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BEYOND SPACES: DEBUNKING PUBLIC/PRIVATE DIVIDE IN UNDERSTANDING VIOLENCE AGAINST WOMEN IN INDIA

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BEYOND SPACES: DEBUNKING PUBLIC/PRIVATE DIVIDE IN UNDERSTANDING VIOLENCE AGAINST WOMEN IN INDIA

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Abstract

Purpose: One of the hallmarks of the second wave feminism was to recognise and popularise the public men/private women dichotomy that had never been explored by the preceding feminist schools for the fear of „politicising the private sphere“. The sanctity of the private sphere and its immunity from the outside world has been religiously maintained, which in turn manifested the private as the sphere of safety and non-encroachment. Violence within the private sphere hardly makes its way out of the four walls of the house for multiple reasons thus again confirming and upholding the notion that private sphere is relatively more tenable in comparison to the public domain while crimes committed in the public sphere are widely reported. But in this paper, the author tries to debunk the idea of gendering space (with relevant National Crime Record Bureau, India data) created to make women feel more secured in the private than in the public sphere.

Methodology: With the help of the NCRB data the author first establishes a relationship between space and incidence of violence and put forward the argument that in actual reality victimization doesn't have a spatial characteristic, though forms may differ.

Results: The paper argues that the idea of space is a patriarchal product which not only jeopardizes the mobility of women between spaces but aggravates their vulnerability in general.

Recommendations: De-gendering spaces- doing away with labelling of spaces- is therefore crucial to minimize victimisation of women in different spheres. Increasing visibility of the women in spaces can go a long to sensitize people by reducing the association of the private sphere with women and thus help in breaking the public/private dichotomy to a great extent. The myth of protective cocoon that domestic sphere is often associated has long been busted and as far as the assault in the public sphere is concerned it can be contained by the process of de-gendering. Violence, like „risk“ has the capability of transcending boundaries, therefore doing away with the concept of strict boundary can be regarded as a probable solution to contain violence in both the spheres.

Keywords: *Public/private dichotomy, gendering spaces, NCRB reports, patriarchy.*

1.0 INTRODUCTION

The dichotomization of society into public men and private women has been the microcosmic reflection of the belief held by many sociologists and social scientists, spearheaded by Talcott Parsons that men are fitted for the instrumental role whereas women are meant for the expressive role to keep the societal equilibrium intact. The lawmakers have always been rebuffed by the above exposition in their effort to legalize the private sphere and to bring it under the legal scanner, thus creating an illusion that public sphere is more dangerous for women in comparison to the private sphere, whereas the fact is far from the truth. Interplay of various factors, over the years has blurred the line between public and private making youth especially women equally vulnerable in both the spheres. Similarly, the unprecedented entry of women in the labour market post globalization has pressed upon the society the need to frame rules to ensure their safety in the public sphere. Violence knows no spatial segregation, if a woman is believed to have more chances of being victimized in the public domain she has equal or more chances of being maimed in private. To ensure unobstructed movement towards gender equality, the feeling of safety has to be created and maintained in both the spheres and this can be achieved by introducing various changes in existing legal framework and government policies.

1.1 Conceptualising ‘Space’

„Space“ in its lexical sense refers to the area occupied by a certain individual or object. The concept of space has been theorised to the extent that the physical proximity or distance is often used as an indicator of the nature and the level of intimacy in a relationship. Starting from Anthony Giddens to Erving Goffman to Pierre Bourdieu, almost all sociologists and ethnologists have highlighted the significance of space and how each individual has his/her own boundary, encroaching which can result in the alteration and modification of the social interaction in everyday life. Erving Goffman in his *„The Presentation of Self in Everyday Life“* theorised in his characteristic lucidity, the relevance of occupying a space to „give“ or „give off“¹ certain cues that either facilitate social interaction in a particular social setting or become an impediment in furthering the conversation resulting in the cessation of the setting altogether (sense of one’s space). In *the Social Space and the Genesis of Groups*, aberration from Marxist theory is explicitly underlined by Bourdieu, as he tried to incorporate the spatial feature in understanding the class structure and thus introducing the idea of „social space“. The social world, according to Bourdieu, “can be represented as a space (with several dimensions) constructed on the basis of the principles of differentiation or distribution constituted by the set of properties active within the social universe in question i.e, capable of conferring strength, power within that universe, on their holders. Agents or group of agents are thus defined by their relative positions within that space”².

The power differentiation in a particular social setting depends greatly on the position occupied by the agents and the kind of capital they are possessing thus producing different „classes“ consisting of people sharing the similar position within a setting (similarity can be drawn between Weber’s and Bourdieu’s understanding of the category „class“). The thrust is thus on the „space of relationships“³ which has been assigned the same importance as any geographical space. A discourse on space remains incomplete sans the reference to the work of Michel Foucault *Of Other Spaces: Utopias and Heterotopias* which is replete with the idea of

time- space convergence. His conspicuous interest in history is manifested in his underlining of „hierarchic ensemble of spaces“⁴-existence of which corresponds roughly to the Middle Ages- the binary division and organisation of spaces into sacred and profane, rural and urban, protected and open. Overarching grip of the apparent sacredness of certain designated places has prompted Foucault to deny the process of desanctification of space, a denial which can come in handy to explain the continued existence of the Indian obsession with religiously sanctioned „pure and polluted spaces“ i.e., there remains certain tactile areas that bear an implicit warning against any form of encroachment. As pointed out by Edward W. Soja that “he (Foucault) takes an integrative rather than a deconstructive path, holding on to its history but adding to the crucial nexus that would flow through all his works: the linkage between space, knowledge and power”⁵.

Foucault’s hierarchy of space has found a resonance in Anthony Giddens’ *Sociology*, where he has provided the readers with a typology of the space⁶ and in the process has been sufficiently successful in separating personal space from a social one, calculated solely on the basis of the physical distance between the two individuals in a social setup. Another interesting observation made by Giddens is regarding the gender based usage and manipulation of space as he pointed out that two women sit more closely in a given social setting than two men.⁷ The concept of space has been further elucidated by sociologist Georg Simmel whose cogent discussion on the process of metropolisation and sequestration of the leisure spaces in modern society has resulted in the germination of sociological interest in space. Exclusivity and the uniqueness of the space, social subdivision of the space and the creation of social boundary, the types of interaction and the resultant social formations have been the main focus of his „Sociology of Space“⁸, an extension of his theory on formal sociology and forms of sociation. Hence, space forms a crucial part of everyday life as the whole social scene played out in a particular setting is largely dependent on the positioning of the individuals within a given space and the physical and social characteristics of the space itself- the relation between the two is almost dialectical.

