

**Gender, Hierarchy, Power and Inequality:  
What Sociological Theory Adds to our Understanding of Sex-Discrimination.<sup>1</sup>**

*'When we speak about gender we also speak about hierarchy,  
power and inequality, not simply difference.'<sup>2</sup>*

As lawyers we tend to approach discrimination from a legalistic standpoint, unsurprisingly. We examine an individual's situation looking for evidence of direct and indirect discrimination as against appropriate comparators, in the context of disputed facts and differing notions of fairness and equality. As socio-legal scholars many of us examine the lived experiences of those in dominant and minority positions and explore with them their perceptions of fair treatment and/or discrimination. Both approaches capture important data about less favourable treatment, however, our focus sometimes has a tendency to rest at the micro level and when it does consider the macro environment it often does so through the lens of the individual. Thus, when we do attempt to move from the micro to the macro we may inadvertently miss many of the structural barriers that exist to make equality hard to accomplish. This short article attempts to provide a review of what the sociological literature indicates about structural barriers to gender equality, and consequently makes evident the complex challenges that face any society that truly desires equality between the sexes in the workplace, or for that matter in other arenas.

The starting point for the review is Kimmel's quotation, above, which is an intriguing one in that it may be interpreted in a number of different ways. On one reading it suggests that in order to understand gender, one must also examine other sources of hierarchy, power and inequality so as to reach an evidence based view on its role in producing inequality. On another it suggests that inequality is a product of gender resulting from the differences in power that men and women enjoy and that this source of inequality may be examined as independent of other social categories that may produce inequality. This short article will take the second of the two interpretations, while noting that gender alone cannot be the only or even necessarily the more important source of inequality in UK society. Social categories such as race, class and age also contribute significantly to inequality<sup>3</sup>, but for reasons of space in an article of this length they will not be discussed in any detail here.

It is noted that this approach may suffer from the problems associated with gender realism<sup>4</sup> as gender cannot be constructed independently of other factors such as class and race etc.. Gender realism risks privileging gender over other social constructions. It may also lead to a charge of essentialism akin to that rightly laid at the door of biological determinism, namely that all women experience the world in similar ways, whether that be on grounds of sex or gender, and thus all

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<sup>2</sup> Michael Kimmel, *The Gendered Society* (3rd edn, OUP, 2008) 1.

<sup>3</sup> See for example Wendy Bottero and Sarah Irwin, 'Locating Difference: Class, "Race" and Gender, and the Shaping of Social Inequalities' (2003) Vol 51 No 4 *The Sociological Review* 453-483; Rachel Rosenfeld, 'What Do We Learn about Difference from the Scholarship on Gender?' (2002) Vol 81 No 1 *Social Forces* 1-24; Beverley Skeggs, *Formations of Class and Gender* (Sage Publications, 1997); Lynn S. Chancer and Beverley Xaveria Watkins, *Gender, Race, and Class: An Overview* (Blackwell Publishing, 2006).

<sup>4</sup>See Elizabeth Spelman, *Inessential Woman* (Beacon Press, 1988) 159.

women experience the world differently from men. However, as discussed below, this article seeks instead to examine gender as one form of social stratification (as Marx did with class) through which differences may lead to inequality of life chances and life choices. The review will begin with an examination of the relationship between sex and gender. It will then consider the distinction between difference and inequality with reference to functionalist and feminist approaches to gender difference. It will then focus on the empirical evidence of gender hierarchy, power and prestige before providing a conclusion about whether gender difference leads to hierarchy, power differentials and inequality in contemporary British society.

