

1994

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### Recommended Citation

Hansel, Mark (1994) "Social Claims, Ownership, Metaphor and Cross-sex Relations: Why Women Are Property," *Great Plains Sociologist*: Vol. 7 : Iss. 1 , Article 3.

Available at: <https://openprairie.sdstate.edu/greatplainssociologist/vol7/iss1/3>

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**Social Claims, Ownership, Metaphor and Cross-sex Relations:  
Why Women are Property**

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**Abstract**

Property is a pervasive metaphor in our society that is the source of the social meaning of social claims to such wide ranging social objects as traffic lanes and restaurant tables. These claims are attempts to appropriate temporary control of the objects. Similarly, claims to a persons' attention and claims for services are attempts to appropriate control of resources of an individual. Successful appropriation transforms resources into the temporary (metaphoric) property of the claim maker. Some claims to social resources are legitimate and others deviant. The legitimacy of social claims is in part dependent upon authority relations between persons.

At some level, the assertion, "women are property," makes sense and taps powerful emotions. Yet any literal understanding crumbles in the face of even cursory analysis. To make the assertion evokes sharp responses, especially from young women. It probably fails to capture the way many men and women think about cross-sex relations. Still, phrases like "my girl friend," "my wife," etc. have a different meaning than phrases like "my toothache" or even "my husband." The proposition, "Women are property," seems to capture this difference. However, since a literal interpretation is widely rejected, this

interpretation cannot account for the difference in meaning and an alternate analysis is required.

I present an analysis of property as a pervasive metaphor that provides a clear and robust interpretation for the assertion. The analysis begins by arguing that all social claims create a proprietary-like relationship between the claim maker and the thing claimed. The conclusion reached is that the assertion, "women are property" works because it highlights gender asymmetries in cross-sex claim making. I therefore focus largely on social claim making and treat the proposition, "women are property," treated as one important implication of cross-sex claim making in male-dominant situations. The sentence has currency because greater male social power is enacted in cross-sex relations as greater claim making by men upon women than of women upon men. Were social privilege distributed differently, claim making likely would advantage men less and the sentence would likely have little currency.

The analysis should evoke a sense of familiarity among most readers. What makes it obvious warrants systematic analysis, if only because what is obvious in the analysis has been widely ignored recently. For this reason, near the end of the paper, I identify and briefly discuss two extreme and untenable analyses of the notion of women as property.

Two tools are needed to construct this analysis: (1) the legal definition of property, which, though abstract, appears to be the root meaning of ownership in our society, and

(2) the notion of metaphor as one central cognitive meaning conferring process (Lakoff, 1987).

### **The legal meaning of ownership.<sup>1</sup>**

Ownership is a legal relationship between one or more legal persons<sup>2</sup> and an object. The object may be concrete, abstract, animate or inanimate. The legal relationship bestows upon the owner(s) extensive rights and a few obligations. The central legal meaning is the right of the owner(s) to explicit, extensive and exclusive control of something. Ownership implies the right to use, to abuse or even to destroy an object without regard to others' wishes. Provided the use does not violate legal rights of others, provided the use is not itself illegal (e.g., burning one's home to collect insurance) and provided that the property is not a protected object (e.g., a house on an historic register), even abuse is legally protected.

The legal right to exclusive control has significant social implications. Legal ownership bestows upon owners a state guaranteed right to control others' use of what is owned. For anyone to use a person's property - legally or illegally - they must take the

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<sup>1</sup> This discussion relies heavily upon Chambliss and Seidman's excellent treatment of ownership in Law Order and Society, 2d edition (1982: ch 4).

<sup>2</sup> Legal persons include corporations and labor unions and historically have excluded some humans, such as slaves in the United States.

owner into account. One may approach the owner for permission or else evade her and steal the object.