Space, as a physical entity has formed the major part of the discourse on urbanism and urbanisation and the Chicago School’s contribution in this respect has been instrumental in heightening the interest of people in the spatial analysis of the ecological units as all the social facts are embedded in a physical space.⁹ But this ubiquitous understanding of the concept of space has been challenged by the future sociologists and urban ecologists who raised a conundrum question and deconstructed the uniform characteristic of space to highlight the separation of virtual „space“ from a physical „place“. This space/place dichotomy has been further facilitated with the innovation in the field of communication technology, thus assigning a new dimension and definition to space as “what place become when the unique gathering of things, meanings and values are sucked out” or in other words

“place should not be confused with the use of geographic or cartographic metaphors that define conceptual or analytical space”¹⁰ The space/ place distancing in addition to the concept of time has been one of the iridescent features of Anthony Giddens’ discourse on „radicalised modernity“. Giddens elucidated the emergent tendency of the separation of space from physical place and the increasing probability of being present in „virtual space“ coinciding with the capability of maintaining a simultaneous absence in „physical place“, facilitated by the immergence of modern technology and internet.

Giddens further pointed out that the physical characteristics and the location of an organisation in real world is turning insubstantial as long the organisation is virtually accessible. The arrival of the symbolic tokens like money that makes trans-national financial dealings possible and an expert system like a group of doctors, engineers, have been catalytic in the process of prolific „distanciation and disembedding“ in the globalized world which has led many sociologists to refer to the „placelessness“¹¹ of the postmodern world. A discourse on space and emergence of spheres remain incomplete without the reference to the contribution of Jurgen Habermas and his theorisation of the public sphere and the shrinking of it in the postmodern world. Habermas conceptualised public sphere as a cosmopolitan social space where „people can bring up matters of general interest“¹² and this particular public sphere, through „communicative action“ can double as a pressure group to influence government policy and can actively shape public opinion.

From the above discourse, it can be discerned that with the evolution of theoretical perspective, the concept of space has been eventually deconstructed and divorced from the category „place“. The category place is concrete with specific geographical existence but in the due course of time it has come to be subordinated to the concept of „space“ which may be devoid of the concreteness that define place but has a tremendous influence on the life of the individual nonetheless. Geographers and sociologists have over time have tried to solve the conundrum that surrounds the relation between space and social processes, each claiming its dominance over the other. Though it is a herculean effort to provide a all-satisfying stipulated answer, but apparently the relation between the social processes and spatial features is dialectical- a circular pattern of causal relationship as each influence the other. Space, therefore, can be defined as the set of relations and subsequent interactions spanning across time and place- it may have a physical characteristics (a location where social interaction and processes may be rooted) or can be entirely virtual (e.g anonymous chat zones in the internet). Space can be produced, as has been explored, in the Marxist theory „by the powerful economic forces that commodified land and thereby limited what any one person other than those who owned it could do with it“. ¹³ Echoing Marx's understanding, the same analysis can be applied to decipher how spaces are „gendered“, or in other words to describe how the „gendered spaces“ are the conscious production of the patriarchal society to keep the woman in a constant state of subjugation by usurping their power to control and manipulate space and by restricting their movement between spaces.

2.0 ‘GENDERING’ OF SPACES: THE BIRTH AND PROLIFERATION OF PUBLIC/PRIVATE DIVIDE

The unprecedented rise in the feminist critique of the existing power relationship based on gender both within and outside the domestic domain can be credited with recognition of the process by which a space is deconstructed, bracketed and defined in terms of „masculine“ and „feminine“ characteristics and this dichotomisation has provided the necessary justification to the gender segregation in the society. The traces of the public/private divide premised on the sexual division of labour was witnessed even in the simple hunting and gathering societies in the pre modern era where hunting tasks were designated to men and gathering to female, a division based on the mere physical strength or the lack of it. In her attempt to trace the germination of the ubiquitous subjugation of the female sex, Simone de Beauvoir theorised that

in the simpler societies frequent pregnancies and menstruation often diminished the capability of the women to participate in predominantly „male“ tasks and therefore, „it was man who controlled the balance between reproduction and production“¹⁴. Beauvoir posited sound reasons for the adamant refusal of the society to consider birth and breast feeding as activities.

According to Beauvoir, „the worst curse on woman is her exclusion from warrior expeditions“¹⁵ owing to her imprisonment by the biological forces and since men is not debarred from taking part in such expedition and showing off his masculine valour and subjugating forces of nature, they come to unambiguously claim a superior status- „that is why throughout humanity, superiority has been granted not to the sex that gives birth, but to the one that kills“.¹⁶ Labelling the tasks are predominantly „male“ and „female“ bears testimony to the germination of the process of gendering of spaces which got further refined and more watertight with the subsequent societal formations. The nomadic life of the hunters and gatherers got substituted as they opted for a more settled pattern of lifestyle with the development of the agriculture and the simplistic sexual division of labour, characteristic of the preceding society took a bit convoluted route in the agrarian society with home becoming the venue for both production and consumption. It should be borne in mind that the sexual division of labour still existed, the nature of work done by the men and women still varied but agrarian society witnessed a more active participation of women in the fields alongside their traditional functions of bearing and rearing of children. But if space is conceptualised as the set of relationships that may or may not have physical characteristics, women were still confined in the domestic sphere; the domain of their relationships was rather parochial in comparison to men. This statement can be further elucidated and backed by evidence if the reference is made to the emergence of markets, a space dominated and appropriated by the overwhelming presence of men indulging in various transactions which proves the flexibility and stretch ability of a man's space and how some spaces came to be spelt as being exclusively male.

