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## UNIT 4 PRIVATE/PUBLIC DICHOTOMY

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### 4.1 INTRODUCTION

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In the previous unit you learnt about the gendered implications of masculinities and we also briefly examined the significance of the private/public dichotomy in relation to masculinity. Here, we will take a much closer look at the issue of private/public dichotomy in the context of gender relations. During the course of this unit you will learn about various nuances related to this concept. The discussion on private/public dichotomy has been central to the Western liberal political thought and so also forms an important part of feminism and women's struggle for suffrage and equal political participation. Private denotes the activities which take place within the sphere of domestic, and public comprises of the activities related to business, politics, law, and governance. From a feminist perspective, the complete separation of the two spheres is seen as hierarchical and patriarchal. Hence, the discussion received sufficient attention by feminists writing on the issues related to reproduction, family, and sexuality. This unit discusses some of the ways in which feminists have debated the concept of private/public dichotomy. We will examine various means through which feminists have tried to question the Western liberal political thought for viewing these two spheres as separate and independent, and the implication of private/public dichotomy for gender roles and feminist discourse.

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## 4.2 OBJECTIVES

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After going through this unit, you will be able to:

- Define and the meaning of Private and Public;
- Locate the concepts of Private and Public in feminist understanding;
- Discuss various debates in relation to the Private/Public dichotomy; and
- Analyse the concepts of Private/Public in different spheres of society, in particular to family, reproduction, and governance.

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## 4.3 MEANING OF THE PUBLIC AND PRIVATE

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In liberal political thought, the notions of public and private were conceptualised in connection with the relationship of individual with the state. Initially, the operation of the state was limited to the activities of the public sphere. Thus it excluded the abuse and problems committed in the sphere of the private. More so, the opposition and distinction between public and private was taken as natural, trans-historical, and trans-cultural within liberal political thought. The public sphere encompasses the domains of business, economy, politics, and law and the sphere of the private encompasses domestic domains of family which have been the basis of women's subordination. This distinction is more complex because it goes beyond the simple division of two forms of social activity which take place separately. As Pateman (1989) argues, the division denies the symbiotic and dependency relationship which exists between the two spheres (cited by Chinkin 1999), and the public sphere is represented as superior to the private. Feminists have challenged this distinction between public and private as natural and universal to every society. Broadly, the criticisms can be viewed in terms of:

- i) Women's location within the private sphere leading to their systematic exclusion from public life; and
- ii) the emphasis on the political nature of the private sphere which includes family, marriage and kinship.

Hence, the division has denied the right to equality for women both in the family and in the public domain. Further, this dichotomy is visible in all the spheres of life starting from international law, human rights discourse, work and economy, and in state participation. Feminists have rejected such an absolute separation of the private from the public life. For example, the sexual division of labour has not only created the notion of unpaid female labour within the family, and women's access to undervalued jobs in the labour market, but it has also contributed largely for the sustenance of the public sector. It shows that the division between the two domains is both dependent and political in nature.

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## 4.4 PRIVATE AND PUBLIC: FEMINIST DEBATES

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Within gender studies, the interest in the private/public dichotomy emerged due to its gendered nature— association of masculinity with the public on one hand, and the association of femininity with the private on the other hand. Feminist writers have engaged with this debate in varied ways. Some have given an anthropological account while others have taken a historical account of the origin of public/private dichotomy. For example, L. Davidoff (1998) explains the private/ public separation in the context of 19<sup>th</sup> century England, S.S. Ortner (1974) sees association of women with domesticity as universal to societies and culture, and S. Walby (1990) engages with private/ public separation in her explanation of the concept of private patriarchy and her analysis of change in women's status in Britain. The liberal political account of private/public dichotomy can be traced back from works of social contract theorists who saw the social contract as encompassing two spheres, i.e., 'public and political' and 'private and non-political'. This dichotomy between private and public has been criticized in feminist writing. Feminist interrogation of the dichotomy can be traced back to principles of the rise of individualism. Feminists have argued that, women, like any other individuals, are free and equal beings; therefore, their emancipation and empowerment can be achieved while realising them from the hierarchical relations between private and public sphere. The feminist criticism of this dichotomy centres around questions such as; where and why this dividing line is being drawn between these spheres and whether there is a need to draw this line and so on. Feminist criticism in this sphere has varied in different phases of feminist struggle. Broadly, the demand for equal rights for women and men within family and the political domain has been an essential feature of feminist struggle.