This implies that the legal owner of a thing has power over people with respect to the object. This power ultimately flows from the legal implications for others if they fail to honor owners' wishes. The implications include state readiness to guarantee owner's rights, perhaps with force. If the control over the property is extensive and the property is important to other persons, then ownership translates into significant social power. Chambliss and Seidman (1982) make the point that employer power over employees is based in part upon business owners' legal ownership of the building, grounds and tools that employees use.

Another important aspect of ownership is the very limited accountability to others for the way owners use their property. As long as legal strictures are satisfied, the owner of a thing has legal authority to decide how it is used.

Finally, context requires acknowledging the difference between animate and inanimate things. Inanimate things cannot object to the way they are used while at least some animate things can. Thus, when we address the question of women as property, there is a crucial disanalogy. A slave (probably the prototype of an owned human) may actively object to the ways they are used, while automobiles and pencils can "object" only metaphorically. We speak of inanimate objects in animate terms (e.g., machines running amok), but these are metaphorical, and taken literally, involve category errors.

Consider a mundane example: Mary's new Buick. By virtue of Mary's legal relationship to her car, she has the right to decide what care it receives. She has the right to choose how to drive it - within legal limits - and she has the right to control how others use her car.

There are limits, of course. Mary has no right to violate rights others have with respect to the car. She may not drain the oil on public highways, on neighbors' lawns, or even in her own driveway. State laws restrict where and how Mary may operate the vehicle. Finally, others' property rights limit Mary's use of the Buick. She may operate it on others' property only with permission or other legal authority, such as an easement.

In sum, while she does not violate others' rights and while she observes legal requirements, Mary may, with legal impunity, abuse her car by not caring for it or by ignoring sound operating practices. Her decisions are not subject to further legal constraints, although she may be subject to considerable social pressure. Finally, others may use her Buick legally only with her permission or illegally by evading her and stealing it. This means that she has some power over other people with respect to the Buick.

#### **Emotional dimensions of ownership**

Ownership also has strong emotional implications. An attempt to use others' property that is considered illegitimate evokes more than intellectual rejection of the attempt. If the property is personally important, illegitimate claims may evoke anger or

hostility. They may evoke social retaliation or calls for state protection. These emotions and reactions, including jealousy, are one meaning of possessiveness.

Analyzing the social rules associated with these emotions and their display is beyond the scope of this paper. My single point is that violations of property rights sometimes evoke strong emotions. Their display is probably differentially sanctioned across the social system and displays are probably very orderly within particular social networks. Candace Clark's (1987) analysis of "sympathy margins" is one useful model for the analysis of the social regularity and regulation of displays of one emotion - sympathy.

#### **Property as a pervasive metaphor**

The key to the analysis of "women are property" and to a wide range of claims to social resources is that property is a pervasive metaphor in our culture and that the proposition exploits this metaphor. Whenever a claim is made to some social object (e.g., "Don't change the channel"), the meaning of ownership gives that claim its cognitive meaning and its emotional impact. That is, the property metaphor gives social claims their meaning. Further, the meaning of property frames expectations regarding the bounds and the legitimacy of social claims.

A claim to a social resource is an attempt to appropriate it. Some claims fail: asserting claims does not execute them. If a claim is successful, the resource claimed comes under the control of the claim maker.

A few examples should make the central point clear. People make claims, verbally or behaviorally, to such wide ranging social objects as highway lanes, areas of a sidewalk, restaurant tables and seats in a concert. These claims assert a short term right legitimately to use something. Thus, an individual eating at a restaurant enjoys proprietary rights to a table and to the attention and services of a range of persons. Further, under most circumstances, the legitimacy of appropriating these rights is taken for granted: successful claim makers presume that persons wishing to use the same resource will respect their claim, and, conversely, people usually wait for prior claims to a resource to be abandoned before attempting to appropriate it. In short, claims to use social resources assert proprietary privileges. When an individual (or group) lays claim to a social object, one expects temporary, exclusive control over it and expects these claims, though rule bound, to be substantially free from interference.<sup>3</sup>

Some claims are deviant. "Cutting off" another driver illegitimately appropriates that driver's use of a traffic lane. This may evoke resistance if detected soon enough and retaliation if successful.