The space got further stretched as men transcended local boundaries with the development of industries as it became a rule for men to leave their domestic sphere and move to a distant place for the sake of employment. Women, on the other hand were not granted such a privilege of outdoor income owing to the societal importance attached to their wombs which meant the obvious parochialisation of their boundary and binding their movement within a limited physical space. This transition tightened and paved the way for the institutionalisation of the public/private set up. That public/private dichotomisation has been ubiquitous, is reflected in John Locke's *Two Treaties of Government* where he claimed that the „marriage is a contract formed in the state of nature between husband and wife“,¹⁷ but the authority within the family or outside falls to the man's share since he is „abler and stronger“. While drawing the distinction between the state of nature and the civil society Locke has pointed out that „the natural rights in the state of nature, including the right to negotiate any conditions within the marriage contract, are eliminated in the civil society with the introduction of the private/public split, the enforcement of the subordination of women and, most importantly, the fundamental goal of government to preserve the husband's right to private property, all supported by the civil law“.¹⁸ But despite describing conjugal contracts as a natural outcome in the state of nature, Locke still described men as abler and stronger and therefore the true recipient of the familial authority, thus situating patriarchal control- that runs its course throughout the society- at domestic level. The naturalisation of the private/public divide and the undiluted power of

men within both the spheres are also attempted by Locke by adducing the subordination of wives to their husbands „ordered“ by almost countries which bears enough proof that the authority is „natural“. Sexual division resonated in the public/private divide is viewed as a normal characteristic in the state of nature, subordination of women and superordination of men is thus believed to be woven into the social fabric, be it primitive or modern society.

The preponderance of the private property and its acquisition, in ultimate spelling of the official public/private divide has also been posited by the socialist feminists who are heavily indebted to Friedrich Engels“, *The Origin of the Family, Private Property and the State*, where he theorised that the emergence of the private property and the attempt at the appropriation of the same by the men has brought about „the world- historic defeat of the female sex“. Communal way of living gave way to monogamous marriages and pairing family because of the masculine desire to pass on the property to the biological child and thus women were debarred from having multiple sexual partners. Matrilineal clan was substituted with patrilocal residence and patrilineal descent which resulted in subverted position of women and confined them to the roles of housewives and mothers in the domestic sphere. The theory deployed by Engels thus connects the emergence of the public/private divide with the rise of capitalism and newer forms of technology, beyond the prehensile capability of the women which made Beauvoir claim that “powerful when technology matched her possibilities, dethroned when she became incapable of benefiting from them”¹⁹. This fallacious societal set up can be remedied solely by the socialist revolution after which all forms of differences and inequalities between classes, including gender, would wither away. Though this importance accorded to class cleavage and downplaying of gender cleavage as an offshoot of the former has been criticised by the later socialists feminists but gendering of spaces as a by-product of capitalism can be regarded as a probable explanation, though this idea has been severely criticised by Simon de Beauvoir as being simplistic.²⁰ More specifically, gendering of spaces is the handiwork of the capitalistic patriarchal society to subjugate women into permanent submission by segregating them, but it is equally interesting to notice how this segregation is debunked into nonexistence for the sake of maintaining capitalism itself. In a capitalistic patriarchal society, home is considered to be repertoire of untapped labour where women serve as a reserve force of production and because of their biological capability to reproduce; they also ensure constant flow of labour. Thus women are instrumental for the continuation of capitalism where the private sphere cushions and enables the hassle free functioning of the public sphere; yet the absence of the computation of the money value of the household chores results in private sphere being treated as a non entity, subordinate to the public sphere.²¹ It is a herculean task to designate the actual period of the emergence of this public/private dichotomisation as mainstream has always been categorised as the „male“stream; man is always treated as the universal sex, woman is the „other“ or a deviation from the mainstream. This structural positioning of the women in the private realm is instrumental for the exclusivity of the women’s experience, unadulterated by the legislative measures and treated as being outside the purview of the state.

2.1 Public/Private Divide: Theoretical Perspectives

The germination of the public/private dichotomy dates back to the formation of the earliest form of society where division of labour based on gender was believed to be the manifestation of the natural biological difference between men and women. As pointed out

by Sheila Jeffreys (2014) in her noted work on public restrooms and women, “Women-only spaces are either set aside on the grounds that women need the safety and security of the places where men are not present, or on the grounds that women as subordinate group need to be able to meet and organise without the members of the ruling group in attendance”.²² Sexual division of labour never came under any scanner since gender- like the societal division of labour- was and still is socially manufactured.²³ The institutionalisation of the public/private divide has always been portrayed as instrumental for maintain the societal equilibrium- a position vehemently supported and popularised by the functionalists like Talcott Parsons. In his penchant to deploy a grand theory in understanding the societal structure and functions, Parsons made the difference between instrumental roles and expressive roles performed by the individuals in their capacity as the members of the society. Parsons like a true functionalist believed that men performing the instrumental role (action oriented to realise explicit goals efficiently)²⁴ and women carrying out expressive roles (action directed at realising emotional satisfactions)²⁵ are conducive for sustaining the societal balance and therefore this dichotomisation is „functional“ for the smooth running of the societal structure.

This functionalist position has always been used as a tool by the debaters to keep women out of the professions which are believed to be the strongholds of men, like politics. A quick review of the political structure of any nation and the declining strength of the women politicians if one goes up the political ladder will bear testimony to the success and the gripping power of the above belief held by the majority of the people including the women themselves. Therefore, there is no doubt that the public/private dichotomy has to be preserved, if one subscribes to the functionalist’s perspective. Even during the invention and inception of Sociology as a subject, August Comte was reluctant in conceding women with the task of bringing forth the Positivistic Society, bequeathing this coveted dream to be fulfilled in the hands of the trusted masculine workers²⁶. Women, according to Comte are dominated by feelings, necessary for providing the workers with the will to change the society but not sufficient enough to bring about the actual tactile change. In his muchcritiqued portrayal of a perfect positivistic society, Comte presented the bizarre idea of allowing high class women to reproduce which not only revealed his biasness toward the traditional role of women in the domestic sphere but also his preoccupation with class and class privileges. The taken for granted omnipresence of the public/private divide can be noticed in the writings of Karl Marx and Friedrich Engels which provided an impetus to the socialist feminist to launch a new brand of feminism connecting the emergence of capitalism with the existing patriarchal society- “A number of other passages in *Capital* illustrate that Marx held a much more nuanced view of the position of women in the workforce than most feminists acknowledge”.²⁷ Socialist feminists premised their theory on the marriage between patriarchy and capitalism which was criticised by the later feminist like Iris Young. As discussed by Brown, Iris Young found the dual systems theory irreconcilable as one theory (capitalism) is based on the „historic *dynamic* development of society“²⁸ and the other theory (patriarchy) is cradled in the idea of *static* psychological view of human nature. But nevertheless, influence of Marxism and Marxist take on family and the role of women in it is commendable in shaping the early feminist debate surrounding the public/private divide, though the feminists have more often referred to Engels’ version of economic argument than Marx’s recommendation on transcending the „world historic defeat of female sex“. It is heartening to discern that Marx and Engels in their *The German Ideology* never explained the men/women, public/private divide as something preordained by nature, on the contrary they