Liberalism viewed the concept of private and public in opposition to each other. Therefore, the existing social inequalities in the private sphere have never been considered in the domain of public. The claims about political equality, universal suffrage, and civil liberties are completely associated with the social activities of the public sphere. Feminists in the past questioned these structures of public and private as problematic and political in nature. They viewed the separation of the two spheres as the patriarchal face of liberalism. Other than liberal feminism, all other feminists explicitly disagree with the liberal conceptions of public and private and viewed the social structure of liberalism as a politically contested arena; hence the debates over equal rights may not begin with the private/public distinction. As **Pateman (1989)** cited, the distinction between private and public is accepted by the political liberals like **Benn and Gaus's** conception of the liberal state. The liberal thought, maintaining the distinction between private and public will enable the use of state power in an impersonal means, which means privacy will allow the use of state power with the intention to

protect the common interest of the people (refer Lever, 1984). However, feminists have criticized this acceptance of the dichotomy on the ground that “Benn and Gaus do not explain why these two terms are crucial or why the private sphere is contrasted with and opposed to the public rather than the political realm” (cited by Pateman, p. 119).

Further, feminists such as Firestone, Ortner, Eisenstein and others questioned whether civil society, which acts outside the liberal state, was a part of the private or the public domain. Liberalism has seen the distinction of the private and public domain in terms of the representation of social reality and the bourgeois, dominant nature of the liberal state. Feminists argue that liberalism is based on the structure of patriarchy and growing class relations. Therefore, they describe this conception as patriarchal-liberalism, i.e. freedom of expression is the product of patriarchy and capitalism. Accordingly, opposition between the public and private sphere reflects the unequal relationship between women and men. Further, this separation more or less has led to the subjugation of women. Liberal theory argues that the separation between the two spheres applies to every individual with the same intensity; therefore, the divide was ignored.

Some feminists of the nineteenth century have accepted the principle of separate spheres, but they propagated that the two spheres are equally important and valuable in the analysis of individualism and the development of an egalitarian state (Pateman, 120). On the contrary, the theory of liberalism sees the subordination of the private realm to the public domain as a consequence of the nature of the individual. For example, the natural difference between men and women on the account of biological sex has created an unequal relation between the two sexes. Hence, the debate over the ‘free individual’ largely excluded women and the conflict exclusively focused on the relationship of the adult son with his father. Locke made a complete separation of family from the political sphere because the divisions on the basis of sex and age are irrelevant in the analysis of political equality and the claim of universal suffrage. He argued that the domination of husbands over wives and the unequal relation between them form a part of the non-political aspect of power. Similarly, Filmer justifies that the domination of the husband prevails in the household as he is naturally considered as abler and stronger than the wife. Therefore, the individuals who are naturally subordinated to the other cannot be treated as free and equal simultaneously. This is how women were in the past excluded from the status of equal individual and marginalized in the sphere of political participation and nation building. Feminists criticized Locke’s notion of the public sphere on the ground that it comprises of all forms of social life except the domestic activity. Similarly, this separation indicates not only the principle of opposition between the public and the private, but also puts women in opposition to men, and subordination as opposed to free individualism (for Locke and Filmer, refer Pateman, p. 121).

The contemporary feminist critique of the private-public dichotomy is similar to the Lockean view of the two spheres; therefore, feminists consider domestic life as exclusively private in nature, but equal in significance. For example, the feminist critique of family planning policies as coercive methods for obtaining demographic goals insists on the importance of the private sphere. This focus assesses the intervention and control of the state over women's reproductive process. Women should be treated as individuals possessing the reproductive right to take decisions related to child bearing. Further, feminists have rejected the idea of natural characterization of the two sexes as the basis of biological difference. Their concept of liberated social life and civil society is achieved through the treatment of the domestic and the public realms as intrinsically related and interdependent. The separation of the private and the public appeared as a division within civil society, and got manifested in various forms such as 'society' and 'state', 'economy' and 'polity', 'coercion and freedom' and 'social' and 'political'. Accordingly, feminists claim that the private is not free from political influence of the public. Hence, the domain of civil society encompassed the two spheres having an extended political dimension.