Many claims to social objects, legitimate and deviant, are transitory and situational, whereas claims to literal property are more long term and trans-situational. Locutions such

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<sup>3</sup> Adults do not communicate that they actually own the relevant resource. Rather, when someone claims a resource, they expect temporary control over it and they expect that their current claim will supersede others' subsequent claims. To communicate literal ownership is "crazy" behavior.



as "my place in line," and "my table," imply a short term right to use something. A claim deemed illegitimate is considered an improper effort to appropriate a resource and may not be honored. Whether claims deemed improper are honored is a function in part of the relative power of the individuals involved. (Enforcement of illegitimate claims warrants separate analysis. Enforced illegitimate claims, e.g., boss' claims for personal services, sometimes are not metaphoric theft.)

As there are restrictions upon the use of property, so there are legal and social constraints on the use of social resources. Highway regulations are extensive and well known; the use of restaurant tables is limited in time and in degree (e.g., carving initials or remaining for six hours are usually deviant acts). Up to these limits, claims to unfettered use are usually socially honored and, up to these limits, all the crucial dimensions of a proprietary relationship operate. **In brief, claims to use social resources are, within contextually accepted parameters, assertions of a right to the exclusive, unaccountable control of some social resource that excludes other persons from simultaneous use.**

An infringement of a right an individual acquires to a resource he or she has successfully claimed may evoke an emotional reaction -- anger, hostility or disgust. It may even evoke retaliatory behavior.

A metaphoric analysis focuses on the similarity in the linguistic, emotional and connotative treatment of things one literally owns and the same treatment of social

resources one successfully claims. People expect similar rights toward social objects they use as they expect toward their things. These rights are more short lived and are not described explicitly as property. *They are metaphorically property* - more precisely, property is the metaphor that gives claims to social resources their meaning.

A successful claim to use something creates a relationship between the claimer and the social object. The social conventions that govern this relationship are very similar to the legal rules that govern the ownership relationship. They differ in duration and they differ in that their legitimation is socially and not legally based.

### **People as Property**

#### **People as Two Things**

Women in this society are not literal property. No state allows slavery. When I have suggested or implied to colleagues, friends and a few strangers, however elliptically, that their husbands, wives, daughters or sons might be property, almost without exception, responses evidenced tremendous resistance to speaking of people as property.<sup>4</sup> Yet the assertion that women are property does make sense and is used uncritically in some analytic writing (See page 28, below). That people resist what makes sense suggest an intellectual tension that allows people to be construed as property in some contexts while

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<sup>4</sup> Most responses were hostile or defensive or both.

that construction is difficult or even ludicrous in other contexts. The tension is between two qualitatively different common-sense conceptions of people:

Autonomous actors. A central western ideal is that people are volitional, acting, choosing persons. This is probably the dominant self-conscious conception. Autonomous persons are, by definition, not property. (And, slaves were not legal persons!)

Bundles of resources. People are also bundles of resources. People have time, talents and, at minimum, their attention.

People as property. People are the objects of claims upon their resources (time, talents, etc). This makes people's resources (metaphorically) property. For example, when a student approaches and speaks with an instructor, the student is treating the instructor's attention and expertise as something they may legitimately command and temporarily draw upon. Refusing to attend to the student may be construed to violate some student right. The student may expect to control the professor's attention until the claim is relinquished and an attempt by the instructor to withdraw attention may be considered inappropriate.<sup>5</sup> If another student interrupts, the first student may feel wronged, because socially, the first claim has priority. While the instructor's attention is controlled by the student, it is the student's (metaphoric) property. Most others must wait until the claim is relinquished, ask permission to interrupt or risk having their claim rebuffed. That is, while the claim is

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<sup>5</sup> During the conversation, there may be a series of sub-claims by each party on the other. For instance, a question is a claim for something (trivially, for a response).

asserted, the (metaphoric) owner exercises social power over most third parties with respect to the instructor's attention.