identified this family form and societal set up as associated with a „undeveloped productive relations, where women’s different biology would make it difficult for them to carry out certain physically demanding tasks”.²⁹ If a Marxist frame is applied in the analysis of the nature of subjugation of women in a patriarchal societal set up, then it can be said that the theory of sexual division of labour and its unchallenged acceptance in the society is symbolic of the ideological domination of the proletariat by the capitalist class. It is the prevalence of „class-in-itself” situation that has kept women under the „false consciousness”, and prevented any change in the unbridled domination of the patriarch. But the faint gleam of the transition from class-in-itself” to „class-for-itself” in case of women could be seen with the rise of feminist movements in the late 19th century.

Feminist cognisance of the public/private dichotomy dates back to as early as 1405 when Christine de Pisan published „*A Book of the City of the Ladies*’, where she launched into an attack on the existing patriarchal structure by questioning the rationale behind withholding the basic rights to women. This stream of thought was later picked up by the first wave feminism but the sanctity of the diabolic dichotomisation never came under any scrutiny, capable enough to undermine the power of the divide. The first wave feminism which started with the publication of Mary Wollstonecrafts” „*A Vindication of the Rights of the Women*’, was majorly concerned with the ingress of the women in the public sphere and the equal rights based on the rationale that women should be entitled to the same privileges that were available to men. Labelled as Liberal version of feminism, the first wave was successful in achieving in many of the rights including the right to vote for women but it was criticised thoroughly for its incapability in creating any dent in the existing patriarchal dominance in the private sphere.

The reason cited by the liberal feminists in debarring itself from interfering with the private was the intrinsic fear of politicising the private sphere which is a sphere of „choice and individual freedom”.³⁰ To counter the liberal feminists” reluctance in highlighting the exploitation of the women in the private sphere, radical feminists introduced „personal is political” slogan, which categorically painted the grim picture of gender stereotyping and criticised confining women in the domestic sphere as housewives and mothers

(Freidan,1963). Radicalisation of feminism brought to the forefront the blatant subjugation of women in the domestic sphere as they claimed men living on the unpaid labour of women qualify as a form of exploitation. They challenged the conspicuous patriarchal control of women and unearthed the societal act of designating women to the private sphere by connecting child bearing with child rearing, describing latter as the natural corollary of the former. It was the radical feminists who vociferously claimed the shattering of the public/private divide on the ground that the political emancipation of the women didn”t spell true emancipation. Radicalised feminists blamed the private sphere or the domestic setting as the germination point of the patriarchal control and surveillance that are manifested in the other public settings; thus, demanding a total restructuring of the private sphere for the true emancipation to be realised. It has also been noted that a woman’s experience in the public sphere is marked by an attempt to silence her or trivialize her voice and this silencing is connected to the inescapable attributes that define a woman- her sexuality, her reproductive power and her body; attributes that situate women in the private sphere. Public men/private women dichotomy also corresponds to the political/ apolitical divide and shows the desperate attempt of the society to confine women to the apolitical private, a stand thoroughly criticised by Kate Millett in her ‘*Sexual Politics*’.

Defining politics, Millett wrote, „the term „politics shall refer to the power-structured relationships, arrangements whereby one group of persons is controlled by another“.³¹

To contextualize politics within the gender framework Millett pointed out “what goes largely unexamined, often even unacknowledged in our social order, is the birthright priority whereby males rule females. Through this system, a most ingenious form of „internal colonization“ has been achieved”.³² It can be safely said that this colonization has been masquerading as the visible public/private divide. Millett assisted in busting the myth of the existence of an apolitical private by claiming that politics is a part of everyday life and wherever there is an attempt at domination and subordination, the arena can be said to be politically charged, and hence the private sphere cannot be discounted. An anathematized account of the public/private divide has been provided by the later postmodern and queer theorists as they have not only debunked the idea of the spatial divide but they have deconstructed the concept of „sex“ itself. Criticizing normative heterosexuality as an enveloping term to describe „mundane violence performed by certain kinds of gender ideals“³³, Judith Butler highlighted the taken for granted domination unleashed by the presumptive heterosexuality. Queer theorists have differentiated sex and gender identification to accommodate the transgender, homosexuals and other groups not conforming to the mainstream normative sexual identity. They have, therefore argued for „degendering“ spaces including public restrooms and toilets to ensure fluidity of movement of the people who are not cissexual.³⁴ Spaces, according to the postmodern theorists are immanently gendered and are expected to be used by the men and women thus displaying their allegiance to the gender straitjackets. They have conceptualised the public/private divide as the productive/reproductive dichotomy where patriarchal domination underlies both the settings. Women venturing out of the safety of the private sphere have never been treated as desirable which is manifested in the absence of „women only“ spaces like women toilets in the major areas. Urban city planners have always remained oblivious to the need of „women only“ spaces while planning the public structures; a theme taken up by the queer theorists to demand basic rights for the transgender, gays and lesbians.

Table 1: Manifestation of the way public/private sphere has always been perceived.

	Public	Private
Male	Productive	„His castle“
Female	„loose women“	Reproductive

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The table above is the clear pictorial manifestation of the way public/private sphere has always been perceived. The divide is just the symbolic ramification of the underlying enveloping patriarchy that runs through both the spheres. A woman’s entry into the public sphere without the invisible patriarchal protection and surveillance can get her labelled as a „loose woman“. Queer theorists have not only questioned this binary division of space but have raised serious doubts about the universally accepted sex/gender dichotomy. Postmodern theorists’ aetiology of the terms „sex“ and „gender“ has created a profound impact on the discourse on gender issues especially the argument that the normative heterosexuality and conforming to gender straitjackets are newer forms of violence unleashed on individuals. The one of the probable solutions to transcend this trajectory of violence is to degender spaces, to make spaces accessible to both the cissexuals and transsexuals.