#### 4.4.1 Nature/Culture Debates

In the 1980s, when women in democratic nations had won the right to citizenship and achieved the status of equal voting rights with men, the claim of gender as the basis of division came under question. The opposition between women's nature and men's culture became central to understanding the universal subordination of women in society. There are radical feminists who claim that changes in education, polity, and economy may not relieve women from the natural condition of child bearing. Discussions on nature and culture have formed an important part of anthropological and feminist literature. For instance, **Ortner** states that women and their activities are symbolized as the lower order of existence in every society; therefore, the domain associated with women's life is devalued and symbolized as 'nature'. 'Culture' is defined as creative and associated with men's activities. Women's body, biology, and associated activities of child-care place them closer to nature and limit their activities to a specific sphere. Women's link with the domestic domain appears to be inferior to men's cultural space dominating in society. As you can see from the above, our discussion on public-private dichotomy has covered the feminist questioning of nature and culture in an oppositional framework. Ortner's analysis of nature-culture opposition signifies the universal presence of these dichotomies across societies. To quote **Pilcher and Whelehan (2004)**, "Ortner's (1974) classic essay explains women's association with the private, domestic sphere in terms of the way, in societies across the world, femininity is constructed as being closer to (devalued) nature, whereas masculinity is constructed as closer to the more highly valued culture (p. 125). Ortner sees the dichotomy of nature and

culture as a consequence of the separation between the public and private spheres and therefore; these cannot be viewed as natural and given.

Similar to Ortner, feminist like **Firestone** viewed nature as the primary cause of men's domination in society. For example, women's confinement to procreation curtailed their freedom and became the basis of men's control and power. Women's burden of reproduction has separated them from the world of economy, which in turn created unequal pairs such as female/male, nature/culture, public and private. **Firestone** found the development of assisted reproductive technologies such as **pills, In-veto Fertilization (IVF)** and other contraceptive measures as the possible solutions to these unacceptable dichotomies (see **Freedman, 2001 and Pateman**). Women's reproductive capacity primarily puts women in an oppressed condition and prevents their participation in creative knowledge building through science, economy, or polity. However, Pateman observes Firestone's argument has simply reduced the social nature of women and men into mere biological categories of female and male. This notion of women's oppression fails to understand the web of relationships between women and men, and so also ignores the condition of inequalities that exist both in private and public spheres.

Feminists have problems in accepting the notion that women's subordination as a product of nature, because nature of subordination and the meaning of the private and public change across societies. Hence, both women and nature are subordinated to oppressive culture. For example, in pre-modern societies, the distinction between nature and culture as well as the divide between the private and public was not so obvious because women were participating in activities such as agriculture, hunting-gathering, and so on. Therefore, it is important to develop a feminist theoretical perspective on the private/public dichotomy, which will see women and men in the structure of subordination and dominance both in private and public spheres. Henceforth, feminists defined private or the personal as also political in nature.

#### **4.4.2 The Personal is Political**

'The personal is political' was adopted as a slogan by feminists in their political struggle to challenge the ambiguities of the public and private divide. This slogan has drawn women's attention towards the social acceptance of dualisms in the life of women and men. For example, the slogan has encouraged women to see matrimonial choice is not a matter of destiny, nature or luck but it is a conscious social action. Feminists have emphasized that the personal is structured through public interventions such as laws on rape, abortion and inheritance, policies of child-care, implementation of welfare benefit schemes and sexual division of labour at home and the workplace, and so on. The provision of child-care leave for

women has given them the scope to balance work and parenting; however, it reproduces the idea that childrearing primarily rests with the women. Similarly, there are occupations such as nursing, teaching, and secretarial work which carry gender stereotyping in the labour market. The inherent inequalities of the private can only be resolved through political agendas and action. The slogan 'personal is political' has opened a new discourse in liberal-patriarchal societies. Women's daily experience has become a means to understand the interconnection between the private and public. According to Pateman, "the separation of the private and public is both part of our actual lives and an ideological mystification of liberal-patriarchal reality..." (P. 131).