Claims by neighbors or friends upon one another may be similarly analyzed, although they are more complex. Since such claims may require some "balance," the claims may be negotiated and the relationship between asserting and executing claims is problematic. Claims between spouses and within intimate relationship are even more complex.<sup>6</sup> We examine these briefly below.

Social claims upon the resources of individuals vary in duration. Some, like courtesy rituals, are transitory. Others, like the varied claims of teachers upon students or of students upon teachers, are more long term. A smaller set, like claims on a friend's loyalty or the myriad interrelated claims spouses make upon one another, is relatively permanent.

The legitimacy of claims on persons can be contested. A claim on a person's attention can be rebuffed. This may be a rejection of the legitimacy of an attempt by a particular individual to appropriate their attention. Alternatively, one may accept the claim as legitimate and simply reject the claim. Refusing to answer a ringing telephone is treated both ways.

Claims are asserted in many social contexts. They are asserted, for instance, between peers, in relationships of unequal authority and in courtesy rituals. The legitimacy

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<sup>6</sup> A complete analysis of types of claims and accounting rules is beyond the scope of this essay. The point here is that the proprietary meaning is trans-situational.

of claims asserted and sources of deviance differ between situations. The least complex claims involve routine courtesy rituals. These occur between strangers, as well as between peers and people with clearly defined authority relations. An attempt to say "hello" to a stranger may be ignored or rebuffed with minor consequences. A rebuff between peers or in an authority relationship can have more disruptive and long term consequences.

Courtesy rituals are presumptively legitimate (Goffman 1967: 5-46). For an individual to refuse to participate in these or to repair a breakdown in one can be very disruptive. Refusal to allow one's attention and behavior to come under the temporary control of the initiator of a courtesy ritual is a deviant and possibly disruptive act. Continued refusal to join these rituals may result in an individual's social isolation. Similarly, after one's time, attention or talents have become the (metaphoric) property of another person, it is socially reasonable to expect reciprocation, at least between peers.

Many claims by peers can be successfully resisted. Peers can informally audit and negotiate claims on their time, talents, etc. and resist claims deemed unjust. There are many tactics, short of confrontation, for resisting such claims.

In authority relations, claims by superiors are difficult to resist. Subterfuges, delaying tactics and diversionary tactics can be employed with some success. Usually in the end, a subordinate must submit to a superior's claims. Authority relations make it difficult for subordinates to refuse to be the metaphoric property of the superior. Further, it appears that claims that are more intrusive, more comprehensive and more personally

disruptive are more likely to be treated as legitimate and honored when they flow downward than when they occur between peers or when they flow upward.

Many social claims are the ritual enactments Goffman (1959, 1983) discusses as social routines that continually remake the "substrate of emotional ties and common constructions of subjective reality" (Collins 1975: 163) that are social structure. Many other social claims exploit the differences in power and status that routinized exchanges, including claim making, legitimize.

Consider the following simple conversation between two males, whose prior relationship is unknown:

A: "Hello, B."

B: "Hi, how are you, A?"

A: "Fine, Lets get a cup of coffee."

B: "Jo's or T&T?"

A: "Whichever."

A makes a minor claim on B for a response. B takes this as a greeting ritual and responds accordingly ("Hi"), making, in turn, a minor claim on A to reveal his condition. A (genuinely or not) satisfies the claim ("Fine"). In these two claims, both A and B have treated the attention of the other as something they may temporarily control and each allows the control. Finally, A makes a more extensive and intrusive claim for a cup of coffee and B agrees.

I want to discuss briefly A's claim on B for coffee. Without a history of A and B's association, there are many interpretations of this minor sequence. First, the claim and its

acceptance may reflect friendship and having coffee together may serve as a venue to recapture emotional bonds. Second, it may reflect a pragmatic relationship in which A and B have business to conduct. Third, it may reflect an authority relationship in which B is hard pressed not to comply with A's request, even when it is outside the delineation of official duties and even when B considers it an undesirable intrusion.