2.2 Public/Private Divide in the Indian Context

Discourse on gender in the Indian context presents interesting insights that conform to the third wave feminists' claim of social opprobrium and gender oppression being devoid of uniformity. India provides a classic case of intersectionality which identifies the interaction of various forces - caste, class, race, and religion- contribute to define the position of women.

Gender oppression belies the linear causation ascribed to it by the western feminists. Given the unique history of colonial oppression in India for nearly 200 years, women liberation movements were believed to be the offshoots of the nationalist struggle for independence. The major source of difference between the western feminists movements to liberate women in the late 19th and early 20th century and Indian reformist movements is that the former was initiated by the women themselves with little or no masculine support but as far as India is concerned, reform movements catering to women were the brain child of the male reformists. Acts like abolition of sati (1829), child marriage (1929), introducing widow remarriages (1856), opening of schools for girls and many more such reformatory measures were introduced in British India because of the Indian male reformers. It can, therefore, be safely said that women reform movements and nationalists struggle were intertwined. But a negation of the importance given mostly to the male reformers to the exclusion of the women social workers also hints at the tendency of history to remain oblivious to the contribution of women and to treat them as playing subordinate role vis-à-vis men. This historical invisibility of the women reformers invited severe criticism from the Indian feminists like Malavika Karlekar, Madhu Kiswar and many more and effort has been taken to rectify the fallacy only recently.

Despite the attempts of the Indian reformers to remedy the position of women during the British rule, public/private divide was not tampered with –“most social reformers believed in the separation of the roles played by male and female in the society. Though they werenot against women working outside their homes, they were not in favour of independent careers of women in the wider world”.³⁶ In reality, introduction of women in the public sphere was limited and the acts guaranteeing them more or less equal access to the privileges accessible to men were present only in paper. It is interesting to note that even precaution was taken not to jeopardise women's role in the private sphere. To adduce it can be said that though schools were opened for women but the curriculum was designed so as to meet the demand of the domestic sphere. Emergence of Public/ private divide in the Indian context dates back to Vedic ages and can be said to be the handiwork of ancient texts like *Manusmriti*,

Arthashastras, *Vedas*, *Samhitas* and many such religious texts. According to Prabhati Mukherjee, sacred texts have dichotomised women into two categories- „noble and good, or inferior and vile creatures needing constant surveillance”.³⁷ This categorisation is indicative of the restriction of movement outside the domestic sphere, transgressing which could invite a woman being labelled as „vile”. Sacred texts have always stressed that the ideal position of women is in the private sphere and have upheld the domestic duties as obligations to be fulfilled by women, failing which could result in her being excommunicated from the society. So strong is the all pervasiveness of the domestic sphere in India that made Liddle and Joshi comment that “although females were segregated in the upper castes into the domestic sphere, this separation did not imply an inferior evaluation of the domestic, since that arena was crucial to the maintenance of caste purity”³⁸. This observation not only hints at the superiority of the domestic sphere and the justification for the women being confined into it but also highlights

the intersectionality that is so characteristic of Indian society. There exists a simultaneous relegation of the women in the domestic sphere and the caste based unequal treatment meted out to them.

The study of gender inequality in India provides few fascinating insights. An Indological approach reveals that the unlike in the Western world, the position of women in the Indian Society has deteriorated through various periods in history; especially during the post Vedic period. This is also the period which accounts for the emergence of the stringent public/private dichotomisation “through the imposition of the brahmanical austerities on society”³⁹. Most of the ancient religious texts have described women as malicious and vile and therefore unfit for any public appearance. Than ancient texts played a crucial role in popularising the idea that women should be protected and put under patriarchal surveillance- first by the father/husband and then by the husband. Deconstruction of the epics like *Ramayana* and *Mahabharata* highlights the prevailing consensus that „women were fickle by nature and given to sensual enjoyment only“. ⁴⁰ The following paragraph from the work of Prabhati Mukherjee, gives a clear insight into what resulted in the formation of the public men and *private women*:

“Referring to the tale of a pigeon couple, Bhisma instructed Yudhisthira about the necessity of a good wife to a man. The word *grhini* (housewife) is derived from the word *grha* (house), which is otherwise like a jungle. Without a housewife, the house looks empty even if full of other people. She helps her husband to practice dharma, artha and kama. Blessed is he whose wife is faithful, does not know any other man expect her husband and is always engaged in doing whatever is good and dear to him. A wife with the above virtues makes life even under a tree as happy and comfortable as living in a house. One without such a wife should go and live in a forest”.

Religious texts, through such expositions created and institutionalised the concept of private women. Domesticity of women was not only elevated as a form of virtue but it was intrinsically linked to the attainment of salvation and peace for the men as well thus making it a moral crusade for women to become and remain virtuous. Such legacy has been forward thus tightening the divide into water tight compartments in India. Unlike the feminist movements in the West, India was virtually unaffected and unaltered during that period. Though it would be a fallacy to remain oblivious to the contribution of women during the colonial period and also to overthrow the British reign, but the roles given to women were mostly inconsequential like the role of a messenger or shelter providers to the freedom fighters. Secondary position of women in the Indian society is also reflected in the way violence against women is treated. Rape was never considered a major crime until recently⁴¹ neither was domestic violence. Even today marital rape has been kept outside the purview of the legal system for the fear of „politicising the private“. All these measures hint at the way the private sphere is always portrayed as a cocoon of pseudo safety.

