

# The Woman between Public Order and Disorder: The Ambiguities of Modernity

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## Introduction

Looking beyond abstract universal principles to recognize the right to difference in order that full meaning might be given to the principle of equality seems an exigency which political philosophy today cannot avoid confronting, especially as concerns the fields of law and citizenship. Today, women's struggle for equality, for more equitable representation and indeed for complete parity indubitably demonstrates that the effective expression of democracy is also dependent on taking gender factors properly into account. However, the exclusion of women from the sphere of citizenship seems to be a permanent feature of political philosophy which, linking back to a particular metaphysics derived from Plato, Aristotle and then later Descartes and beyond, operates through a hierarchization proceeding from a duality: body–mind, body–soul, matter–form, senses–intellect, activity–passivity ... This exclusion has been a contributory factor in the formation of the modern notion of citizenship, even though one of the major pillars of modern political philosophy remains the unequivocal affirmation of the principle of natural equality among all individuals. What should be recalled here is that modernity has built citizenship on the basis of the exclusion of the woman, and hence on a crystallisation of that tenacious boundary that marks off the private from the public, the domestic space from the public space, domestic or family governance from the governance of the city. To put it another way, Modernity does not truly constitute a moment of radical adjustment: under it, the unity of the State and the preservation of public order are tributary to the political subordination of the woman. In discussing this we will draw upon the thought of Rousseau to show how artifice cannot resolve the question of civil disorder except by preserving an elemental vestige of the “natural order” in the form of the subordination of woman to man.

## The natural order and the difference of the sexes

Rousseau's political project remains subordinated to a metaphysic of order whose contours can be traced in the reflections following the existential and ontological question posed by the Savoyard

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Priest: “But who am I?” It is important to recall the dual observation made by the Priest in the establishment of his articles of faith:

- (1) on the one hand, he notices that nature “was not satisfied with establishing order. It took certain measures so that nothing could disturb that order” (Rousseau 2010 vol. 13: 437);
- (2) on the other hand, he wonders about the spectacle that presents itself to his eyes: “Where is the order I had observed? The picture of nature had presented me with only harmony and proportion; that of mankind presents me with only confusion and disorder.” (Rousseau 2010 vol. 13: 439).

This excursion via the “Profession of Faith of the Savoyard Priest” allows us, albeit in rather summary fashion, we admit, to see how Rousseau establishes a connection between nature and order, to the extent of deriving on the one hand a Nature-order conceived of as the work of an ordering and just intelligence, and on the other hand of presenting disorder as imputable to man and as generative of injustice. Thus, if there is one idea in the thought of Rousseau that should resolutely be taken seriously despite the ironic remark of Clément Rosset (1986), it is the idea of nature. To be sure, Rousseau never took the trouble to give a definition to such a concept: its assignable function as a manifestation of the refusal of the artificial was no doubt much more important in his eyes. The transmutation of the quest for truth into the quest for value gives prominence to the necessity of seeking out the sources of disorder, of reconstituting the chain of causation that generates it and of grasping its consequences so as to be able to envisage a solution which cannot be other than political. From that point on, Rousseau’s political thought would proceed from that central dual construct of “Nature against Artifice,” in that it allowed him to retrace the archaeology of a disorder which came to perturb an original and fundamental order. This objective could not be achieved without acquiring a thorough knowledge of man, and it was within this framework that the *Second Discourse* was inscribed. By applying a regressive analysis and conjectural reconstruction, the *Second Discourse* seeks to rediscover the true nature of man so as to understand how the loss of the natural order gave rise not only to disorder, but also to injustice as consequent upon the alienation of natural freedom.

Rousseau thus traces the passage of man from the state of nature, a simple working hypothesis, to a state of socialisation in which unhappy chance and perfectibility will play a significant part. Without retraversing all of this path, we deem it nevertheless worthwhile to pause at an important point in what may be considered as a process of denaturation of man and which has a bearing on the constitution of families:

The first developments of the heart were the effect of a new situation which united husbands and wives, fathers and children in a common habitation; the habit of living together gave rise to the sweetest sentiments known to man, conjugal love and paternal love. Each family became a little society, all the better united as mutual attachment and freedom were its only bonds; and it was then that the first difference was established in the way of life of the two sexes, which until then had had but one. Women became more sedentary and grew accustomed to tending the hut and the children, while the men went to seek their common subsistence. (Rousseau 2010 vol. 3: 46)

This long quotation from the *Second Discourse* describing that moment in the childhood of humanity when the first social revolution became embedded shows up less an emergent inequality than what Raymond Polin (1971: 264) calls its matrix. The absence of a problematic of sexuality in the pure state of nature has as a consequence that no basis for masculinity or femininity

can be found there. This lack of differentiation melds man and woman within a single human identity, with the only separate linking factor being the needs of the species, that is, the demands of reproduction subject to chance encounters.