The first two interpretations reflect the negotiation, reinforcement or creation of emotional ties and social structure. The third interpretation may reflect the exploitation of a structure both already accept.

There are two points of significance. First, as Goffman (1959, 1983) argued so eloquently, social structure is continually negotiated and reinforced. In part, these negotiations and reinforcements occur through a series of social claims and responses to these claims. Second, these claims have proprietary meanings.<sup>7</sup>

Note that in the examples I have discussed, personal resources come under the control of other parties, but the language of people as property is unimportant and difficult to mobilize. Only when we move to cross-sex relations does the language of the person as property seem natural.

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<sup>7</sup> The meaning of ownership is not privileged, immune from social construction. Quite the opposite. Every time rights over things are legally or socially disputed the meaning of ownership is being negotiated. Still, at any given time, people who are involved the same social networks generally have similar understandings of matters important to those networks. In our society (perhaps our civilization), ownership is a very important matter about which there is broad agreement.

**Women as Property.**

"Women are property," works cognitively because it conflates the sense of person as autonomous agent and the sense of person as a set of resources. It works socially because (1) women's resources are the object of claims by men and (2) women's resources have been objects of onerous and intrusive claims by men.

The language of literal ownership (chattel) explicates only extreme circumstances. Chattel (see de Beauvoir, 1951) describes relationships in which women have very little autonomy, while metaphoric property describes a wider range of cross-sex claim making. Viewed metaphorically, both men and women are objects of proprietary claims, thus (metaphorically) property. Social context affects each party's expectations about the urgency, the legitimacy, the obligatoriness and the method for satisfying a claim, but it is the ownership relationship that gives that claim its meaning and emotional impact.

Consider a situation where a wife (husband) resists her (his) husband's (wife's) attempts to restrict her (his) social contacts. He (she) is claiming control of her (his) time or associations and she (he), for practical or symbolic reasons, is resisting his (her) attempt to appropriate the resources. Any ensuing contest may be about the legitimacy of the appropriation.

The situation can be much more complex. Over time, one party in a relationship can come to control a resource of the other. Perpetuation of control lends the appropriation legitimacy within the relationship. In this sense, one party permanently



treats a resource of the other as theirs. The controlling party exercises similar rights over the resource as the legal owner of an object exercises. Both parties may be aware of this control and may mutually celebrate it (e.g., sexual exclusivity). For one whose resources has been appropriated to assert control makes a settled issue problematic. If, for example, a husband has controlled his wife's time (or sexual choices) and she attempts to exercise autonomous control, she is trying to appropriate from him a resource they have both treated as his; if her time has become his property, she is trying to take something from him. He may resist her claim and the ensuing struggle can become emotionally intense.

The legal analysis of this example is straightforward. She is the owner, while he, with her acquiescence or permission, or despite her resistance, has possession of her time. If, however, he owns her, then she has no resources of her own.

A reaction that denies the legitimacy of the owner reclaiming control of a resource suggests that the relationship is itself proprietary. That is, if a husband feels that it is inappropriate for his wife to control some resource other than one she has knowingly relinquished to him, this implies that his claims extend beyond the resource to her very person; he may be treating her as chattel. More abstractly, if A tries to prevent B from controlling a resource, even though B never explicitly gave up control of the resource to A and even though B communicates a desire to control it, then we might say that A is treating B as property.

This seems to describe better the cross-sex dynamics that Clark and Lewis' (1977) and de Beauvoir's (1951) refer to as chattel.<sup>8</sup> They assume a social structure in which people consider chattel-like control of women by men to be appropriate. Metaphoric analysis shows that the underlying social process is the legitimation of certain kinds of claims upon women's resources.

