Lesbian marriage: For better or for worse?

Will you go to court for the right to marry me...

Yes!

Rose West Part II
Misogyny and heritage tourism
Questioning the pink triangle
Having a go at Brookside
From A Question of Silence to Antonia's Line

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Support Manchester councillors' stand against table dancing

Dear T&S,

Earlier this year, following pressure from women councillors and women's groups, Manchester City Council introduced an amendment to the rules around entertainment licences in the city, which outlawed stripping, table dancing, lap dancing and any similar 'act'. However, club owners can still appeal for a waiver, which would allow them to continue with this type of 'entertainment'. So far, table dancing licences have been refused to two club owners. The second of these was one Zenon Rybicki, owner of the 'Fantasy Bar', in the centre of the city. His request for a waiver was refused on the 1st of October. Following this, the Manchester Evening News reported that 'women’s campaigns were chasing a victory and we were, but our joy was short-lived.'

Very quickly the story was picked up by the Sunday Sport. On October 5th they printed the names and phone numbers of three women councillors and one council officer who had campaigned against the licence application of the Fantasy Bar. They termed the women 'Mis-Hitlers' and claim that the bar is well-run, that the dancers are well-paid and that none of these women had heard of the bar, so they didn't know what they were talking about. And they went on, and on, and on in the same vein. They urged their readers to 'call and tell 'em what you think'. Since then the women’s phone numbers have been printed at least three times and the stream of articles continues.

The women concerned have received enormous numbers of distressing and abusive phone calls, and whilst the Sport printed their work numbers only, some of the women have been hassled at home, since they are local councillors, so their phone numbers are readily available. A report on the issue in the Observer on 13th October, quotes the editor of the Sport as saying 'Greed...I'm glad they have been bawled out.' I’m not sure they’ve had abusive calls. We can’t be accountable if there are latticists in the country...'. Yet the Sport itself has called the women 'po-faced prudes'; 'frumpy four' and 'bunyholics' as well as little Hitlers' which all seem pretty abusive to me.

There are two more licence applications pending (one by Peter Stringfellow) and the councillors concerned are determined to continue fighting against this degrading and objectifying 'entertainment'. Meanwhile the owner of the Fantasy Bar is expected to appeal the Council's decision.

Another unattractive angle that both the Manchester Evening News and the Sport have used is to contrast the Council's tolerant attitude to Manchester's gay village, and gay Mardi Gras, and the banning of strip-tease. The Sport (6/10/90) say 'we've nothing against guys, but we are against anyone ramming their sexuality down others throats. The City's Canal Street festival [Mardi Gras] was an unbridled orgy advertising the homosexual way... rather, a sort of strip-teeze behind closed doors than parades promoting buggery'. Sadly, but not surprisingly, the owner of at least one gay venue has been quoted as supporting table dancing.

The Sport's reference to 'ramming sexuality down others' throats' is particularly pointless when you actually look at the content of their paper. It is jammed full of ads for 'phone sex' and 'sex videos' and features an agony page with 'problems' apparently being responded to by a topless model as well as numerous other pictures of topless women. As Natasha Walters has argued (Guardian 16/10/90) the paper 'exploits violence against women' and should be classed as pornography, rather than a newspaper.

Perhaps it is time for a new Private Member's Bill, to try to get something done about the Sport? Reading it to put this letter together has been a singularly unpleasant experience, and it is now quite clear to me that this 'paper' makes the Sun look like a very intellectual affair!

Meanwhile, the Manchester councillors need our support, to counteract the deluge of opposition stirred up by the Sport. If you oppose table dancing, please write in support to Councillors Yv Edwards, Councillor Kath Fry or Councillor Alison Fisher &c's Members' Secretary, Town Hall, Manchester. STOP PRESS: 29th October... Peter Stringfellow has now asked for an adjournment in his licence application, apparently because of the number of complaints received. He says he’s particularly concerned about the complaints from Manchester's Domestic Violence Helpline and Rape Crisis Centre, although he’s keen to stress that he has 'nothing to do with rape... [or] domestic violence'. Presumably, though, Stringfellow's application will re-surface in the New Year, when the Fantasy Bar appeal has been heard. Meanwhile, we still need support for the campaign.

In sisterhood,
Kate Cook

Rosie West: compliant victim?

Dear T&S,

Reading Debbie Cameron’s article on Rosie West (T&S 33), made me remember two pieces of information about the case that I’d read in the Guardian at the time.

1. When Rose West went to visit her parents shortly after moving with Fred West, she told her parents that she was frightened of Fred West and afraid that he’d kill her one day. Her parents’ reaction to this was to say, ‘Well, you’ve made your bed, now you’ve got to lie in it.’

2. Although there is evidence that Fred West murdered women before he met Rose, there is no evidence that Rose had murdered before she met Fred.

Both of these pieces of information led me to believe that Rose West’s motivation for taking part in the murders was (initially, at least) a fear of Fred West. She was faced with choice of: 1) going along with what Fred wanted and live or, 2) not going along with what he wanted and ending up being murdered. She chose the first option. Perhaps after a while she learnt to enjoy it all — this would have pleased Fred even more. Maybe she even thought this was a way of showing her love for Fred.

All of which leads me to the conclusion that Rose West was an ‘accomplice’, or a ‘compliant victim’ as the FBI call it.

As Debbie Cameron’s article reveals, most female sex murderers act in partnership with men rather than alone, which suggests that the main motivation for the murders are on the man’s part rather than the woman’s.

Although there is evidence that Rose West took part in sexual abuse, there is no evidence for the extent of her contribution to the actual murders. Of course she must, at the very least, have known about the murders.

I’m not trying to justify Rose West’s part in the murders, or excuse her ‘behaviour or suggest she doesn’t have a will of her own. She must take responsibility for her actions.

All I’m saying is that Fred West should take more of the responsibility.

Yours sincerely,
Nannette Herbert

The points raised by Nannette Herbert are discussed in more detail in Debbie Cameron’s second article on the West case, which appears on p 44 of this issue of T&S.

Norwich Women’s Centre

Dear T&S,

Norwich Women’s Centre (NWC) has closed.

NWC was one of the first Women’s Centres to open in the UK. It existed from the early 1970s till July 1996. I am trying to find any women who have been involved with NWC over the years, as I am creating a written and oral history of the Centre. I am also collecting photographs, posters and anything relevant to the Centre.

I am also specifically looking for any of the women who started the Centre or who were involved during the 1970s/1980s. When this work is complete it will be archived with feminist archives throughout the UK, the Lesbian Archive in Scotland and locally.

If you’ve ever been involved with Norwich Women’s Centre or can help in any way, please contact me.

Many thanks,
Zaggy (for NWC)

Black survivors’ group

Dear T&S,

Coventry Rape and Sexual Abuse Centre are setting up a Black Survivor’s Group for Asian, African-Caribbean and African women who have experienced child sexual abuse.

The group aims to provide a forum where women who have been sexually abused can make sense of their experiences, and gain support and strength from each other. It is hoped that the women will be able to build upon their own inner strengths, and make use of their creativity and skills to make active changes in their lives.