The change from solitary living and nomadism, characteristic of the state of nature, to sedentarity led to a division of tasks along gender lines, and a distribution of functions which showed that the relationship between man and woman, now no longer simply a passing association for the sole purpose of reproduction, remained marked by what Starobinski calls the transparency of the heart. The emergence of both paternal and conjugal love which arose from the habit of living together pointed to the beginning of a distancing from the natural order which the strength of passions or the imagination would not attenuate. This distancing revealed the emergence of masculinity and femininity: in effect, the adoption of sedentarity had a differential impact on the way perfectibility was expressed, coming to be seen in terms of the ultimate destiny for women (the fixed perfection of a mother and virtuous wife), but as forward projection and uncertainty for men who were thus flung into the indeterminate empty space of history. Does that mean then that woman's perfect nature cannot be reached except through this initiated distancing from the natural order which places her instantly in a situation of inequality? For Paul Hoffman (1995: 379) "accepting *ab initio* a status of inequality, even before any form of association was established among human beings, she [woman] escaped from the institutionalisation of inequality that social relationships brought with them, because her inferiority, being in conformity with nature, was in no way arbitrary. [...] She was concerned only by the duties of her private life, except to note that these duties carried not only a material purpose, but also a moral one."

The adoption of the sedentary habit prefigured the patterns of subordination and the premises of the dichotomy between private and public spaces. The emergence of a social order served simply to transform a *de facto* situation into a *de jure* one from the moment that there was the presumption that women were endowed with a fixed and stable nature, the bearers of values that enabled them to coincide with themselves and make them indispensable for history. Femininity was thus inscribed in the destiny that the order of necessity imposed, and which was also the order of nature: motherhood, marriage, sexual fidelity.

This inequality, which was tied back to the nature of things or the natural order, led Rousseau to conclude what, in the *Émile or Education*, he called "the vanity of arguments on the preference or equality of the sexes." In this work, he does not simply limit himself to dismissing these arguments as being completely vain in his eyes, hence of no utility; quite the contrary, he elaborates the argument which, from his point of view, establishes the natural difference between the two sexes and which he will subsequently extend to the education to be provided to *Émile* and to *Sophie*. His argument is in no way innovative because he draws on the legacy of philosophy to show that all relations imply both an active and a passive pole. Since the man-woman relationship does not deviate from that rule whether on the intimate or on the social level, the active role is thus conferred upon the man and the passive role on the woman:

Once this principle is established, it follows that woman is made specially to please man. If man ought to please her in turn, it is due to a less direct necessity. His merit is in his power, he pleases by the sole fact of his strength. This is not the law of love, I agree. But it is that of nature, prior to love itself. (Rousseau 2010 vol 13: 532)

By this argument, then, the natural basis of the difference of the sexes is what justifies its preservation through the institution of society, for it is participatory of the order of nature: it cannot, as a consequence, stand in contradiction to the affirmation of a triumphant modernity which asserts

the principle of a natural equality between all human beings. So are we then drawn into speaking of two principles of equal standing, being the natural subordination of the woman and the natural equality among individuals, which are constituent of two spaces, the private and the public, hermetically separated by the natural difference between the sexes? Is civil order then tributary to the extension to the social realm of that subordination of the woman to the man, conferring thus on the former a political status? And is the political questioning of this subordination itself a factor for civil disorder?

## **The Social Contract and the politicization of the differences of the sexes**

Does the reference to the nature of things or the order of nature mean that the inequality or difference between men and women is disregarded by the *Social Contract* and subsequent reflection on the principles of political law?