## Sex and Gender

The terms sex and gender are often used interchangeably when in fact they denote different concepts. Sex is the term used to indicate physical belonging to a male or a female body largely determined by the presence of male or female sex organs. The term gender is usually used, by contrast, to denote the social construction of the masculine and the feminine.<sup>5</sup> Those who consider that gender and sex are both naturally occurring conditions resulting from biological differences between men and women are considered to be biological determinists. This explanation of difference between men and women has lost favour as little robust evidence has been found to indicate that there is more difference between men and women than there is within the category of man or the category of woman.<sup>6</sup> A second explanation is that sex and gender are different, sex being a naturally occurring phenomenon, whereas gender being a social constructed state reproduced and reinforced through socialisation.<sup>7</sup> Thus while sex is biologically determined, gender identity may be the result of a range of social influences.<sup>8</sup> A third definition has now been posited for sex and gender, namely that neither sex nor gender should be considered as 'natural' states but as products of social construction as people chose or feel compelled to alter their bodies in response to their own or others' perceptions about the physical form and identity.<sup>9</sup> Some sociologists, for example Haslanger, would argue that it is entirely possible for a sexed male to have a feminine gender identity.<sup>10</sup> However, it is also the case that self-identification of gender may contradict gender ascription by others, consequently a biological male may self-define as the feminine gender and yet be ascribed a masculine gender identity by those 'he' comes into contact with.<sup>11</sup> One's response to the question 'is

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<sup>5</sup>See for example the Stanford Encyclopaedia of Philosophy discussion: Mari Mikkola, 'Feminist Perspectives on Sex and Gender' Edward N. Zalta (ed.) *The Stanford Encyclopedia of Philosophy* (Stanford, 2008) <<http://plato.stanford.edu/archives/fall2008/entries/feminism-gender>> accessed on 29th March 2011; further Judith Butler, *Gender Trouble* 2nd Edition (Routledge Publishing, 1999). See too Chrys Ingraham, in Steven Seidman (ed.), *Queer Theory/ Sociology* (Blackwell Publishers, 1996) 182-4.

<sup>6</sup>Robert Stoller, *Sex and Gender: On the Development of Masculinity and Femininity* (Science House, 1968).

<sup>7</sup>Anthony Giddens, *Sociology* (6<sup>th</sup> edn, Polity Press, 2009) 602.

<sup>8</sup>See Kate Millett, *Sexual Politics* (Rupert Hart-Davis Ltd, 1971)28-9. This is not without its problems either, as some such as Ingraham, 'The Heterosexual Imaginary: Feminist Sociology and Theories of Gender', n 5, 169 would argue that *this* gender is constructed within the confines of heteronormativity, which is itself a source of inequality for those who do not define as heterosexual.

<sup>9</sup>Giddens, *Sociology*, n 7, 607-8.

<sup>10</sup>Sally Haslanger, 'Gender and Race: (What) are They? (What) Do We Want Them to Be?' (2000) Vol. 34 *Noûs* 31-55.

<sup>11</sup>See Suzanne Kessler and Wendy McKenna, *Gender An Ethnomethodological Approach* (University of Chicago Press, 1985) 1-4.

gender naturally occurring or a social construct?' is important to understanding one's stance on gender differences and the production of gender inequality.

### **Difference versus Inequality**

Why does it matter whether one adopts a biological determination or a social construction of gender? In essence, were gender to be a naturally occurring phenomenon and were there to be evidence of a difference in aptitude and skills between biological men and biological women so as to indicate a necessary division of role, power or position, then any difference that flows from a person's gender could be considered naturally occurring too. Thus difference that placed men and women in different positions would not necessarily be regarded as unequal or discriminatory, but instead as rational and fair.<sup>12</sup> Giddens argues that even though male and female roles vary from culture to culture, there is evidence to suggest that women's roles are universally less valued than men's.<sup>13</sup> This argument is not without its critics, however.<sup>14</sup> Even given cultural variations, it is most usual for women to have primary responsibility for child rearing and domestic work and for men to have primary responsibility for wage earning or the provision of money, food and other material essentials for the family.<sup>15</sup> Some theorists suggest that this division of labour is a natural phenomenon in response to different male and female attributes and capabilities. But, there are a number of theories that seek to explain the values and processes that lead to social stratification on grounds of gender.