There is a general lack of appropriate services for Black women. This group will...
provide a chance for Black women to come together, develop a sense of belonging and move forward with each other in a shared, 'safe' and understanding environment. The group is completely confidential. Both facilitators are Black women.

Women who are interested and would like further details can call our telephone helpline and speak with a counsellor. She can arrange a meeting with one of the group facilitators in which any questions about the group, particularly about the safety, confidentiality, suitability and usefulness can be answered. We would like to hear from women as soon as possible as the group will be starting very shortly.

Yours sincerely,
Dollar Abbott and Sylvia McCooey

New radical newsletter

Dear T&D,

I am writing to invite lesbian/feminists to support a new radical newsletter aimed solely at our community across the country.

To begin, we hope to feature political and campaign news, articles from grassroots radical lesbian feminists on issues particularly important to our community, and book reviews.

Should the newsletter prove beneficial, we envision it developing into a tool of true networking with sections on available and needed resources such as research, money, personal support, etc; service contacts we could support such as trades or buying from home-workers; and importantly, the truly lesbian/feminist writing space.

The working title of the newsletter is The Essential Lesbian Feminist (ELF) but we are open to new ideas and suggestions.

If you are a radical lesbian/feminist and would like to contribute, become involved in or receive ELF please ring Joanne on (0442) 395184.

Jodie Marion

Anorexia: The debate continues

Dear T&D,

The article ‘A Hunger for Control’ in the Summer 1995 T&D contained a great deal of thoughtful analysis, but it also contained some remarkable omissions and discontinuities.

The most obvious inconsistency is in the statement, ‘the irony of anorexia is that... the conscious strategy of not eating comes to control and oppress its creator’, which implies that the original intention is one created by the sufferer. But further discussion of this strategy, in a later list of anorexic definitions of ‘safe’ and ‘dangerous’ foods, finds that, ‘The categories for the most part fall into line with what is currently considered nutritionally healthy/wholesome’, an indication that the ‘basic rules’ of anorexia are socially imposed, not self-devised. At this point, a major omission becomes apparent: the word ‘calorie’... The article also ignored the common anorexic practice of incessant physical exercise (maximum calories burn).

Yours, etc.
W.X. Evans

Mary McQueen replies:

Are the ‘basic rules’ of anorexia ‘socially imposed’ or ‘self-devised’? In the book from which the article is excerpted, I try to explain anorexia as a particular response by some women to rules, limitations and constructions placed on us all in a patriarchal and capitalist culture. So while each individual anorexic woman does devise her own specific set of rituals around food, eating and her body, all the rituals have in common the exclusion of what is symbolically dangerous, sinful or ‘wrong’. And anorexic rituals, in turn, reflect wider social ideas about what and how women are permitted to desire.

I think it’s a fair criticism to point out that I don’t talk about exercise — this is an omission from the book too. However, I wouldn’t give calories the central explanatory role that Ms Evans does — some of the women I spoke to focused on calories, others did not, and some of women’s ‘safe’ foods were high in calories and high fat — cheese, for example. I continue to think that the underlying meaning of anorexia is the exclusion of foods that become metaphors for ‘fat’, the sign of the gratification of autonomic female appetite.

For Better or for Worse?

Lesbian and gay marriage is on the political agenda in many countries. In some European countries — for instance the Scandinavian nations and the Netherlands — it is already a reality, and this could have implications in future for citizens of other EU member states. In the USA, by contrast, controversy has raged over same-sex marriages which have been permitted in the state of Hawaii, but which other states do not wish to recognise: this is a constitutional issue as well as one of lesbian/gay rights, and its profile in public debates (including the 1996 presidential campaign) is correspondingly high. The marriage debate is less advanced in Britain, where no practical proposals are under consideration, but it recently had an airing in the press, and is under discussion in some gay rights and civil liberties organisations. All in all we are hearing a lot about same-sex marriage, and it seems inevitable we will hear more. How, though, should radical feminists respond?

The most fundamental argument advanced by supporters of the right of same-sex couples to marry is based on the notion that the current prohibition is a denial of human rights which discriminates on grounds of sexuality or gender. The right to marry and form family units is enshrined in the UN Declaration of Human Rights; the framers of this document presumably had in mind that slaves, for example, were denied that right, as in practice many migrants still are by inhumane and racist immigration policies (in this area the UK is among the worst offenders).

But for lesbian feminists there is obviously a dilemma here. Feminists have long argued that marriage is a cornerstone of the historical and actual oppression of women; ‘marriage resistance’ has been part of feminist politics, certainly in the English-speaking countries, for more than a hundred years. Even if we made no use of it, some of us would be more horrified than delighted to have our right to marry endorsed by a ‘benevolent’ state.

In this article, which we reprint from a recent issue of the feminist publication Broadsheet, Jenny Rankine looks at the current debate on same-sex marriage in New Zealand, where the law in many areas to do with relationships is undergoing a review, and lesbian marriage itself has been the subject of a test case in court.

Her wide-ranging discussion brings out the important point that marriage is not just a symbolic gesture, an economic contract between two adults or a framework for the provision of social rights and benefits, but a deeply personal, emotional and cultural experience — one that should be available to all women and men on equal terms.
for bringing up children, it is always enmeshed in the laws around all kinds of other things, such as immigration, inheritance, taxation and social benefits. Lesbian marriage would be a ‘right’ with couples and far-reaching knock-on effects for lesbians who chose to exercise it, and perhaps for others too.

Because marriage is so bound up with social arrangements more generally, the debate will be somewhat different in different countries, even if certain fundamental issues of political principle remain constant. In Sweden, for example, all cohabiting couples—married or unmarried, same-sex or heterosexual—are legally endowed with certain rights and responsibilities; at the same time, when it comes to social benefits, members of a couple/household are treated as economic individuals with an independent entitlement to state support (e.g. jobless women whose partners are in work can still receive unemployment pay). This is an important reason why many (though by no means all) Swedish lesbian feminists will acknowledge certain problems with the concept of lesbian marriage, but come down in the end on the side of ‘having the choice’. As they see it, in one sense they lose nothing by having that choice; in another sense there is no choice, since Sweden’s version of the marital model has been imposed on any and every cohabiting couple.

In the US on the other hand—a country more or less without a social welfare system—a very significant practical issue is that of health insurance, which is typically accessed through an employer and becomes unaffordable if you are jobless. Married people can get medical treatment on their partner’s insurance policy (which will also cover their children). Since medical cover is both essential and very costly, it is not surprising that this should be perceived as a major form of discrimination against lesbian and gay couples—though legislating same-sex marriage is not the only solution campaigners on the issue have advocated. (Radicals would obviously prefer to reform the healthcare system!)

New Zealand’s legal and social arrangements are not the same as Britain’s, but not surprisingly given the colonial history of shared institutions they are more similar to ours than those of Sweden or the USA. Jenny Rankine’s analysis of what’s going on in NZ may sound some alarm bells for radical and lesbian feminists here: more positively, however, the author argues that this recognition of the marriage issue could provide an opportunity for feminists to question the whole marital model, with a view to gaining women more independence and autonomy both within and outside relationships.