Claims to resources of spouses vary in intrusiveness, onerousness and comprehensiveness. At one extreme are couples where one member dominates and where claims extend to the person. At the other extreme are relatively egalitarian couples who enjoy considerable mutual autonomy, making comparable claims upon one another's time, energy, etc. However, even men and women in egalitarian couples make proprietary claims upon one another's resources. Many are trivial and socially innocent; many others are substantial and socially significant.

Symmetry of claims. So, what is the fuss? If any person can make claims on any other person, and these claims have proprietary meaning, then discussing "women are property" seems to be much ado about nothing.

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<sup>8</sup> For a few resources, such as sexual access, both parties may wish to control (and be controlled by) the other. This implies great complexity in judging whether a relationship between persons is itself proprietary. For example, does a relationship become proprietary when one party considers the other's autonomous control of even a single resource as illegitimate? Must such claims include a certain number of resources (say, six)? Are there key resources that transform a relationship into a proprietary one? Or, are there properties of the claims (such as intrusiveness), which transform the relationship itself into a proprietary relationship? Of what importance is the willingness of the other to have these resources controlled? And of what importance is disproportionality in number of resources controlled?

The "problem" is that cross-sex claim making is commonly asymmetrical in every type of relationship from casual acquaintances to long term marriages. "Commonly," perhaps "typically," but not "always!" Historically, males have made numerically more claims, more personally intrusive claims and more encumbering claims upon women than women have made upon men.<sup>9</sup> Recently, this area of social life has changed considerably and there is now wider variation in all areas of cross-sex relations, including claim making, with some women making more claims upon men now than was common in the past. Further, some men make less intrusive claims upon women now than was common. Scanzoni and Scanzoni's taxonomy of the relative equality exercised in marriages (1988: 242-260) captures much of this variation.

Still, recent research suggests greater ambiguity, but continuing asymmetry, today in cross-sex claim making. Men interrupt women more than women interrupt men (Zimmerman and West, 1975, Eakins and Eakins, 1978). Dominating time involves claims upon others to yield time and to attend to the speaker. Stewart, Cooper and Friendley (1986: 103) suggest that the communication style of men in mixed-sex friendship situations is dominant, relaxed and dramatic. They argue that these styles convey that men control communication processes in cross-sex interaction.

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<sup>9</sup> Paradoxically, cultural stereotypes have it that men resist and women seek marriage, a context in which claim making is easier. However, this occurs in a context where female access to significant social resources historically has been greater for married than for unmarried women.

In marriage, wives typically spend much more time doing housework than men, whether there are children or not and whether they work outside the home or not. Working and non-working wives typically consider housework monotonous and dissatisfying and believe that they should do less, in relation to their husbands (Davidson and Gordon, 1979, Berk, 1988, Oakley, 1974). The husband's claim may be a direct claim for services or a claim to be freed from mundane responsibilities, such as may occur when spouses make an explicit (or even tacit) division of spheres. Studies of marital decision making, though flawed in that most look at only a single partner, suggest that the partner with control of the "most" resources has the greater influence upon decisions (where "resource" is broadly construed). Unfortunately, these data do not tell us whether women do more "shit work" because men ask it or because they lay claim to the pertinent areas. While the issue of relative power in marriage is a more complex issue, asymmetric appropriation of wife's resources by husbands, is one way male power is enacted within marriages.

In 1985, before recognizing the pervasiveness of the property metaphor, I attempted, without success, to write a questionnaire about the legitimacy of claim making within marriages. First, a few married men were asked to list their expectations for their wives.<sup>10</sup> Lists were long, covering management of personal lives and completion of most family support services (cleaning, shopping, taxiing). Later, a small sample of wives was

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<sup>10</sup> Expectations are indirect measures of explicit claims. It is problematic whether expectations are translated into claims. Note that this work predated the current conceptual analysis!

asked about their expectations for their husbands. These lists were short, usually focusing upon emotional and sexual faithfulness and upon reliable financial support. Women identified little else. Then and now, I consider these lists unequal. These data, though very limited, suggest that some men expect (and probably claim) more demeaning, more intrusive and more numerous services of their wives than some women expect (and probably claim) of their husbands.