Functionalists consider that the division of roles between men and women has led to a stable environment in which people can thrive. Some functionalists consider that the division is a natural one that is best suited to the biological characteristics of men and women.<sup>16</sup> Their views differ from those of biological determinists in that the division is one that is socially constructed but it is the best adaptive division of labour given biological differences. Talcott Parsons<sup>17</sup> argued that child development was best supported through stable families and that a clear division of roles between men (undertaking instrumental roles) and women (undertaking expressive, nurturing roles) led to stable families and to positive socialisation of children.<sup>18</sup> Bowlby considered that the mother's role was key to positive and healthy child socialisation.<sup>19</sup> His view reinforces the mother's (or a female substitute's) domestic role and by default also the father's workplace role. Therefore the functionalists argue that male and female division of labour is a positive social construct, if not a biological necessity. Any apparent inequality between men and women on this basis may presumably be counter-balanced by the positive contribution that role differentiation provides for society.

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<sup>12</sup> Although note that UK legislation considers that differential treatment on grounds of biological sex difference such as child bearing may be regarded as discriminatory – see the *Sex Discrimination Act 1975*.

<sup>13</sup> Giddens, *Sociology*, n 7, 614.

<sup>14</sup> See Nancy Chodorow, 'Being and Doing: A Cross Cultural Examination of the Socialization of Males and Females' in Vivian Garrick and Barbara Moran (eds), *Women in Sexist Society* (Basic Books, 1971) 259-291, for example.

<sup>15</sup> Giddens, *Sociology*, n 7, 614.

<sup>16</sup> See for example George Murdock *Social Structure* (Macmillan, 1949).

<sup>17</sup> Talcott Parsons and Robert Bales, *Family Socialisation and Interaction Process* (Pluto Press, 1956).

<sup>18</sup> Giddens, *Sociology*, n 7, 615.

<sup>19</sup> John Bowlby, *Child Care and the Growth of Love* (Penguin, 1953).

However, other approaches provide evidence for the view that gender is a socially constructed identity linked frequently if not exclusively with a person's sex.<sup>20</sup> Feminist approaches have criticised functionalist theories on grounds that they appear to excuse inequality and assert as natural a state that has been socially constructed to further the dominance of men and the subordination of women. Feminist theories are part sociological theory and part political campaigning (similar to Marx's writing on class). But feminist scholarship is not monolithic and the attitudes, processes and structures that lead to gender inequality are contested.<sup>21</sup> Some feminists consider that the underlying processes that give rise to inequality result from sexism. Others suggest that it is patriarchy that is the main driver for female oppression and exploitation. Walby argues that patriarchy operates through six structures.<sup>22</sup> The principal two are: gender relations in the household produce an unequal relationship as women undertake unpaid domestic work allowing men to earn an income from their work in the market; secondly the lower status of women in paid employment results in lower pay and exclusion from high status, high paying roles.<sup>23</sup> Walby notes that in the UK there has been a change in the nature of patriarchy and that this has accelerated in recent decades but that even as women may be less oppressed privately in the home, they are being subject to ongoing patriarchal oppression in the public sphere which has now become so mainstream that it is rarely even noted.<sup>24</sup>

Other feminist approaches take issue with this explanation of gender inequality. Liberal feminists are more inclined to consider social and cultural attitudes as the drivers of inequality. Black feminists consider class and 'race' to be important factors in explaining the lived experience of non-white women in particular, and they criticise much feminist scholarship as unduly essentialist. Postmodern feminists also challenge the view that women experience the world the same way and argue that it is not possible to create a meta theory (whether that is patriarchy, race or class<sup>25</sup> that explains gender inequality but that scholarship should focus on diversity, pluralism and standpoint.<sup>26</sup> Oldersma and Davis have argued that feminist scholarship has failed to conceptualise the relationship between gender difference and power. They have highlighted Connell's work as particularly strong on this issue as his evidence based approach '*is reminiscent of the work of Bourdieu and Giddens, ... [and] combat[s] the ills of dualist notions of power and gender.*'<sup>27</sup> We shall turn to this in the next section so as to consider hierarchy, power and prestige as produced through gender difference.