However, some feminists have challenged the assumed separation of women's world from that of men under patriarchal-liberalism systems. Women have never been completely excluded from the public sphere; they were engaged in the public realm variously. For instance, several participants in the anti-suffragist movement were supporting women's access to education, so that they could function as 'good mothers'. These activities are seen as an extension of the domestic sphere, but have only a limited connection with women's right to vote. As another example, nations that believed in 'eugenics' encouraged educated women of a particular class and race to go for more children. These ideas were controversial and are now dated. In contemporary society, women have representation in authoritative positions of public bodies, but the world is considered to be dominated by the men. Many women from the working-class have joined the public sphere for getting paid employment. Similarly, married women joining the factory are one of the prominent features of post-war capitalism in European countries. However, the presence of women is most visible in low-status, low-paid and unskilled jobs. This shows the continuation of the sexual division of labour within family and sexual division of labour in the work place. Feminists have argued that women suffer from a triple burden of work, i.e., domestic work, reproductive work and work in the productive labour market. Feminist analysis has shown that household work responsibility is rarely shared by both women and men. Therefore, a demand has arisen for the restructuring of the household to enable women to participate in economic activity outside the home. The appropriate calculation of a nation's economic growth can be achieved only by including the factor of unpaid household labour.

As you may have noted from the above discussion, feminists have concluded that liberals' idea of separate worlds is actually interrelated. The natural sphere of the family is part of civil society. The disintegration of the nuclear family is seen as a social problem which has led to the breakdown of civil life. In this situation, family as a social category forms a part of public life. Feminists see the family as an important concern of the state. Policies concerning marriage, sexuality and welfare measures by the state

have to take note of power structures. Kate Millett in her book *Sexual Politics* (1971) defines power in terms of the political. Within the domestic sphere, power is exercised in forms of sexual politics or sexual domination. The exercise of power by the individual man upon the individual woman within the household is political in nature which Millet described as 'personal becomes political'. The approach of understanding private/personal as political can enable feminist scholars and activists to analyze issues concerning domestic violence, marital rape, female feticide/ sex selective abortion, women's access and control over family resources, and decision-making which exclusively form parts of the personal.

**Check Your Progress:**

**Explain what is Private/public dichotomy in your own words?**

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## 4.5 PROBLEMATIC OF THE PRIVATE/PUBLIC DISTINCTION

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### Box No.4.1

*The notion of male domination was very much prevalent during the British administration in India. A girl named, Phulmonee at the age of 10 or 11 had been raped by her husband and died due to serious injuries. In this case, a person like Hari Mati (husband) was not found guilty by the court of law, as family was described as a private domain and an appeal was made to uphold the idea of privacy. The British judge who heard the case simply relied on the law and neither the judge nor the juries had posed any right to modify the sphere of domestic in the light this case. As against the British domination of political life, nationalists used this story to reiterate the idea of male autonomy in the sphere of home. Further, nationalists during this period have resisted the demand of bringing reform to the child marriage (Nussbaum, 2003, p. 8).*

This story is provided as a sample for thinking about the distinction between the private and public sphere in a normative sense. In India, these ideas have been invoked against bringing any change in relation to women's demand for controlling their own reproductive rights. The old distinction between private and public needs to be questioned as it has prevented scrutiny of violent behavior in family circumstances. Further, policies that are framed in the public realm in relation to marriage, divorce, child custody, rape are bound to affect other aspects of society. For example, a



victim of domestic violence or rape is likely to have psychological problems and may withdraw from economic activity. Similarly, the education of a girl child will depend upon the dominant will in the family she belongs to. As Habermas puts it, the public sphere can be maintained only by giving protection to the rights of women and the girl child within the family or private sphere (Caha, 2005). As we know, in public arenas like work, education, policy and governance, the distinction emerged as a potential barrier to agencies attempting change within the state or government. In the household, men dominated the women and used various social mechanisms such as domestic violence, abuse, and rape to maintain a structure of inequality. The distinction in reality created a structure of power imbalance between women and men across the spheres.