2.3 PUBLIC/PRIVATE DIVIDE AND CRIME: AN ANALYSIS BASED ON THE NATIONAL CRIME RECORD BUREAU DATA

India, with its multi religious, multi racial and multi ethnic facets, provides the perfect backdrop for the study of intersectionality.⁴² The meta-feminist framework of defining gender oppression has limited applicability in the Indian context because of the existence of myriads caste, religious, racial and ethnic groups, which negate the idea of universal form of patriarchal

domination propounded by the western feminists. In India forms of oppression varies depending upon the caste-religion affiliation of the victim, making intersectionality a stark reality and it is this intersectionality that is responsible for the variation in the way public/private sphere is dichotomised and hierarchized. The existence of the purdah system bears testimony to the grip of the private sphere and the social opprobrium faced by the women. But this segregation and confinement of the women in the domestic domain varied among different caste group. Various studies have shown that this confinement was more pronounced for the women belonging to the higher caste than those belonging to the lower ones. This particular trend has survived even today and the attempt to locate the causality will lead to a multi causal explanatory model. The main reason for the virtual non existence of the purdah among the dalit women is the caste-class nexus which tie up the ritual position with the occupation- “dalit women in low skilled, caste based labour continue to suffer in the menial, filthy and highly defiling occupations such as manual scavenging, tannery and midwifery wherein the sexual division of labour push them to the most polluting segments of the caste based occupations”.⁴³ Thus for the dalit women their unrestricted movement in the public sphere, though apparently empowering and liberating in comparison to the women belonging to the higher caste, comes at a cost of inescapable humiliation, blatant discrimination and sexual abuse at the hands of the high caste men.⁴⁴ The intersectional violence makes it difficult to frame a Uniform Civil Code, accessible to all women alike. Apart from the caste and class dimensions, the rural-urban dichotomy increases the complexity of the problem. Violence in rural areas is more visible, taken for granted and under reported in comparison to the crimes committed in big cities, where the women are educated and well aware of the laws catering to them. But such a meta-analysis is beyond the scope of this paper.

For the purpose of establishing a relationship between space and violence and a parallel comparative analysis of the crimes committed against women in the public and private sphere the following data collected by the National Crime Record Bureau⁴⁵ (NCRB) has been taken into consideration. NCRB has categorised crimes against women under two heads: the crimes under the Indian Penal Code (IPC) and the crimes under the Special and Local laws (SLL)⁴⁶ and a total number of 3,37,922 cases against women have been recorded all over India in the year 2014. To ensure a proper analysis, assault on women with the intent to outrage her modesty (section 354 IPC), sexual harassment (section 354 A IPC), Stalking (section 354 D IPC) and Insult to the modesty of women (section 509 IPC) have been clubbed under the category „crime committed in the public sphere“, whereas the „crimes committed in the private sphere“ include Cruelty by husbands and relatives (section 498A IPC), Abetment of Suicide of women (section 306 IPC), Crimes reported under Dowry Prohibition Act , 1961 and cases reported under Protection of Women from Domestic Violence Act, 2005. The following tables consist of the reported crimes⁴⁷ committed against the women in India in the year 2014.

Table 2: Crimes committed in the Public sphere in India

Crimes committed under IPC and SLL (2014)	Incidence	Victims
Assault on women with intent to outrage her modesty (section 354 IPC)	82235	82620
Sexual Harassment (section 354A IPC)	21938	22019
Stalking (354D IPC)	4699	4709
Others	48512	48773

Insult to the Modesty of Women (section 509 IPC)	9735	9796
Insult to the modesty of women at the office premises (section 509 IPC)	57	60
Other places related to work (sec 509 IPC)	469	469
In public transport system (sec 509 IPC)	121	121
In places, other than the one mentioned above (sec 509 IPC)	9088	9146
Total	1,76,854	1,77,713

Table 3: Crimes committed in the Private Sphere in India:

Crimes committed under IPC and SLL (2014)	Incidence	Victims
Dowry Deaths (section 304 B IPC)	8455	8501
Cruelty by Husbands and Relatives (section 498A IPC)	122877	123245
Abetment of Suicide of Women (section 306 IPC)	3734	3747
Dowry Prohibition Act, 1961	10050	10146
Protection of Women from Domestic Violence Act, 2005	426	430
Total	1,45,542	1,46,069

For the purpose of statistical analysis, the author will take into consideration the victims of crime in both the public and the private sphere. From above, it is clear that there are two sets of data with large sample size. As a result the author will use the Z test to test the existence of a relationship between space, gender and crime.

H_0 : There is no relationship between spaces and victimisation.

H_1 : There is a significant relationship between the space and victimisation.

Level of Significance: 0.05 (at 0.05 level of significance the value of Z is 1.64 i.e, if the calculated Z value is more than 1.96 then we will fail to accept the H_0).

$$Z = \frac{\bar{x}_1 - \bar{x}_2}{\sqrt{\frac{\sigma_1^2}{n_1} + \frac{\sigma_2^2}{n_2}}}$$

Where,

\bar{x}_1 = the mean of the crimes committed in the public sphere

\bar{x}_2 = the mean of the crimes committed in the private sphere

σ_1^2 = the population variance of the crimes committed in the public sphere

σ_2^2 = the population variance of the crimes committed in the private sphere

n_1 = the total number of crimes committed in the public sphere

n_2 = the total number of crimes committed in the private sphere

The Z score thus calculated using the above formula is 49.8081 which expectedly hint at the existence of a significant relationship between gender and space as 49.8081 is much higher than Z score value of 1.64 at the 0.05 level of significance. Thus we fail to accept H_0 . The unprecedented entry of the women in the public sphere has been a progressive move but there has been a simultaneous introduction and acceleration of newer forms of crime in the public sphere. But the data also shows a significant number of crimes committed in the private sphere which hints at the possibility of debunking the idea of spatial characteristics of victimisation theoretically if not statistically.

3.0 VICTIMISATION HAS NO SPATIAL CHARACTERISTICS: DE-GENDERING SPACES: - CONCLUDING DISCUSSION

The limitation of the effort to quantify phenomenon in social science is the preponderance given to the sample size that systematically dehumanises the individual events by clubbing them together. Therefore, the Z score of 49.8081 though highlights the significant relationship between crime and space but it can be described as faulty projection of the actual problem. A subjective interpretation would reveal a rather different picture where space ceases to be important consideration for victimisation. Though it cannot be denied that presence of women in the public sphere makes victimisation ineluctable- a reason that is always cited to keep women confined- but this should not be used a garb to conceal the real problem zone from where victimisation stems i.e., the private sphere. If we deviate from our tendency to quantify and interpret the above data subjectively, then the relationship between victimisation and space can be effortlessly debunked and so also the patriarchal dichotomisation of private and public sphere at least from the point of view of safety. From the data above, it is clear that there exists no colossal difference between the crime reported in the public sphere and those recorded in the private sphere – the difference is merely 31,312- but the idea of the safety that envelops the private sphere can be debunked on the ground that large percentage of crime committed in the domestic sphere go unreported. If all the crimes committed in the private sphere are correctly recorded, then there remains no doubt that bubble of safety woven around that sphere will burst. Unrecorded or under-reported violence in the domestic sphere is the manifestation of the silence and tolerance exercised by women to make the marriage work (traumatic bonding theory or the Stockholm effect)⁴⁸ and contribute to a great extent to under reporting. Coupled with this is also the apathy on the part of the police to lodge a case under section 498A as they consider domestic violence a private affair. Lodging a case against one's own family member is treated as a deviation from being a societally approved „good woman“.