### **Evidence for Gender and Hierarchy, Power and Prestige**

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<sup>20</sup>Note Oldersma and Davis's discussion: Jantine Oldersma and Kathy Davis, 'Introduction' in Kathy Davis, Monique Leijenaar and Jantine Oldersma (eds) *The Gender of Power* (Sage Publications, 1991) 1-18.

<sup>21</sup>See Chris Beasley *What is Feminism? An Introduction to Feminist Theory* (Sage Publishing, 1999).

<sup>22</sup>Sylvia Walby, *Theorizing Patriarchy* (Blackwell Publishing, 1990) and as discussed in Giddens, *Sociology*, n 7, 618.

<sup>23</sup>Others include: the patriarchal state; male violence and its normalisation by the state; unequal sexual relations between men and women; and patriarchal cultural institutions and practices are propagated via the media, religion and education, which frame women within the confines of patriarchy.

<sup>24</sup>Giddens, *Sociology*, n 7, 618.

<sup>25</sup>See Beasley, *What is Feminism? An Introduction to Feminist Theory*, n 21, 85-88.

<sup>26</sup>Giddens, *Sociology*, n 7, 621.

<sup>27</sup>Oldersma and Davis, 'Introduction', n 20, 12.

Sociological empirical research provides evidence that there is a socially constructed gender hierarchy which leads to an unequal division of power and prestige between men and women. Connell's works<sup>28</sup> are, according to Giddens<sup>29</sup>, modern classics that integrate masculinity and patriarchy into an umbrella theory on gender relations and gender inequalities. Connell considers that male social power creates a social structure that leads to female subordination (1987) and conceptions of masculinity and femininity lead to continued male dominance reproduced through socialisation of both men and women. Connell argues that this gender order is produced through three components: labour (domestic and in the market), power (physical and through sites of authority) and cathexis (intimate relationships including parenting). While separate components, they cross cut and interrelate to produce a gender hierarchy. The masculinities-femininities hierarchy, illustrated by reference to masculine and feminine ideal types, pervades aspects of the public and private spheres through cultural dynamics. Connell argues that hegemonic masculinity (as evidenced principally through marriage and heterosexuality, authority, paid work and physical strength) is hierarchically dominant and resistant femininity subordinate.<sup>30</sup> That is not to say that all men embody or subscribe to hegemonic masculinity but many men will benefit from it and be complicit in it. He considers that there are a number of subordinated masculinities including homosexual masculinities ranked at the bottom of the masculine scale, but that femininities are hierarchically equal to, or below, subordinate masculinities and thus well below hegemonic masculinity. Interestingly emphasised femininity (ranked at the level of homosexual masculinity), is deemed to complement hegemonic masculinity through '*compliance, nurturance and empathy*' as well as sexual availability. At the bottom of the hierarchy are subordinated femininities including resistant femininities and those that reject the emphasized versions of femininities.<sup>31</sup> Consequently Connell argues that gender difference is really gender inequality as a result of gender power and hierarchy.

Is contemporary British society undergoing a process of transformation that is challenging the gender hierarchy? Connell argues that there is a crisis of institutionalisation in that the institutions that have supported male dominance – the family and the state- are being challenged.<sup>32</sup> Further, male domination over women is being eroded through legislative measures such as divorce, domestic violence provisions and linked measures such as tax and pension provisions.<sup>33</sup> The crisis of sexuality is weakening heterosexuality's pre-eminence and absolute dominance as women's sexuality is being encouraged (some may say exploited by the market) and mainstreamed. Dominant modes of (social) interest formation are being contradicted by gender equality policies and legislation, by men becoming more involved and more interested in being more involved in child rearing (the rise of 'the new man') and women's growing interest and/or ability to play a full role in the labour market (what may be described as the rise of or the freedom of 'the new woman').<sup>34</sup> Pay

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<sup>28</sup>Raewyn Connell, *Gender and Power: Society, the Person and Sexual Politics* (Polity Press, 1987); Raewyn Connell *The Men and the Boys* (Allen and Unwin, 2001); Raewyn Connell *Masculinities* (Polity, 2005).