The separation of private and public sphere with hierarchical relations that reproduces gendered institutions, practices, and socialization is retrogressive. We must recognize that family is not completely detached from the laws and policies of the public. Laws with regard to marriage, divorce, and property rights have only privileged the voice and interest of a particular gender, i.e., men. The political definition of family has included certain groups of people and excluded people such as same-sex couples or cohabit couples or single women with responsibilities. Feminists have rightly dismissed the normative distinction of the private and public to be natural and non-negotiable. This statement can be best understood within the context of reproduction. For example, the pouring of contraceptive pills into the Third World to control women's reproduction in the context of Family Planning policy signifies the encroachment of the state within the family. This means, the state or public sphere knows to dominate the private sphere and women's lives for larger interests like reducing overpopulation and poverty. Thinkers have argued that the private sphere is politically constructed and is political by nature. For example, the family always upholds the power of the male and legitimizes the activity of the patriarch. Therefore, certain acts like rape within marriage are not considered as a crime in most nations. Within marriage, consent to intercourse is presumed well before the marriage, therefore, securing consent within marriage has not been adequately analysed. Similarly, preference for sons against the girl child has impacted her access to nutrition, healthcare and education. The prevailing attitude towards the girl child has obscured her participation in public life, and the common ill-treatment of the girl child in the family has hardly been considered by laws of domestic violence and child abuse. The private/public dichotomy justifies the subordination of women at the familial as well as societal level. Moreover, the dichotomy reproduces female powerlessness in the domain of economy and politics. Men are socialized with the idea that women belong to the home and best suited to perform the duties related to reproduction, nurture and care. Therefore, men in the field of politics and economy find it difficult to accept the presence and

participation of women. Within the labour market, there is a glass ceiling which does not allow women to get into higher positions in the organization. Finally we see that the long standing prejudices limit women mainly to the informal economy of temporary work, part-time jobs and casual labour.

### Case of Legislative Prescription

Legislative proscriptions and laws have challenged the existing private/public dichotomy and suggested that the lines between these two spheres are not concrete but change over time and society. This dichotomy is just an alliance of patriarchy and capitalism to protect the interest of the dominant group. As Thornton (1991) said, this dualism or dichotomy is a political mechanism which is instrumental in safeguarding the interest of the dominant in the light of neutrality or naturalness (p. 451). Example can be of a recent case of murder of a minor girl in Lakhmipur village, Uttar Pradesh, who was sexually assaulted by the police and finally dragged to death (June, 2011). This incidence has created unrest in the mind of public, civil society, and media, however, the cops who are agencies of the state have not been punished. Here, the law of the public sphere remain silent to protect the dominant. The action of murder that is committed in the public realm was defended by viewing this act to be a suicide. In India, until recently, many activities in the private sphere were not considered to be accountable to law or legal proscription, and even today the law is not clear. For example, sexual harassment at home is often understood within the public/private dichotomy and not from the perspective of negotiable boundaries of public and private. Sexual harassment is considered unlawful only in the context of market, education and employment spheres. Therefore, harassment which is taking place within the family hardly generate action from the state. The private sphere is related to the inferior status of the individual, and particularly of the women. According to current thinking among feminists, affirmative action against sexual harassment needs to cover activities which are taking place both in the family and in society. If the violence is inflicted on women in the family and by private individuals, the state becomes involved as there are repercussions in all spheres. Public policies need to support disadvantaged members in family, community collectivities, NGOs and other non-formal institutions to protect public life. Modern liberal theory which defines society in two realms has further made a distinction between a sphere regulated by law and a sphere in which law doesn't interfere. As argued by Nussbaum (2003), in the public realm, law can intervene and protect the rights of the citizens as the public realm is characterized by features like accountability and division of power. By contrast, in the private sphere, the law may not intervene to contain the coercive activities of a patriarchal head. Feminists in western societies have drawn attention to the unequal relations in the private sphere. But, in traditional Hindu laws, the household is still treated as a protected domain of the male.

## 4.6 GOVERNANCE: DISMANTLING THE DISTINCTION

Having the problematic of articulating the private as political, we can see the transformation of the two spheres in the domain of local governance structure and grass root activism. Historically, the distinction between private and public was a political creation of the state; however, this distinction has produced gender stereotypes and gender socialization in contemporary society. As Nussbaum, Basu, Tambiah, and Niraja Gopal (2003) have argued, the distinction between private and public needs to be questioned, as this has only been used by society to insulate oppressors of women within the domestic space. In the era of globalization, institutions like marriage and family, work organization and political bodies cannot be viewed within the traditional notion of the public/private distinction, while they stand outside the government but are being shaped by the government. Women's presence in the governance process and in non-governmental bodies is essential for creating appropriate public policies for both women and men. It is important to continue with affirmative action strategies like reserving one third of the seats for women in Panchayats and to include more women in the state governance process. Quotas and reservation policies are important in the present context to increase the representation of women in the process of state building. The reservation at local Panchayat bodies has yielded good results in India. Although there was skepticism in the early years, experience has shown that women learnt political skills on the job, became effective advocates for women's causes and also furthered the local government in positive ways.