Space is a patriarchal product, created to keep women confined within a particular sphere and to prevent them from encroaching upon areas which are predominantly marked as „male“. Women's entry into the public sphere is interpreted as a serious threat by the opposite gender so much so that the victimisation of the former seems a probable tactic to keep their movement in check and to relegate them to the sphere where they actually belong. Prior research has also shown that women's involvement in the public sphere increases their chances of victimisation in the private as men feel that violence or threat of violence is necessary for the continuation of seamless patriarchal dominance within the family. Therefore, violence here becomes a mean to maintain the spheres and to keep them mutually exclusive. Thus space and gender are

intertwined in a pattern where apparently there may seem to have a strong correlation but on closer inspection the relation turns out to be more or less spurious.

Violence against women is ubiquitous and doesn't follow any spatial graph. Violence is more about opportunity than space or place and with such consideration it can be safely said that women within the domestic domain are more vulnerable than the women in the public sphere. It is easier to fight an unknown perpetrator than a known abuser, the latter tends to create a sense of disbelief and fear in the mind of the victims that they get paralyzed to even voice their discomfort. This can be explained with more clarity if the definition of space is reiterated. Space is a set of relationships and vastitude of the relationships can be experienced in the private sphere more than in the public sphere. From an existentialist perspective, the structural position of a person within a particular institution depends on the nature of relationship and amount of influence exercised by those relationships. This is very true in defining the position of women within a family as women often define themselves in terms of relationships (Nancy Chodrow). Therefore, women debar themselves from sabotaging any relationship by choosing silence over voice most of the time, accounting for the low reporting of crimes in the private sphere. India is also characterised by a high rural- urban dichotomy which is hardly reflected in the NCRB data above. There is no denying the fact that there are laws catering to women in the country but the difference lies in the execution and the accessibility. Owing to education and overall awareness, women in the urban areas are using and sometimes misusing the sections available to them while in the rural areas domestic violence is taken as a part and parcel of being married. Incidence of violence in the private sphere also differs depending on the caste structure and religion too which can interest of those who are researching on intersectional violence.

Advent and the spread of cybercrime can also be used to debunk the concept of not only spatial violence but the structural definition of space as well. Internet has made the space/place distanciation possible as discussed above and has introduced a newform of violence that spells a complete negation of the prevalent physical form of crime. The whole concept of situating a crime in a particular place has been thoroughly debunked with the advent of virtual crimes which can be committed irrespective of place and time. The positivistic way of dealing with a crime has taken a back seat with the rise of crimes committed in the virtual space that makes the concept of public/private spheres thoroughly redundant. In the incipient cyber world, the definitions of the victims and perpetrators have also undergone certain modifications as every individual has the equal chance of being victimised in the cyber space irrespective of gender. Anonymity guaranteed by the virtual world provides a chance to the perpetrator to commit and get away with crime. But the trauma the victims face for the crimes in the cyber world is no less than what they would have faced had the crime been physical. On the contrary crimes committed in the cyber space has greater repercussions than the physical crime as cyber materials have wider reach and thus has the capability of harming the victim psychologically if not physically. It can be thus said that spatial dimension of violence has come under serious threat with the concept of space been deconstructed. De-gendering spaces⁴⁹-doing away with labelling of spaces- is therefore crucial to minimize victimisation of women in different spheres. Increasing visibility of the women in spaces can go a long to sensitize people by reducing the association of the private sphere with women and thus help in breaking the public/private dichotomy to a great extent. The myth of protective cocoon that domestic sphere is often associated has long been busted and as far as the assault in the public sphere is

concerned it can be contained by the process of de-gendering. Violence, like „risk“⁵⁰ has the capability of transcending boundaries, therefore doing away with the concept of strict boundary can be regarded as a probable solution to contain violence in both the spheres.

¹ „Jonathan H. Turner: The Ethnomethodological Challenge, Chapter 18, *The Structure of Sociological Theory*, Rawat Publications, New Delhi, 2014, page no. 391.

- ² Pierre Bourdieu: The Social Space and the Genesis of Groups, *Theory and Society*, Vol.14, No.6 (Nov. 1985), page no. 724-725. <http://www.jstor.org/stable/657373>.
- ³ Ibid.p.725
- ⁴ Michel Foucault: Of other Spaces: Utopias and Heterotopias, translated from the French by Jay Miskowiec, *Architecture/Mouvement/Continuité*, October, 1984, page no.1.
- ⁵ Edward W. Soja: Postmodern Geographies: The Reassertion of Space in Critical Social Theory (London: Verso, 1989), page no.20.
- ⁶ Anthony Giddens: Social Interaction In Everyday Life, *Sociology* 5th Edition, Polity Press, UK, 2006 page no. 131-134
- ⁷ Ibid.p.133-134
- ⁸ David Fearon: Georg Simmel: The Sociology of Space, Center for Spatially Integrated Social Science, *CSISS Classics*, 2004. <http://escholarship.org/uc/item/7s73860q#page-1>.
- ⁹ John R. Logan, Making a place for Space: Spatial Thinking in Social Science, *Annu Rev Sociol.* August, 2012 <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3838106/pdf/nihms-520430.pdf>, page no. 1.
- ¹⁰ Ibid.p.3
- ¹¹ John Agnew: Space and Place, chapter.23, *Handbook of Geographical Knowledge*, London, Sage, 2011, <http://www.sscnet.ucla.edu/geog/downloads/856/416.pdf>, page no. 5.
- ¹² Jonathan H Turner: The Critical Theorizing of Jurgen Habermas, *The Structure of Sociological Theory*, Rawat Publications, New Delhi, 1987. Page no. 190.
- ¹³ See John Agnew, *Handbook of Geographical Knowledge*, page no.11.
- ¹⁴ Simone de Beauvoir: *The Second Sex*, Vintage Books, London, 2011, Part2, History, Chapter I, page no. 74
- ¹⁵ Ibid.p.76
- ¹⁶ Ibid.p.76
- ¹⁷ Barbara Arneil: Women as Wives, Servants and Slaves: Rethinking the Public/Private Divide, *Canadian Journal of Political Science*, Vo.34, No.1 (March 2001), page no.32, <http://www.jstor.org/stable/3232542>.
- ¹⁸ Ibid.p.34
- ¹⁹ See Simon de Beauvoir, *The Second Sex*, page no. 65.
- ²⁰ See Simon de Beauvoir, *The Second Sex*. According to Beauvoir, „Historical materialism takes for granted facts that it should explain“. Succinctly, she criticised the simplified version of the origin of women oppression with the development of bronze tool. She is also obdurate in her denial to accord greater importance to class division than gender division. She believes that the origin of the women“'s subordination goes beyond the economic realm and she claims „had there not been in human consciousness both the original category of the Other and an original claim to domination over the Other, the discovery of the bronze tool could not have brought about woman“'s oppression“.
- ²¹ As evaluated by the socialist feminists, women contribute about one third of the total production but own less than 3% of the world“'s property. See Andrew Heywood, *Feminism, Political Ideologies*, Palgrave Macmillan Publication, United Kingdom, 2003.