<sup>29</sup>Giddens, *Sociology*, n 7, 610-11.

<sup>30</sup>See Giddens, *Sociology*, n 7, 611-2.

<sup>31</sup>For a discussion see Skeggs, *Formations of Class and Gender*, n 3, chapter 8.

<sup>32</sup>Giddens, *Sociology*, n 7, 610; see Kimmel, *The Gendered Society*, n 2, chapter 6.

<sup>33</sup>Giddens, *Sociology*, n 7, 610.

<sup>34</sup>Giddens, *Sociology*, n 7, 612; see Jane Lewis and Mary Campbell, 'UK Work/Family Balance Policies and Gender equality 1997-2005' (2007) Vol 14 No 1 *Social Politics* 4-30 for a discussion; and Oriel Sullivan,

differentials between men and women in full-time employment have been closing in the UK and economic research indicates that between 1970 and 1994 women's median pay per hour for full-time employment has risen from 65% to 80% of men's hourly pay.<sup>35</sup> More recent research suggests that the differential remains around the 20% level although studies provide conflicting data on this point.<sup>36</sup> These crises may be shifting the gender order, which in turn may lead to a reduction in gender inequality.

## Conclusion

When we speak about gender we speak about difference. There appears to be little evidence that gender differences are natural, but instead that they are a product of social construction that is reinforced through socialisation processes. Further, gender differences appear to be subject to a hierarchy of value which leads to inequality of life chances and life choices. However, gender is just one of a number of social categories that lead to social stratification and thus not all women or men in a given country experience life similarly through a gender lens. Some will reject the gender identity that is ascribed to them; others will have constructed a resistant or a counter-typical gender identity that has an impact on their experience of life. There is also evidence to suggest that gender relations are in state of flux and challenging the prevailing patriarchal order as women seek more opportunities in the employment market, men seek more opportunities for fulfilment in the domestic sphere and as gender dynamics shift economically, politically and socially. Postmodern feminists would argue that through the use of deconstruction and the valuing of diversity and differing standpoints it may be possible to move from a society based on gender inequality to one in which difference is celebrated and equality is achievable, regardless of sex, gender (ascribed or self-defined) or sexuality. What does appear to be clear, however, is that if contemporary Britain wishes to develop as an equal society it will be necessary to tackle structural and institutional barriers to equality. Sex discrimination legislation has played an important role in tackling discrimination from the bottom up, one employer or employee at a time. But there are more deep seated barriers to equality as evidenced by unequal division of domestic labour (principally child care and the running of the home) that will need to be tackled for workplace equality to become a reality. The sociological literature shines a light on these on-going issues and may provide some assistance to law reformers and policymakers intent on reducing discrimination still further.

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'Changing Gender Practices with the Household: A Theoretical Perspective' (2004) Vol 18 No 2 *Gender and Society* 207-222.

<sup>35</sup>Susan Harkness, 'The Gender Earnings Gap: Evidence from the UK' (1996) Vol 17 No 2 *Fiscal Studies* 1-36, 1.

<sup>36</sup>See for a discussion example: Michal Myck and Gillian Paull, *The Role of Employment Experience in Explaining the Gender Wage Gap* Institute for Fiscal Studies Working Papers W04/16 (London: Institute for Fiscal Studies, 2004); for a US discussion see Kimmel, *The Gendered Society*, n 2, 202-221.