The political theory developed by Rousseau in the *Social Contract* renders the public space a locus for the expression of civic identity. It proceeds by abstraction of differences. This civic identity can only be thought of as a condition of potential equality, which is closely linked with the liberty that represents the end-purpose of the political. Rousseau clearly identified this problem: it involved finding

a form of association that defends and protects the person and goods of each associate with all the common force, and by means of which each one, uniting with all, nevertheless obeys only himself and remains as free as before. (Rousseau 1994 vol. 4: 138)

The solution is to be found in the terms of the social compact itself:

Each of us puts his person and all his power in common under the supreme direction of the general will; and in a body we receive each member as an indivisible part of the whole. (Rousseau 1994 vol 4: 139)

The citizen is one who is a member of the Sovereign Body, the political body considered in its active mode, that is, in its law-making activity. It appears quite clear that at this level, for Rousseau gender identity is of little or no importance in the determination of citizenship. In that context, the political association is largely indifferent to the sexual association.

This approach, which is not inconsistent with the abstract universal principle, nonetheless has a political impact on social gender roles in that it shows that that which is not explicitly nominated comes to be reassigned, not as having no implication or impact on civil order, but as a factor of disorder. In an article entitled “The question of the other” Luce Irigaray (2002) explains that this silence, or this absence, is in her view linked to the observation that philosophy in general has been constructed around a unique subject which represents its paradigm: “the basic model for the human being remained invariable: one, unique, single, and historically male, the model of the rational and competent Western adult man.” That the subject of the *Social Contract* espouses the male figure is of no doubt for Carole Pateman, who perceives in the sexual contract the repressed (or censored) dimension of the contract theory. What is made manifest through this silence or this absence is nothing other than the exclusion of the woman from (active?) citizenship, the legacy of a long philosophical tradition that modernity has not abandoned even at the time of the rupture with previous thinking that brought it to birth. Pateman (2003: 12) goes even further in addressing this critique to classic thought in general:

In the classic texts (except for those of Hobbes) it can easily seem at first sight that there is no need to create the private sphere, since sexual relations between men and women, marriage and the family already exist in the state of nature. But the original contract brings civil society into being, and the story of the sexual contract must be told in order to elucidate how the private realm (is held to be) established and why the separation from the public sphere is necessary.

To come back to Rousseau's text, it becomes clear that he does not elude the discussion on the political relationship and the sexual relationship. He addresses it in the very terms by which this debate is posed within political philosophy. For him, the process which consists of grounding political authority in the social contract could not be realised except by distancing himself from the thesis advanced by Filmer, Ramsay and Bossuet which consisted in establishing an analogy between paternal authority and royal authority. The first version of the *Social Contract* (the so-called Geneva Manuscript), clearly asserts that "the social bond of the City neither could nor should have been formed by extension of the family bond or on the same model" (Rousseau 1994 vol. 4: 91). The separation of the two forms of governance, the family and the City, which is addressed in the context of reflection on political authority, is also an opportunity for Rousseau to declare his position on the relationship between the sexes: on the one hand, for the family, Nature serves as reference, on the other, for the City, the artifactual power of man determines the rules of the game.

Furthermore, he recognizes that the governance of the family must be singular, and does not hesitate to confer that authority on the husband, for decision-making requires a preponderant voice. In conformity with the nature of either sex, this preponderance or *primacy* can only fall upon the man:

However slight the incapacitations peculiar to the wife are thought to be, since they are always an inactive period for her, this is sufficient reason to exclude her from the primacy, because when the balance is perfectly equal, the smallest thing is enough to tip it. (Rousseau 1994 vol. 4: 90)

Paradoxically, this primacy neither denies nor contradicts the principle of natural equality: Rousseau plays at once on the registers of identity and difference.<sup>1</sup> This difference imputable to nature and more specifically to the reproductive process justifies the existence of certain rights that the man has over the woman, without the inverse being able to be justified. The woman perhaps knows who is the father of her child, but the husband needs to be assured of his paternity.<sup>2</sup> The conclusion that he draws from this is that "there is no parity between the two sexes as to the consequence of gender difference" (Rousseau 2010 vol. 13: 535):

To maintain vaguely that the two sexes are equal and that their duties are the same is to lose oneself in vague declaiming; it is to say nothing so long as one does not respond to these considerations. (Rousseau 2010 vol. 13: 536)

What is thus elided from the thought and discourse on political authority and its founding principles is the sexual relation, and this by the very fact of the radical separation between the governance of the City and the governance of the family. In her work *Les deux gouvernements: la famille et la cité* (The Two Governances: Family and City), Geneviève Fraisse (2001: 7) brings attention to this problem of Modernity in speaking of an *absent text*:

certain foundation texts mark out the birth of contemporary democratic and republican society. One summarises them all, under the title of the *Social Contract*. But no one has written a *Sexual Contract* even

though incontestably Rousseau did give thought to the relations between the sexes. And yet, would it not have been necessary to articulate the new form of the relation between the sexes after a political upheaval as radical as the French Revolution.