New Zealand Justice Minister Doug Graham plans to introduce property rights law to parliament this year for de facto heterosexual and, under protest, same-sex couples. Revision of benefit rules to include same-sex couples is on the way. And six lesbian couples have taken the state to court to get the right to legally marry.

Marriage and de facto relationship issues haven’t had this kind of airing among feminists and lesbians since the 1970s. And while all these law changes are being debated, drafted and introduced to parliament, feminists have their best opportunity in years to radically boost all women’s autonomy in relationships. I believe the most positive change for women will come from rejecting marriage as a model for all couple relationships, and insisting that the state treat everyone as an economic individual.

Heterosexual resistance to marriage is one of the more obvious social changes during the last generation. Women in de facto relationships in the city of Dunedin were interviewed by Vivienne Scott Melton, who found they did not want to be constructed as ‘wives’ by their partners, relatives or others. They deliberately chose not to get married because they wanted equality and independence in their relationships. At the same time, benefit rules and other laws have gradually recognised those de facto (“in fact” as opposed to ‘de jure’, that is ‘in law’) heterosexual relationships. The marriage model of one wage-earner supporting a dependent care-giving partner has been extended to ‘relationships in the nature of marriage’.

Lesbian have also moved slowly towards visibility in family law, partly on the cost tags of heterosexual de facto couples and partly because of the Human Rights and Bill of Rights Acts. The full weight of these two Acts will not be felt until the year 2000, which is the government’s deadline for removing discriminatory provisions from pre-existing laws.

Yet despite all the legal changes hovering in the wings, lesbians have barely begun to discuss how they want the law to treat them. The personal campaign for the right to marry waged by three lesbian couples has galvanised this major debate in New Zealand lesbian communities.

A test case

The lesbian High Court case was argued by human rights lawyer Rodney Harrison in April 1996. If the lesbians win the government will probably go to the Court of Appeal. Auckland1 lawyer Ann Limb was his cross-examiner. Whatever the outcome, the case will generate more lesbian visibility and debate about what marriage means in the 1990s.

The three couples in the case were testing the 1955 Marriage Act against the Bill of Rights. The Bill includes the right to be free of discrimination on the grounds of sexual orientation. If existing laws don’t specifically discriminate—the marriage Act does not specify partners’ gender—then the courts have to interpret them consistently with the Bill. At the moment it is not the Act but the bureaucrats at registry offices who are effectively prohibiting lesbian marriage. Hamilton lawyer Ruth Buch says the case is straightforward, and the only logical conclusion is that the three couples should be able to marry. However, the judge could decide that politicians should resolve the issue and dock the irrevocable legal argument. ‘If that happened, I would be asking what are the rest of my rights under the Bill of Rights Act worth?’ says Ruth [see update at the end of this article].

A radical challenge?

To the christian right, who regard marriage as the core of their patch, the possibility of same-sex marriage is a major attack. However, many people share their ideal of monogamous marriage as the only valid environment for successful child rearing and positive family values. To assert that lesbians raise well-adjusted children and create valuable new kinds of families is a radical challenge to the ideas of ‘marriage’ and ‘family’. Many feminists live their relationships as conscious alternatives and challenges to marriage. If lesbians argue for same-sex marriage by saying ‘we can’t help it’ or ‘we’re just like you’, the radical potential of these challenges is undermined.

In an internet debate on the issue, law professor Barbara Cox asked, ‘what is more anti-patriarchal... than clearly stating that women can commit to one another with no man in right?’ Lindsay Quilter and Marcy Pearl, two women whose relationship is at issue in the legal test case, argue that legal lesbian marriage invalidates the concept of male ‘ownership’ of women and overturns patrielines, that is inheritance through the male line. The English lesbian psychologist Celia Kitzinger believes marriage would have to change if dykes did it. ‘You can’t simply add lesbians to institutions developed by heterosexuals and leave the institutions unchanged’, she says.

While I share some of these views, I don’t agree with some lesbians’ assumptions that legal recognition of their relationships must automatically be good for lesbian communities. When the government wants to push as many women as possible into economic dependence on their partners, I cannot see lesbian pressure to be included in marriage as merely a personal ‘choice’ or a simple human rights issue.

Human rights: a limited lever?

From a radical feminist point of view, ‘human rights’ is a very limited lever for change. In New Zealand law only individuals have human rights, not groups. There is no provision for class action suits. Change to many exploitative situations relies on some gutsy person with enough money and privilege to survive two years of harassment or unemployment while their case chugs slowly through the Human Rights Commission process.

The law also protects everybody from every kind of discrimination, ignoring structured inequalities. So the Commission gets as many or
more complaints from Pakeha [white New Zealanders] about Maori ‘racism’ and from men about women’s ‘sexism’ as the other way around. The Act protects the rights of heterosexuels and bisexuals against discrimination on the grounds of sexual orientation, which makes women and lesbian-only lesbian groups vulnerable. Human rights is a double edged sword, able to cut us as it protects us.

Compulsory cohabitation

Feminists have resisted the compulsory couplehood of marriage. Married couples are supposed to act as a unit, sleep together all the time, satisfy each other’s emotional needs and share any money property. However, co-losers are often put of lesbian extended families and many feminists believe economic autonomy and independence.

Lesbians and feminists often create a wide net of partnerships and living patterns. We live with flatmates and a lover, in different households from lovers, with lover and kids, with two lovers at the same time, in Maori and Pacific Islander extended family and parenting arrangements; we co-parent children as a couple, with friends or ex-lovers, with gay couples who have fathered our children, or we may have no parenting role with our lover’s kids; we practice serial monogamy, non-monogamy or non-genital lover relationships.

Heterosexuals already judge monogamous live-together share-everything lesbian relationships as more legitimate than other common lesbian patterns. The opportunity to marry will further validate this type of lesbian relationship, undermining other patterns. It will enable judges to rule on the nature and quality of lesbian relationships using heterosexual criteria.

Marriage: ‘A dependence women hate’

The point of view so far missing in the public debate on lesbian marriage is the feminist critique of marriage as an anti-woman institution. The discussion has been between the conflict opponents of everything lesbians, and liberal christians who support marriage as a human right. But adding lesbians to marriage still leaves married couples with legal privileges non-married couples don’t get. It also doesn’t touch benefit structures which force parenting, care-giving, unemployment, sick or disabled women to be economically dependent on a partner.

For most heterosexual women marriage is an economic institution stroved to talk of building a life together. A relationship with a man who has a paid job usually ensures young working women have a better standard of living than they could aspire to on their own or with another woman. The traditional assumption about marriage — that a woman swaps sexual and emotional services for a man’s economic support — is never spelt out, though benefit rules make it brutally clear.