- 22 Sheila Jeffreys: The Politics of the Toilet: A Feminist Response to the Campaign to „degender“ a Women’s Space, *Women Studies International Forum*, Volume 45, 2014.
<http://www.sheilajeffreys.com/wpcontent/uploads/2014/08/toilet-article.pdfpublished-version.pdf>, page no. 44.
- 23 See the difference between „sex“ and „gender“- the former refers to the basic biological and anatomical difference between a boy and a girl and the latter refers to the process in which a child born with a sex is expected to confirm to the corresponding gender norms.
- 24 Jonathan H Turner: The Emergence of Functionalism, Chapter 2, *The Structure of Sociological Theory*, Rawat Publications, New Delhi, 1987, Page no. 63.
- 25 Ibid.p.63
- 26 George Ritzer: Auguste Comte, *Classical Sociological Theory*, McGraw Hill book Companies, 1996, University of Michigan.
- 27 Heather Brown: Marx on Gender and Family: A Summary, Monthly Review: An Independent Socialist Magazine, Vol. 66, No.2, June 2014 <http://monthlyreview.org/2014/06/01/marx-on-gender-and-the-family-summary>.
- 28 Ibid.p.1
- 29 Ibid.p.1
- 30 Andrew Heywood: Feminism, *Political Ideologies*, Palgrave Macmillan, 2003.
- 31 Kate Millett: The Theory of Sexual Politics, *Sexual Politics*, University of Illinois Press, New York, 1969, Page no. 23.-24.
- 32 Ibid.p. 25
- 33 Judith Butler: Preface (1999), *Gender Trouble: Feminism and the Subversion of Identity*, Routledge Classics, London, 1999.
- 34 „Cissexual“, the term introduced by Julia Serano refers to those who are not transgender and „who have only ever experienced their mental and physical sexes as being aligned“.
- 35 Petra L. Doan: Queering Identity: Planning and the Tyranny of Gender, *Queering Planning: Challenging Heteronormative Assumptions and Reframing Planning Practice*, Routledge, NY, 2016, page no. 93.
- 36 Ghanshyam Shah: Women’s Movement, *Social Movements in India: A Review of Literature*, Sage Publications, New Delhi, 2004.
- 37 Prabhati Mukherjee: The „Woman Question“, *Hindu Women: Normative Models*, Orient Longman Limited, Calcutta, 1978, Page no. 3.
- 38 See Ghanshyam Shah, page no. 142.
- 39 See Prabhati Mukherjee, , page no.5.
- 40 Ibid. p.11
- 41 Rape came to be recognised as a major crime owing to the backlash that was sparked off after the Supreme Court ruling in the Mathura rape case in 1979. Supreme Court acquitted the two accused policemen on the ground that Mathura was sexually active prior to her rape and also because she failed to raise alarm during the

act which indicated her tacit compliance. The incident invited a storm of protest from the Indian feminist that resulted in the criminal amendment act.

- ⁴² Intersectionality refers to the interconnected social characteristics like race, religion, caste, gender, which overlap and create an interdependent system of discrimination.
- ⁴³ Debi Chatterjee: Dalit Women and the Public Sphere in India in Pursuit of Social Justice, <https://www.academia.edu/6761525>, accessed on 1st July, 2016.
- ⁴⁴ The case of Bhanwari Devi, a dalit social worker (saathin) in Rajasthan can be cited in this respect. She was gang raped by the members of a high caste family in protest of her attempt to stop the practice of child marriage. The High Court acquitted the victims on the grounds of lack of evidence and the fact that high caste men could not deign themselves by touching a dalit, let alone rape her. The case of Bhanwari Devi proved a crucial step in the women's movement for justice and led to the passing of the Vishakha Guidelines which state that the sexual harassment at the work place is an infringement of the fundamental rights.
- ⁴⁵ National Crime Record Bureau is an attached office of the Ministry of Home Affairs, Government of India, New Delhi. It is the repertoire of crime and prison statistics and is entrusted with the responsibility to empower Indian Police with the Information Technology to enable them to effectively enforce the law.
- ⁴⁶ Crime in India, 2014. Published by National Crime Record Bureau Data, Ministry of Home Affairs, Government of India. <http://ncrb.nic.in/StatPublications/CII/CII2014/Compendium%202014.pdf>.
- ⁴⁷ A large portion of the crimes against women in India is unreported for reasons more than one. The police apathy to lodge complaint in case of domestic violence, the ignorance and the stigma associated with victimisation and family/societal pressure to withdraw complaints are few reasons which makes an exhaustive list of crimes a herculean task.
- ⁴⁸ Traumatic bonding theory or Stockholm syndrome refers to a condition where the victim becomes increasingly dependent on the perpetrator. They deny being victimized and seek protection in the abuser and that significantly reduces their capacity to break free from the violent trajectory.
- ⁴⁹ See Daphne Spain.
- ⁵⁰ „Risk Society“ is a concept discussed by Ulrich Beck that says that risk is a global phenomenon and the form of risk varies depending on the stage of societal development a country is passing through.

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