Many standard textbooks on marriage and family, in examining power in marriages, conclude that while it is subtle, men often have greater control than women. It appears that, with notable exceptions (e.g., house-husbands), many men today still make claims on women that are more numerous and more intrusive than those women make on men.<sup>11</sup> Asymmetric claim making is one social process by which power is manifest within (intimate as well as other) relationships.

#### **Remarks on two extreme uses of the property concept**

Ideological adoption of the literal property analysis. Recently, several feminist authors have passionately embraced a literal property analysis as part of explanations of rape, poverty laws, family law and other gender related social phenomena (e.g., Rose 1977:78,

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<sup>11</sup> Ambiguity remains, for spouses do many things on their own initiative. A wife, for instance, may insist on a very high standard of cleanliness and may devote considerable time to cleaning, even though her husband cares little that the standard is met and even though he may attempt actively to dissuade her from spending so much time cleaning. Whatever her reasons for meeting a high standard, this should not be treated as a claim by the husband upon the wife. (It could be a foundation for her to make a claim upon him.)

Abrahamovitz 1988: ch 1, Clark and Lewis, 1977, Clark, 1986, de Beauvoir, 1952, Brownmiller, 1976). Since the analysis has inadequacies, why is it adopted?

A literal property analysis is ideologically, politically and emotionally attractive. If women are property, their condition is a clear and fundamental injustice that must be righted. Women are people and therefore autonomous agents, but, as property, they are denied that autonomy - they are denied personhood. This implies an injustice that must be immediately corrected. Further, it is men who deny women their autonomy. If women are property, they must be slaves and since men are the oppressors, they must be slave owners. Since this is patently immoral, a literal property analysis delimitizes male power.

The literal property analysis apparently resonates with the experience of women who historically have exercised less power than men, who have suffered injustices and abuse by men and who are less socially advantaged than men. In short, the analysis finds strong emotional support among women and has clear, obvious and powerful political implications.<sup>12</sup>

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<sup>12</sup> There are additional related ideological propositions that help women adjust to and even celebrate their greater responsibilities. Wives expect less of husbands than husbands expect of wives. Some married women defend this asymmetry because, "men are not very competent."

This proposition does two things. It helps women accept subordination. If men are not competent, they cannot be trusted to do "shit work." If the issue is "male incompetence," the root injustice vanishes. Thus, female oppression by men becomes a source of pride for women.

Second, the belief empowers women. Individual women can take pride (often with justice) in doing "shit work" well and with dispatch. It is something men cannot do (because incompetent).

**Ideological rejection of any property analysis**

More recently, Burt (1991) has explicitly rejected any property analysis of women.

Burt's argument appears in her otherwise excellent review of Lee Ellis's Theories of Rape.

She argues:

Contrary to Ellis' explication of feminist theory, both MacKinnon and I state that women are not treated as property. Property is valued. Crimes against property are taken seriously. We should be so lucky!<sup>13</sup> (Emphasis in original.)

Burt implies that women would be better off were they property, for then they would be valued (more?). She ignores that people place different values on different property. Extensive, even pervasive, violence against women implies only that women are not valued property! It does not imply that women are not property. For example, I care very little if my toilet paper is used improperly, while I care very much how my automobile is used. Each receives the care I deem appropriate to it. Whether well or carelessly treated, both remain property.

These two positions are extremes. Both are inadequate, although each captures something important about women in gender stratified society. Rather than advancing understanding, each exploits emotions associated with different meanings of property to make ideological and political points. The literal property analysis exploits the implication

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<sup>13</sup> Burt made the same response to an early (1989) oral presentation of this analysis. Her view was as simple then as it is now. I took it as a serious challenge to consider how valued women were and replied that this was an empirical issue that warranted examination. I failed then to recognize that she was repudiating any property analysis by distorting the nature of property.

that women are slaves and that men are slave masters, thus dramatizing the injustices of gender inequality. The denial of any property analysis emphasizes the callousness and violence of some men toward women, suggesting that this is a universal condition. Treating property metaphorically avoids both exaggerations.