These days, most men expect their female partners to bring some money into the house if they can, but still be economically dependent. Most people still expect mothers in paid work to care for the household as well, while their male partners are only expected to do one job. Young women in the 1990s may sometimes scoff at feminist analyses of marriage; but five years on when they’re caring full time for toddlers and he’s the one in paid work, they often find they’ve learned from supposed equality to a dependence they hate.

As long as women are primarily responsible for raising children and caring for sick relatives, women’s jobs are treated as less important and paid less than men’s, and men’s jobs make it impossible to care for children as well. marriage will mean economic dependence for childrearing or caregiving women. If you think things are different now, talk to women who’ve left their kids to be raised by their male partners or men who stay at home while their female partners earn a good wage. They can tell you about the strength of societal expectations.

Money: no change?

Many women assume marriage has changed because they so longer have to obey their husbands. They are unaware of the sexual laws underlying marriage until they split up. Women in the US lose up to 70 per cent of their standard of living when they leave a marriage, whereas their husbands may gain up to 40 per cent.

Before the Marital Property Act in New Zealand, women did even worse. Current information isn’t available, which in itself is telling. Family law observers agree however that the outcome is still much poorer for women than for men. Says Wellington lesbian social worker Anne Rock: “two years after a split, most of the women with children have descended into poverty, while husbands are 30 per cent better off”.

No-one knows if lesbian partners do any better, since there’s no research on how lesbians divide shared assets. Couples where one partner is looking after children and the other is in paid work make up only a small percentage of lesbian relationships; they’re the ones who will be directly affected by the sexist bias in Family Court judgements. However, unemployment is high. The courts are likely to treat wage-earning lesbians better when couples split up, while unemployed partners will do worse. Once benefit rules include lesbians, couples who split up would have to separate before either of them was entitled to benefit in her own right. This could leave a non-earning partner in poverty if they can’t agree on a separation agreement and she has to wait over a year for a property settlement.

Family court judges persistently devalue the contribution of longterm homemakers to families. They also assume unrealistic opportunities exist for older women in the paid workforce. When women care for children their skills and knowledge from paid work gradually become out of date. Ruth Bruey says the myth that equal property shares lead to equal outcomes for men and women ignores a sexist economy. The law focuses on past and present earning ability. Judges don’t consider the breadwinner’s future earning potential as a major relationship asset.

Although marital splits disadvantage wives, heterosexual women in in fact relationships come out even worse. Marital property law starts from an assumption of half shares in any property acquired after the marriage, no matter whose name it’s in. It’s the breadwinner’s job to prove the non-earner should have a smaller share. To judge de facto splits, however, the Family Court uses constructive trust law. This law assumes a woman has no share of property in the man’s name, and it’s the woman’s job to prove she contributed.

To show faith in their man, women often give up control over pooled money or let their partner keep the financial records. Men with money are more likely to know how to hide assets during a break-up, and their partners often don’t have enough of their own money to hire experts to find and value these assets.

Women not in paid work often can’t support themselves during a lengthy separation process, so settle for less than they should, and many can’t afford lawyers at all.
Whose benefit?

Many lesbians and heterosexual women go into relationships assuming that any earnings and property each partner has will stay theirs; but Doug Graham’s proposed property law is likely to change this. Lesbian lawyer Ocean says legal recognition of lesbians in other countries has enabled greater state surveillance and regulation of lesbians, in return for the legal “right” of lesbians to fight each other in court over property. Since cases are unpredictable and expensive, the court is a poor option for a caregiver left without economic support at the end of a relationship, Ocean says. If such a woman does take a case, the judges will decide whether the couple’s relationship is legally acceptable: as Ocean comments, “This is an intolerable prospect for lesbians who wish to keep their power to define their own lesbian relationships.” Property law which is designed to deal with inequalities between men and women will impact differently on same-sex couples, and is likely to have severe consequences for lesbians, since their earning potential as women is generally lower. And according to Ocean “legal recognition” which enables lesbians to slug it out in court is also likely to lead to much greater policing of lesbians on benefits.

for a range of legal partner arrangements, of different durations with different conditions. We could lobby for the state to treat all relationships equally for parenting, inheritance, property division, immigration and other aspects of our lives where discrimination exists. Then we can decide whether to register our relationships or make our own arrangements.

Meanwhile, lesbians and other women in de facto relationships still have fewer rights than married couples in all the areas mentioned above. The laws would each need to be changed to provide equality for all kinds of relationships. Some selected anomalies are:

Property: all couples, not just married ones, should have any property they have jointly contributed to divided equally, and future earning power should be a major consideration. However, the law should not assume that couples will automatically share property.

Married couples can already contract to keep some property separate or opt out of the Matrimonial Property Act provisions. Other couples need to do this too.

Parenting: if two lesbians decide to have a child and raise it together, the non-biological parent has to apply to the court for guardianship, whereas married lesbians would automatically both be guardians.

Immigration: people who marry New Zealanders automatically get residency. De facto and lesbian partners have to prove a “genuine and stable” relationship by showing shared accommodation, income, bank accounts and photos. De facto heterosexual partners must have been together for two years and same-sex couples for four. The law should treat all relationships equally.

Next of kin: your automatic next of kin are set out in the Law of Succession, which ignores de facto and same-sex relationships. Next of kin can visit you in hospital, get medical information and corners’ reports and make decisions about your care if you are unable to communicate. Single women cannot choose a close friend over family members. De facto and same-sex partners may be included as part of a major review of the law. Says Nigel Christie of the NZ Law Commission, “It wouldn’t stop a family from contesting it, but they wouldn’t have the same chance of success as they have now.”

All people should be able to easily nominate a next of kin by, say, filling in a form at a Post Office rather than having to pay lawyers’ fees.

Official definitions of “family” in the analysis of the 1991 census, the department of statistics defined a family as an adult heterosexual couple or parent and children. Government policy on families remains rigidly heterosexual and monocultural, ignoring families of choice and extended families. We need to fight for recognition of all kinds of families.

Official recognition of lesbians: how many forms have you read that just for “marital status”? In the last few censuses, some dykes have written “lesbian” over every option. Just because some lesbians might be able to tick “married” in future may not make lesbians any more visible. Demand that the government recognises and counts lesbians.

Finally, while some of the systems are getting a major shake-up, let’s try to build coalitions which will get all of us greater independence and autonomy — in and out of relationships.

Update:

Since this piece was originally published in New Zealand, the three lesbian couples have lost their case. The judge decided that Parliament rather than the courts should deal with the issue. However, an appeal has been lodged and will be heard in 1997. Doug Graham’s proposed new law on property division failed to materialise when an election was called earlier this year, but observers expect some kind of proposal to be brought forward in the near future.

Our postcard competition, winners are going to continue living with our fees. Use postcard below.

[card image: 'We're not conventional. We're going to continue living with our fees. We love marriage.']
Breaking Up is Hard to Do

In the 1970s feminists asked 'YBA Wife?'. 20 years on it's worth reviving the question as politicians, united in their obsession with 'family values' and cutting welfare costs, bring in an alarming new divorce law. Jill Radford reports.

