, if women determined that childrearing issues were important to them, then this issue would become part of a comprehensive policy in which businesses would have to make adequate provisions for its female employees. Instead of giving perks that reward a male lifestyle (spending the most time at the office), the basis of giving perks would be re-evaluated such that women's multitasking style of work would be rewarded.

This system shift from a mono-sex to a dual-sex system would give women the opportunity and the right to be at the center of things—at the crucial point of decision making, rather than at the periphery. At the same time, the dual-sex system recognizes that there are important differences between men and women that must not be blurred. These differences would receive consideration in the formulation of policy and laws. Whereas women were once in a vulnerable position vis-à-vis legal matters, now they would have a strong voice, because laws would not only reflect their concerns, they would adjudicate them. Thus, just as men (in business, workers' organizations, and support services) safeguard and champion issues that are of importance to them, women could safeguard and champion issues that are of interest to women. This dynamic would bring about numerous changes at the philosophical, ethical, economic, social, and political levels.

Under the principle of equality as comparable worth, women's and men's groups would be autonomous and equivalent in terms of what they do for the state and for the survival of the community. As complements of each other, they would perform different tasks and function in different roles, and still be perceived as equal rather than unequal. Although the dual-sex system embodies a hierarchical relationship within groups, the social divisions would neither be rigid nor obstruct social mobility. One would attain social importance by

virtue of one's accomplishments. When political power is no longer the exclusive preserve of a specific sex, as it has been in the past, a more equitable distribution of civic duties, privileges, influence, and political power would result. Women will be able to focus on their personal and community needs and communally enhance their visibility and respect.

Assuredly, it is empowering to know that, at the formal procedural level, all Americans are individuals and the same, but at the substantive level, the focus of equality would be on the two sex groups and the transference of the benefits of that group equality to members. Defining equality relationally at the level of groups rather than at the level of the individual enables each group member to have a focused vision and a clear sense of his or her roles and duties. The dual-sex system shows that factoring sexual difference into political relations need not result in sex inequality. This is especially true if the difference is taken seriously enough to achieve balance. In such circumstances, the context can be structured to affirm the sexes equally, but differently. Once comparable worth is inscribed into the context and forms of relationships, women and men will be equally valued in terms of their social roles. Although feminism has made important contributions to redefining gender relations, its individualistic commitment to the mono-sex system retards its progress. The built-in power imbalance between men and women allows gender inequity to be preserved and reinforced.