### Discussion

Recognizing property as a pervasive metaphor unifies the analysis of most claims to social resources. This is my most important point. The conceptual and emotional meaning of claims in courtship, in marriage, in social rituals, in elevators, in corporate life and on the highway, are informed by the legal meaning of property. These claims differ in myriad ways, while their meaning is the same.

More generally, claim making is one interactional resource available to people (individually and collectively) in constructing and negotiating relationships. Seating arrangements, use of first names, uses of elevation, and so on, are other resources. The nature of claims by one party on another may symbolize the relative power of individuals. Alternatively, it may be a negotiation for power. When one party consistently enforces on another claims that require significant investments, the claim maker has significant power in that relationship. The differentiation may be accepted by both - it may not be. In the absence of a history, the interpretation of a single claim is not clear. A claim that requires significant investment may be an isolated claim signifying little, it may represent an attempt to create a power difference and it may reflect established pattern of interaction.



With respect to women as property, this analysis does three things: (1) it neutralizes the political impact of "women are property," (2) it recognizes the theoretical and practical significance of power between the sexes and (3) it shifts the focus from ideological rhetoric to an analysis of power between the genders. In particular, it focuses on the social processes that enact power in interaction where gender is important.

First, a metaphoric interpretation of property shows that "women are property" encompasses one way power is exercised within cross-sex relationships. Macro male advantage and female disadvantage is enacted in cross-sex relationships as legitimated asymmetric claim making. Men receive social support for making more claims upon women than women make upon them. In traditional marriages, husbands have social support for making claims upon their wives that are more numerous, more broad and more intrusive than are the claims of wives upon husbands.

This makes power the central issue. The language of chattel is one dramatic way to characterize differences in male and female ability to control one another. If it is just a language for describing power, why retain it? Why not restrict attention to power? I contend that we lose much eliminating the concept of property. But would eliminate a very useful concept for dissecting power between the genders. But literal property is the wrong concept, whereas metaphoric property provides an additional, clearly understood analytic concept for analyzing cross-sex (and other) relations. That claims are proprietary explains why asymmetric claim making gives males more control than females of their

partner's time and talents. It also accounts for why this control is largely immune from third party monitoring - the claims have proprietary meaning and this makes them largely immune from outside monitoring.

Therefore, referring to women as (metaphorically) property adds to discussions of gender stratification by clarifying the conceptual and emotional meaning of an important set of interactional processes that enact gender stratification. Metaphoric property is a powerful tool for analyzing how gender stratification operates.

In short, the language of property captures the asymmetry of gender stratification and it captures one asymmetry in the way many relationships operate. People commonly accept that men may make claims upon women that are more intrusive and more demanding than women may make upon men.

Finally, a few analysts have adopted the extreme position that female roles are "male defined" (e.g., Brownmiller, 1982); that greater male power at the macro social level and within relationships implies female powerlessness. It is seductive to treat power as something only one party in a relationship enjoys. Seductive and absurd.

Asymmetry in claim making does not imply that women are powerless. It implies that, within relationships, males have more control of female behavior than females do of males' behavior. This hardly means that women do not or cannot control male behavior or that husbands control all their wife's behavior.

Consider another social arena: labor - management relations. This too involves an asymmetry in power. Management typically (but not always) controls more resources, hence is better able to control union member behavior than labor is able to control management behavior. Yet labor unions are not without the ability to affect management. They are less able to influence management than they were, say, in the 1950s, but management cannot willy - nilly ignore labor in determining wages, work rules, etc. It is ludicrous to claim that labor is powerless, although it is plain that management today is generally more powerful. Similarly, it is ludicrous to claim that women are powerless. Such arguments are based upon notions of power that have little to do with behavior control.

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