What should be noted is that if the social compact is asserted as the medium by which a political order can come to be set up and which is capable of conferring civil liberty and equality before the law to man, it is nevertheless appropriate for the maintenance of civil order to keep at a distance any element susceptible of generating disorder.

The restoration/installation of order will not for all that be based on nature but rather on the artificial, that is, on the political dimension. Such at least was the object and ambition that Rousseau adopted in composing the *Social Contract or the Principles of Political Right*. One may thus well agree that there are two principles presiding over the governance of the family and that of the City: the principle of the natural subordination of the woman to the man and the principle of the natural equality between all men. The coexistence of these two principles and the separation of these two governances are for Rousseau the constituents of public order.

It is nevertheless important to give justice to Rousseau's text: the crystallization of the tenuous boundary that marks off the domestic from the public space, domestic or family governance from the governance of the City, does not authorise the conclusion that the woman is not a citizen or that no place is available to her in the described political community. For Rousseau citizenship is differential. A woman's citizenship still remains determined by her sexual identity: in other words, she is not subject to the principle of the natural equality among all men but to that of the subordination of the woman to the man.

It will be apposite in relation to this point to make reference to the *Second Discourse* and to *Émile* in order to explain the relegation of the woman to the private space and the task that is assigned her in the public space, elements which finally converge in the complementarity of the two sexes and which confer a political status on the subordination of the woman to the man.

In this context, the following conversation between the preceptor and Sophie is worth recalling as it very clearly illustrates Rousseau's conception of the relation between the man and the woman:

My dear child, I must explain to you what my intentions were in the conversation all three of us had the day before yesterday. You perhaps perceived in my advice only an art of managing your pleasures in order to make them durable. O Sophie, it had another object, more worthy of my efforts. In becoming your husband, Émile has become the head of the house; it is for you to obey, just as nature wanted [...] and it is in order to give you as much authority over his heart as his sex gives him over your person, that I have made you the arbiter of his pleasures. It will cost you some painful privations, but you will reign over him if you know how to reign over yourself. (Rousseau 2010 vol. 13: 673)

This conversation invites us to go beyond what immediately comes into view in order to grasp the full complexity of the relation between the sexes. The strongest is not necessarily the strongest and authority does not necessarily lie where it is placed: there is a dialectic of being and appearing which is derived from what Rousseau (2010 vol. 13: 534) stated as "an inexorable law of nature" which "gives woman more facility to excite the desires than man to satisfy them." The words of the preceptor quoted above have meaning only with reference to that natural dominance of the woman over the man, to her capacity for influence, to her power of submitting him to her desires where nature in this area has granted the man only a feeble capability of resistance. Desire and passion must be controlled, kept on a leash, confined to the sphere of intimacy which gave them birth. Rousseau is not ignorant of their devastating effects if they become unleashed in

the public space; is there any need to recall that the general will is defined by the author of the *Social Contract* (Rousseau 1994 vol. 4: 80) as “an act of pure understanding which reasons in the silence of the passions”? The dominance of the woman is perceived as a factor for public disorder that must be contained, and this at the price of excluding the woman from the political space. Rousseau expresses this even more explicitly in his *Letter to D’Alembert* where he compares the excesses caused by wine with the disorder provoked by women: “Never has a people perished from an excess of wine; all perish from the disorder of women. The reason for this is clear; the first of these two vices turns one away from the others; the second engenders them all.” (Rousseau 1960: 109) To amplify the sense of this opinion, we may refer to what he calls *the Empire of the Fair Sex* in the critique he directed against the theatre – or a certain form of theatre – where he shows that public order is also dependent on the respect that each person owes to the place he or she is assigned by nature:

Since Molière and Corneille, only romances, under the name of dramatic plays, succeed in the theatre [...] A natural effect of this sort of play is to extend the empire of the fair sex, to make women and girls the preceptors of the public, and to give them the same power over the audience that they have over their lovers. (Rousseau 1960: 47)

In the context of the theatre, the empire of the fair sex reflects an inversion of the sex of the knowledge holder which fails to respect the differential education proposed in *Émile*, which laid down that the task of the husband was to teach his wife only what she needs to know. That in those plays stigmatised by Rousseau women took on the roles of instructors of the public led François Roussel (2004: 111–112) to detect

a theory of the usurpation of functions desired by the very people who are its plaything: the true author, the spectating public who *dictates* the text, takes delight in having itself represented by a woman/actress who holds forth in a savant discourse that she has no knowledge of, but which in return gives her an overwhelming power: in it can be seen a form of *voluntary servitude* for which the theatre is the locus *par excellence*, a veritable consented and even desired inversion of the natural order of the sexes and the social roles ...

From these texts, whether relating to politics, education or the theatre, there thus emerges a powerful and consistent idea which consists of having order (including political order) depend on a scrupulous and unwavering respect for the place and role that nature has assigned to each sex.

The political status conferred in the subordination of the woman to the man does not nevertheless mean that she remains excluded from the political realm. We have referred to a differential citizenship of men and women as, though being bound to the governance of the family, the woman is granted an eminently political role. In the dedicatory preface to the *Second Discourse*, Rousseau (2010 vol. 3: 10) attributes to the other half of the Republic the guardianship of morality and the gentle relations of peace. For him it is both a necessity and a political imperative. The unity of the State insistently requires a love of the homeland and its laws, and it compels the preservation of the general interest in the face of the repeated and devastating assaults of private interests and of the passions that drive them. There is thereby a division of work and distinct domains of competence. The tying of the woman to the domestic space and her subordination to the man does not at all mean that she has no political role to play or that the task accorded her has no political significance. If man is born free, he nevertheless needs to learn how to be so, that is, how to become a citizen. The child that the woman raises is not simply her child, s/he is also a future citizen. In this aspect, we can be in agreement with Paul Hoffmann (1995) for whom “the

function of the woman is to restore and preserve, not to invent or create.” Thus seen, the woman is an essential element in the preservation of the moral integrity of a people. If the consideration of the political relationship highlights in Rousseau the opposition of the natural and the artificial, the assessment of the sexual relation shows up rather their complementarity.

## Conclusion

This excursion via the thought of Rousseau has allowed one of the ambiguities of modernity to be pointed up. It has been our intention, by addressing the question of the citizenship of women, to demonstrate that the advent of Modernity did not constitute a veritable rupture with past thought.

On the epistemological plane one may speak of a moment of rupture in the way in which law is conceived, becoming henceforth a law associated with the individual, hence a subjective law. The metaphysical discovery of man through the famous Cartesian *cogito* and the desacralisation of the political have allowed the citizen to be promoted to being the very source of the legitimacy of the political realm, and this through the mechanism of a social contract. However, this fundamental new component brought by Modernity has not been translated into an *integration*<sup>3</sup> of the woman into the political dimension and into citizenship, but to a continuity in the non-recognition of a civic capacity for the woman. The primacy of the public order which could accommodate only a single source of authority through the figure of the man is at the origin of the perpetuation of the natural subordination of the woman to the man. Today, the pursuit of power and rights for women is embedded in the calling into question of this boundary between the public and the private spheres by demonstrating that the private is in itself political, and by operating a disjunction between the figure of the mother and that of the wife.

Translated from the French by Colin Anderson

## Notes

1. In Book V of *Émile*, he returns to the question of the identity of the man and the woman and in particular to their difference: “In everything not connected with sex, woman is man [...] In everything connected with sex, woman and man are in every respect related and in every respect different” (Rousseau 2010 vol. 13: 531).
2. “This inequality is not a human institution – or at least it is not the work of prejudice, but of reason” (Rousseau 2010 vol. 13: 535).
3. The notion of integration in itself appears to us problematic. It is not just a matter, as the IFD programmes believed, of integrating, that is adding, women to the political sphere, but of changing the way of apprehending the question of women and the political.

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