In June 1996, the Family Law Act received Royal Assent and became law, likely to be implemented in 1998. This Act represents the most far-reaching and fundamental 'reform' of the divorce laws of England and Wales since 1969 and will affect all those seeking divorce after 1998. It provides for a new process for divorce and separation, scrapping 'quickie' divorces; and introducing 'no fault divorce' after a compulsory 12-18 month waiting period. It attempts to shift divorce away from the legal process by expanding the role of mediation to the point that legal aid will no longer be available for legal services, but only for mediation. While Part 4 of the Act, which aims to simplify and streamline the procedure for applying for domestic violence injunctions, is to be welcomed, this article argues that the reformed divorce process represents serious bad news for women and children and concludes by suggesting it is certainly time to ask again: YBA wife?

From the very beginning, the Family Law Bill was controversial. At one point it threatened to bring down the government and almost led to the resignation of its architect, the Lord Chancellor, Lord Mackay. In September 1995, the Tory far right and family fundamentalist MPs, under the guidance of Families Need Parents and disparate men's lobbies, began mobilising opinion against the Government's proposals on divorce law reform. This grouping had latched on to an earlier Bill, the Domestic Violence Family Homes 1994 (DVFH) Bill, when it had almost completed its Parliamentary journey. The political force they ignited blew out the DVFH Bill (which aimed to offer better protection for women by streamlining and simplifying the law around injunctions). The Daily Mail in October 1996 ran a series of articles claiming the measures were 'anti-marriage' as they offered equal protection to married and unmarried women. By November 1995, the survival of these measures and those contained in the Government White Paper 'Looking to the Future: Mediation and the Grounds for Divorce', was seriously questioned. However, a revised Family Law Bill which included both sets of provisions, with only modest concessions to the far right, was drafted and introduced into Parliament.

With this history, it is not surprising that the Family Law Bill had a stormy ride. It was labelled by The Guardian as 'the most controversial piece of legislation since the Poll tax'. As product of compromise with the far right, family fundamentalists of both main parties, and, it needs to be said, token acknowledgement of feminist concerns around domestic violence, Paul Boateng's description — a 'dog's dinner and deeply flawed' — is fitting. The Guardian's headline claim: 'Divorce: a law nobody wants' was one of the more apt.

Marriage saving or cheap and cheerful divorce?

A stated aim of the Act, is to make divorce less expensive to the state, by reducing the cost to the Legal Aid Board. Reasons why the costs of divorce are presently so high include the high cost of legal services and the large number of people seeking divorce. A recent study (L.Radford 1994) found that women going through a divorce have faced costs of up to £10,000, so the aim of cost cutting appears attractive. With two in five marriages ending in divorce, the UK has the highest divorce rate in Europe; in the 1990s, on average 300,000 adults and 150,000 children are involved in divorce each year. 175,000 divorces were granted in 1995. Most divorces are initiated by women: 71% in 1994. Of these, 76% were granted to women on the basis of male 'misconduct' (22% adultery and 54% unreasonable behaviour) which in practice usually means physical, sexual or emotional violence to the woman and/or children. Under the present system, when women petition on 'fault-based' grounds, a divorce is usually finalised within seven months. The aim of cutting the public cost of divorce, or shifting it to the private sphere of individual responsibility, is one shared by all political parties. Only a small but hardworking band of feminist activists was concerned that any savings in public spending are once again at women's expense, and to make advantage.

Cheap and cheerful divorce

How precisely this cost cutting is to be achieved has proved more difficult to decipher. One way proposed in the Government White paper by making divorce more accessible by removing lawyers from the process. Dominant representations of lawyers depicts them as being both too expensive and responsible for the enduringity of the divorce process. Rather than recognising the pain and problems which stem from marriage and the behaviour of married men, these
representations focus on the processes of marriage dissolution.

Under the Family Law Act, instead of each party to a divorce seeking independent legal advice and instructing a solicitor to act on their behalf, couples seeking divorce will be expected to reach an agreement, with the help of a mediator, regarding both the future of any children and any property and financial matters. Legal aid for legal representation will be now refused, except in particular circumstances (which have not been specified), and allowed only for the services of mediators. The presumption is that the costs of mediation will be lower than legal fees. National Family Mediation, one of the two main mediation bodies in the UK, is a voluntary sector organisation, with unpaid management groups, small numbers of part-time staff and volunteers. As one solicitor commented:

Part-time, middle class, middle-aged, ex-Relate (staff) may seem a good idea, but they have insufficient experience to get the end result in all issues mediation. If the courts are going to regulate the proposed orders properly, the lists will become extremely clogged, whilst poor judges try to accredit if anyone did get to the truth of financial issues and if consent was given truly and freely. Or are we going to abandon the spot for justice and fairness?

**Marriage saving**

The second approach to cost-cutting is to make divorce more difficult, so fewer people, (i.e. women) will seek divorce. Jane Lewis noted that prior to the publication of the Government White Paper, Lord MacKay spoke of introducing measures to cut the rate of divorce. She also documents how, as the Family Law Bill proceeded through Parliament, concern with marriage-saving increased:

In November 1995 the Lord Chancellor commented that the debate has been as much about marriage as it has been about the finer details of the divorce system. By April 1996 in standing committee Labour and Conservative MPs were calling for the Bill to give more explicit support to marriage. Edward Leigh QC said he wanted to shift the whole debate and emphasis of the Bill towards saving marriages. Paul Boateng joined in, declaring that the Bill should not simply be a vehicle for the dissolution of marriage, but a means by which marriage might be supported.

Jane Lewis points out that the idea of marriage saving via divorce legislation is not new, but there is little either in its history or in the realities of current trends in behaviour to indicate it might be successful in the late 1990s. Her very interesting article looks at the history of marriage in twentieth century UK and notes that it was in the decades following 1945 that marriage became increasingly the norm and took place at increasingly younger ages. While there was an increase in (heterosexual) sexual activity outside marriage and increased pregnancy rate, there was still a tendency to marry before childbirth. The 1970s, she argues, demonstrated a different pattern, with substantial declines in marriage rates, increasingly older marriage, a huge rise in divorce rates and the emergence of widespread cohabitation. She concludes that: While the 1960s saw a separation of sex and marriage, the 1980s have seen more of a separation between marriage and parenthood. Confirming Jane Lewis’ argument, recent figures from the Office of Population Censuses and Surveys showed 299,197 marriages in 1993, the lowest figure since 1945. It appears that these attempts to cut the cost of divorce is to be achieved by simultaneously making divorce more amicable and more difficult.—contradictory aims by any reckoning.

**Cutting the crap**

This contradiction can only be resolved by examining the new law in more detail and within a feminist analysis which recognises the centrality of gender to marriage as institution- and heterosexual marriage.

Part 1 of the Family Law Act provides a new process for divorce and separation. It scraps ‘quickie divorces’ by introducing ‘no fault’ divorce after a 12-18 month waiting period. Under the new provisions:

i. irretrievable breakdown of marriage becomes the only ground of divorce;
ii. compulsory information is to be given to divorcing couples;
iii. divorce will only be granted following a fixed period of reflection during which arrangements for the future are agreed;
iv. the role of family mediation is to be expanded.