Education for women can enable them to use the office bearers' position meaningfully to articulate and represent larger women's concerns before the local bodies. Education plays an important role in a woman's life to exercise her rights in public domain, like having access to paid labour, to choice and control over reproduction, and so on. In the context of gender and governance, literate women possess a greater capability to lead a Panchayat and represent the interests of family and society. One beneficial development of having women in the village Panchayat is that education for the girl child has registered an upswing. Feminist thinkers are increasingly emphasizing women's access to education and their retention in the system. Along with this comes nutritional security, health care, and the building of several capabilities for women in governance. Women's participation will yield effective policy making at the state and national level. Historically speaking, women's participation in the nationalist struggle resulted in their involvement in policy-making in the newly formed states. Abroad too, women's involvement in the Namibian independence struggle led to drafting a Constitution which prohibits sex discrimination and grants equal rights for women and men.

In India, women's activism can be seen in specific terms. The case of Vitner Panchayat in Maharashtra is an example of translating women's activism into political activism. In Vinter, a nine-woman panel stood for the elections and won the fight against the powerful lobby of the Shiv Sena. Subsequently, the Panchayat organized villagers to protect women's rights, and was able to secure women's land rights in 271 families. The shift of women from participation in the movements to participation in institutional bodies has enabled them to formulate gender-positive public policies. In the context of governance, women's movement and activism are seen as tools to dismantle the division between the public and the private. An increasing representation of women in government bodies and other institutions is showing the dissolution of the boundaries between private and public. Private and public spheres are no more viewed in opposition to each other in every circumstance and enlarging their frontiers to accommodate issues of concern. For instance, initiation of health literacy programmes in countries like India will be constructive for both women and men in viewing health care beyond the family boundaries and the private sphere (for women in particular, health is understood only in terms of reproductive health care). Health education is often constructed within the realm of sanitation, hygiene, and maternal health, hence health literacy programmes can very well inform the health-care consumers with knowledge about accessing the health-care system and providers (Poongothai Aladi Aruna, 2012). Therefore, education, women's representation, grass-root activism are instruments for blurring the separation between private and public spheres.

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## 4.7 LET US SUM UP

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Through this unit, you have learnt about the meaning of private and public. We have attempted to identify the historical existence of this dichotomy and analyse the feminist questions about the separate spheres. The above discussion on private and public has primarily used right-based frameworks. The construction of a democratic state relies upon the convergence of the public and private dichotomy. Women's demands for the right to reproductive choice, work, education, and life are the result of interconnections between public and private realms. Therefore, it is important to define terms such as political, social and economic in a broader way than is done traditionally. One must facilitate some kind of empirical understanding of the best practices of women's representation in the public sphere. The gender-discriminatory laws with regard to inheritance, marriage, reproduction and wage labour are inherently related with the division between public and private spheres. Therefore, certain kind of affirmative actions are required to support women's access to material resources, literacy and education. In India, too, 'the personal is political'. Hence, the hegemonic control of family over the individual woman has to be subjected to public scrutiny and public law. In

many of the other units of this programme, you will come across issues similar to the ones that have been discussed here, since the Private-public dichotomy is one of the most critical notions examined by feminist discourses. As you read ahead, try to relate what you have learnt here to the other issues to which you will be introduced.

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## 4.8 UNIT END QUESTIONS

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- 1) Critically analyse why feminists view the distinction between public and private as a problematic area.
- 2) Discuss the public/private dichotomy from a feminist perspective.
- 3) Explain gender issues in the theoretical framework of public/private separation.
- 4) Do you think the boundaries between public and private are negotiable? Please analyse this by drawing some examples and incidents from your surrounding.
- 5) Does the distinction between public and private lead to the oppression of women. If yes, discuss this by citing some current cases in areas of family, marriage, law, labour, and governance.

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