Irretrievable breakdown of marriage as the sole grounds of divorce

The rhetoric here is that divorce will be more amicable if it is forward looking, rather than focusing on past (mis)behaviour. This ends the so called ‘quickie divorces’ granted on the basis of ‘fault’, e.g. a man’s adultery or domestic violence. This measure was opposed in Parliament by those on the right of the Tory party, who argued that divorce on demand, their representation of this proposal, would weaken the institution of marriage by removing its moral basis. From a feminist perspective ‘no fault’ divorce is also seen as problematic in that it will doubtless serve to deny the reality of men’s disrespectful behaviour to women, and women’s increasing refusal to put up with it. No fault divorce is likely both to deny men’s wrongs, and women’s rights to live free from violence and abuse. From a research perspective, the masking of ‘unreasonable behaviour’ within a liberal

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Dear Katie,

Sometimes my husband gets drunk and becomes aggressive. Last week he kicked the cat. Most of the time he’s an easy going sort of man.

Am I doing something to upset him?

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Dear June,

Probably, perhaps you’ve been wearing a colour he doesn’t like. Try to find out what he does like and keep to it. Some men are very sensitive.

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© Jacky Fleming

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A notion of irretrievable breakdown of marriage, will also remove domestic violence from divorce records. So an important source of empirical data regarding the prevalence of domestic violence and women’s willingness to name and resist it will be lost.

**Receiving compulsory information**

It will become mandatory for divorcing couples to receive information about divorce and its consequences. In principle this should cause no problem. Feminist organisations, like Rights of Women, in providing a legal advice line, have long recognised that without high quality information, women cannot make informed
choices. However I seriously doubt if the government’s aim in providing mandatory information is to facilitate women in taking power and control over their lives. I suggest their aims are more mixed. It seems likely that the information sessions will be focused on deterring rather that facilitating divorce. Issues of quality also arise since it is the government’s intention to exclude lawyers from the information-giving process. Clearly the value of any information given by non-lawyers and separated from advice has to be questionable. It is doubtful whether any such information can be given in a sufficiently flexible way to cater for the different needs and circumstances of women from different cultural backgrounds and in a diversity of languages.

The Bill’s initial proposals required divorcing parties to attend public information sessions. This highly inappropriate requirement, tantamount to requiring a public announcement of intentions to divorce, could generate all manner of embarrassing scenarios, and rob a woman of any confidentiality, exposing her to the danger of (further) violence. Imagine sitting next to Princess Di to be told what bad girls we are for wanting to divorce. The level of disquiet amongst politicians briefed by Rights of Women at the spectre of public humiliation sessions led to the public element being dropped, but only in the very last minute compromise. Public sessions have now been replaced by promises that such information will now be given on a more confidential basis and will include information about how to seek protection against domestic violence. However the final form of information giving has not been specified, but like other crucial details, left to guidelines which do not need discussion in Parliament. However, earlier concerns about compulsoriness, the quality of information, whether it will be aimed at deterring or facilitating divorce, and the questions of cultural and language diversity remain. It seems to me that the information be valuable, it would not be made compulsory.

Fixed period of reflection

As initially published, the Bill, enshrining the government’s commitment to ending ‘quicksie’ divorces, included provisions for a one year waiting period between the filing of a statement of matrimonial breakdown and a divorce being granted. This, in official rhetoric, provides an opportunity to reflect on whether the marriage can be saved and to make arrangements regarding the future of any children and financial and property matters. As Lord MacKay put it:

Many of those who divorce regret having done so. I hope and expect that the period for reflection and consideration envisaged under the informed divorce process will result in the avoidance of some of these hasty divorces, because the process of considering the value of marriage and the consequences of divorce will happen before divorce, not after as happens now. (The Guardian 24/2/96)

Rights of Women lobbied strongly against a compulsory waiting period, arguing that:

- Women spend a long time reflecting and agonizing over the decision to seek divorce before starting the process. Once a decision has been made, women usually want to get on with the divorce in order to rebuild their own and their children’s lives with minimum stress.

- A one year waiting period, may serve to keep women and children in situations of uncertainty and insecurity as issues about who will live in the family home, what happens about the children or the mortgage repayments, are unresolved at this point. Questions about how an obstructive man can be made to leave the home or what is to prevent him selling the assets away can arise during this year of uncertainty.

- Women may find themselves trapped for a further year in relationships with violent men, putting them and their children at further risk of violence, stress and insecurity.

- Where there are no children or property issues to resolve, the waiting period serves no purpose.

- In any circumstances the idea of a compulsory waiting period is both patronizing and unlikely to achieve the level of reconciliation the Lord Chancellor anticipates.

- As the Act also provides that a statement of matrimonial breakdown cannot be filed in the first year of marriage, if the relationship breaks down within the first three months, for example, then the waiting period is expanded to 21 months — for no particular reason.

- Compared with reforms in other countries, the Family Law Act is unusual in not distinguishing between consensual divorces, and those where issues are unresolved; other jurisdictions treated consensual divorces where both parties have agreed things as the outset. During Parliamentary debate, right wingers and family fundamentalists orchestrated a campaign to increase the waiting period: in April 1996, they won a free vote in the House of Commons, increasing it to 18 months, and in May 1996 they were successful in adding in a further three month delay making for a total waiting period of 21 months. However as a part of the last minute package of compromises, the waiting period was effectively restored to 12/18 months agreed on an earlier free vote.

As a consequence of feminist lobbying, there is now a specific provision that where there is proof of domestic violence (i.e. a non-nositation or occupation order in force), the waiting period is limited to 12 months. However the necessity of obtaining a court order means that women who do not apply for an order, or whose applications are refused, will not be able to use this provision. Refusal to recognise domestic violence as the norm rather than as exceptional for women seeking divorce, has led to this requirement of proof.

While the outcome in relation to the waiting period is better than it might have been, feminist concerns, particularly in relation to domestic violence, remain.

Expansion of the role of family mediation

The Family Law Act proposals make mediation compulsory for women on legal aid, except in narrowly defined circumstances. Over the last ten years, mediation has become an increasingly popular mode of alternative dispute resolution (ADR). Its ideology is that settlements which both parties have helped to negotiate are likely to be the most cost effective, most likely to be adhered to, least traumatic and less damaging for children. Transferring divorce from a framework which aimed to protect the legal rights of the divorcing parties to one which emphasizes mediated outcomes, supposedly cuts the expense and acrimony of divorce. As well as leading to ‘cheap and cheerful’ divorce, its proponents claim a further advantage of mediation is that it is more likely to facilitate marriage saving:

The introduction of mediation will increase the chances of couples choosing to step through the door of reconciliation, because it working out matters in relation to their finances, property and children, and thereby perhaps re-living their inability to communicate with each other, couples may realize the value of what they have considered giving up too easy—an effect that they will think again. (Lord MacKay. The Guardian 24/2/96)

The shift to mediation as the central plank of the new divorce proposals is shared by the Lord Chancellor, the Legal Aid Board and all major political parties. So despite the element of compulsion this was one of the few uncontroversial provisions of the Bill in Parliament.

Government faith in mediation was bolstered by selective reading of findings from a study by the Relate Centre for Family Studies at the University of Newcastle (1994). This study claimed positive results for mediation, with complex reporting they had reached agreed settlements, improved communications and found ways to continue being joint parents. However a closer reading of the study shows that its questionnaires were only returned by 54 users of ‘all issues mediation’, a self selecting group, all of whom had access to their own solicitors during mediation. Even then 20% failed to reach agreement on any issues, and only 39% agreed everything. An alternative survey conducted by the Solicitors Family Law Association (SFLA) found 48% of their clients would not feel comfortable with a mediated solution, less than 33% thought issues could be amicably resolved by a mediator.

The SFLA are further concerned by the fact that at present mediators are completely unregulated. Anyone can set up a mediators service without any training or belonging to a regulatory body. The Family Law Act does not deal with the regulation of mediators, but does provide for the setting of standards for legally aided mediation work by the Legal Aid Board. However, it seems as though mediation will remain unregulated where it is not paid for through legal aid. As yet, it remains unclear what any standards regarding mediation might be, and specifically to what extent they will address issues of cultural and language differences.

A second survey conducted by Relate itself (Feb 1996) found stronger opposition to mediation amongst family lawyers who had undertaken mediation training (82%), than amongst those who had not (63%). This survey concluded that the more lawyers were involved in mediation the more opposed they are to pushing people into it.

Sentiments expressed in these debates contrasted markedly with those expressed by ‘the right minded’ in relation to the most publicized divorce of the century. In response to the Royal Divorce, Raudast Nicolli reported in the 'The Guardian 27.7.96 that:'
Where violence existed in a relationship, a man can resort to subtle threats to control a woman within the home, which may not be picked up by mediators. It is not surprising that women frequently experience mediation as disempowering, while men, particularly abusive men, find it strengthening. In this context, mediation can be a coercive process with women feeling trapped into "agreements" which are not in her best interests through fear of her husband or pressure to appease a mediator. Further if the man can afford to instruct a solicitor privately, the situation can arise in which he may be legally advised throughout the mediation process, leaving the woman reliant on a mediator to protect her interests.

There is no empirical evidence from England and Wales regarding the effectiveness of mediation in relation to long term settle- ments. Evidence from other countries like Canada, Australia and New Zealand, where similar "reforms" were introduced in the early 1990s, indicates that women gain less from mediated settlements than their former hus- bands. It seems a particular irony that by the 1990s, when women are beginning to realise their legal rights more effectively, with more women qualifying as solicitors and barristers, and more advice centres providing free legal advice, the government is concern- ed to shift away from a legal rights approach for the vagaries of mediation.

Ignoring women and children's safety

The forward looking rhetoric of mediation further serves to sweep aside women's fears for their own and their children's safety. Issues regarding domestic violence or child abuse, if raised at all, are frequently swept aside as past history. It is the mediator who has the power to decide whether or not mediation is appropriate.

With the best will in the world, mediators have a vested interest in funneling clients to the services they provide, rather than towards solicitors. Not only is there a financial interest involved in bringing money into mediation, ... but also a desire to show that mediation works in cases of marital breakdown. And lastly, but not least, mediators are not usually legally qualified. Poor quality advice will inevitably engage more men on issues which are not handled properly by the solicitors who do not have the resources to provide free legal advice. As a consequence of lobbying, the issue of safety and protection of children has been recognised in the Family Law Act in a clause which allows domestic violence to be considered as a factor in child contact considerations, although this same provision, by reintroducing "conduct" as an issue, could also be used against lesbian mothers.

Pension splitting

Something needs to be said on the question of pension splitting as this was the major conces- sion secured by the Labour Party in the last- minute compromises which saved the Family Law Act. When Paul Boateng reinvented his point that: 'no Family Law Bill... will pass this House that does not have written on it the regulations contained in our amendment' the Government conceded and allowed pension splitting at the point of divorce. This will allow a woman to receive and retain a share of her husband's pension, rather than having to wait until she retires. This provision is only likely to benefit those women who were married to men with good pension entitlements. It is interesting that the Labour Party chose to take its stand on the pensions issue, rather than the denial of legal aid for legal representation, and the

emphasis on mediation which will negatively affect far greater numbers of women. No doubt their sell-out on these points was a deliberate strategy to avoid being seen as not supporting the 'family'.

Part 4 of the Family Law Act reinstates, albeit with some concessions to the far right, the provisions of the ill-fated Domestic Violence Family Homes Bill. Its aim is to streamline and simplify the process of obtaining injunctions against violent husbands or partners, by providing protection orders, available from a single court for both married and unmarried women. Recognising that violence does not necessarily end with the formal ending of a relationship, it enables former spouses and cohabitants to use these remedies. It also strengthens injunctions or protection orders, as they will now be called, by making a presum-
tion in favour of powers of arrest being attached. Surprisingly, expected hostility from the far right did not reappear in relation to Part 4 of the Family Law Bill. They were content with voicing rhetoric about the sanctity of marriage and warnings about male cohabitants being ousted from their homes on the basis of spurious allegations of violence.

While the specific details of these provisions remain too complex to summarise here, it is worth mentioning that this section of the Act also contains amendments to the Children Act 1989 allowing for the protection of children by excluding an abusive parent from the home in interim care orders or emergency protection orders if:

- the court is satisfied there is reasonable cause to believe that, if the person is excluded, the child would cease to suffer or cease to be likely to suffer significant harm and
- the caring parent remaining in the home can provide reasonable care and consents to the exclusion requirement.

These provisions extend powers available to the court where a Local Authority makes application for emergency protection order or interim care order by allowing the abusive parent, rather than the child, to be removed from the family home. Although these orders can have powers of arrest attached, their efficacy is reduced by the fact they are short term solutions only. A Local Authority is not empowered to make free standing or long term applications for the removal of an abusing parent.

**Bad news for wives**

This article has not been able to cover every aspect of the new Family Law Act: Rights of Women has produced a comprehensive guide in the Summer 1996 Bulletin. However, from what has been said here, it is clear that with the exception of Part 4, the Family Law Act is not good news for married women. This is recognised by many family solicitors, who are concerned that the Act will lead to increased legal aid for legal representation in divorce.

Given the new hurdles to divorce introduced in the Family Law Act, presumably once word gets around women will respond by choosing to live outside of marriage. Given that legally there is increasingly less distinction between marriage and cohabitation, women may choose to reject any form of institutionalised forms of heterosexuality, and possibly heterosexuality itself.

Certainly at the present time, the advice to women is that offered by Rights of Women and followed by Princa Dinsmore: if you are thinking of marrying, be very careful, if you are thinking of separating — divorce now.

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**Soft Soap**

Brookside was supposed to be different from other soap operas — more political, more hard-hitting in its treatment of social issues and especially, more responsive to feminist concerns. *Women's lives are central to soap opera as a genre, but Brookside promised to treat women's experience in a less traditional and patronising way than its more established rivals. Has the promise been kept?* Vicki Coppock looks back over storylines past and present, and comes to the conclusion it's a load of old flannel.

The first episode of Brookside appeared on our TV screens back in November 1982 when it was broadcast on the opening night of the launch of Channel Four. So far as it proclaimed itself to be 'different', 'distinctive' and 'alternative' the programme reflected the aspirations of the new Channel itself. The pre- and post-launch hype promised much — a new era in both the content and 'form' of the traditional soap. *Phil Redmond, Brookside's creator and Executive Producer, spoke of the programme's commitment to 'realism' — both at the level of narrative and technical production. Redmond also made much of his intention to ensure that the programme gave time and space to 'women's issues' (cited in Women's Review, 4 December, 1982). Many of us might have been (and, in truth, probably were) optimistically drawn into anticipating a new dawn in British television drama, excited into suspending our critical gaze by the promise of progressive, radical, alternative viewing. The extent to which Brookside has lived up to, or failed to live up to, the generous optimism which greeted it in 1982 is the focus of this article. The research and analysis are derived from two closely related projects — an unpublished M.A. thesis and a recently published co-authored book.*

*The Illusions of 'Post-Feminism': New Women, Old Myths.* These projects draw on interviews I conducted with people involved in the programme.

**Representations: Logging behind?**

A central proposition of the 'post-feminist' debate is that sex discrimination legislation and equal opportunities policies have virtually eradicated inequality between the sexes. The *Illusions of 'Post-Feminism'* demonstrates that this proposition is simply unsustainable, whether at the level of women's inter-personal relationships or at the level of institutions such as education, work and the media. And, just as equal opportunities legislation has lagged behind reality, so social and cultural representations of women have lagged behind the law. Beneath the veneer of equality and 'alternative' images of 'new liberated women' lie the established misogynist messages.

Writing in last Winter's issue of T&S, Dee
Dee Glass struck an all too familiar chord in her analysis of the relationship between women employed in British television and the production
of women's programmes:

The sad fact is that while there are now more women employed (through necessity) throughout television, it is actually harder to make pro-
grammes with any kind of feminist agenda (p. 40).

Both this work and the analysis developed in The Illusions of 'Post-Feminism' expose the contradiction between discourses which
proclaim equality for women in the media — both at the level of production and represen-
tation — and the reality of persistent media sexism. Not only does the media reflect
prevailing sexist ideology (thereby providing an important barometer of women's position in
general), it also has an active role to play in constructing sexist ideology. Meanings do not
simply live in images — they circulate between the representation, the receiver of the image
and the wider society. The receiver of the image plays an active role in the process of creating
meaning. For example, 'knowledge about women' portrayed in the media is always produced from something believed to be 'already known', which then acts as its seal of
approval and endows it with 'truth'. So when media messages coincide with and reinforce
existing ideas and values widely held in society, the effect is cumulative and very powerful. As
Ruth Reitterer commented in her book Looking On, 'images of grotesque women or perfect
mothers may not correspond to the experience of most women, but they do define femininity in
ways which are perceived as actually existing. In this sense the signifying practices of the media
are inextricably connected to personal and collective identity.'

Although media sexism cannot be divorced or isolated from other oppressions, nor decon-
textualised from the history of those oppressions, nevertheless the value of critical feminist
media analysts needs to be recognised. It can provide a framework within which the ideas and
assumptions which inform the representation of women's lives can be teased out. Moreover, it
pursues its analysis at both the visible, trans-
parent level of appearances and context and also at the less obvious, below-surface level of
hidden meaning and context.

A woman-centred programme?

Dee Glass highlights three conditions which must be fulfilled before a programme can
be considered to be truly 'woman-centred':

• that it is consciously, transparently and
aggressively non-representative of those
who do not own society;

• that it must interrogate, explain and
offer alternatives to that ideology;

• that it must be awash with clear ideas
for change — either overtly systemic or
in thinking and then in action.

So how does Brookside measure up on this basis? In a glossy public relations brochure
published in 1988, Phil Redmond stated:

the soap opera genre, heavily centred on domestic, 'maternal' events, has typically provided strong
women characters of special interest to its
presumed female audience. Brookside does not fit
readily into the sex-stereotyping formula. Though it
has at times been criticised by feminists for not
doing enough for women, this charge would be
difficult to sustain over the life-span of the serial
(p. 27).

Closer examination of Brookside's women characters over some fourteen years of episodes
tells a somewhat different story. Such an
examination reveals consistent assumptions about
women and the way in which stereotyped
definitions of women — in terms of mother-
hood, sexuality, race and political identity —
are constructed and sustained.

Motherhood and family

As early as March 1983 (just four months into
the serial) Christine Geraghty critically com-
mented that 'Brookside' is guilty of reinforces
sexual stereotyping rather than representing
women or women's issues in any radical or
challenging way. She noted in particular how
the women characters were defined by their roles
within the family — Sheila Grant, Amiable Collins
and Donna Corkhill were classic examples in the early years. Sheila Grant
was always portrayed as a woman of strength
with views of her own, often faced with difficult
decisions in her life. But Sheila's commitment to
her Open University course was frequently
undermined by situations which pulled her back
into her role as wife and mother. In the develop-
ment of her character beyond her eventual
divorce from Bobby Grant, Sheila was portrayed on
the surface as a more 'liberated' woman in her
relationship with Billy Corkhill. However, an
opportunity to see Sheila establishing an
independent life for herself was not grasped. As
Eithne Brown, the actor who played Chrisy
Ross, commented during interview, the story
was written in such a way that Sheila needed a
man to be able to leave Bobby and set up home
again in 'the Close'. Sue Johnston, who played
Shelia Grant, expressed similar disappointment
with the character,

I was really sad that it ended up her becoming ever
more of an appendage to another man (Billy) and the
storylines disappeared. I felt that was when I started to lose my interest in Sheila Grant.

Interestingly, the Chrissy Rogers character
was to suffer a similar fate. In 1990 a woman
scriptwriter for Brookside remarked during
interview that she found Chrissy to be the worst
example of sex-stereotyping. 'She's always this
slightly raty, but underneath it, loving mother,
and I wish she'd fucking well stop it! As with
Sheila Grant, storylinelines focused on Chrissy's
self-sacrificial devotion to her family. Eithne
Brown was equally frustrated with the
character:

...She started off as a really strong woman who
would go out and fight for her children and what
she believed was right. That was for about the first
eighteen months and then I thought she was a good
character and I believed in her all the way. Then
after that you just never saw her out of the kitchen
and it was very luke-warm and very unbelievable.

By 1992 Chrissy had transformed into a
disconnected, dissatisfied woman who had 'out-
grown' her husband, eventually to leave her
family and resume her long-abandoned teacher-
training career. What had changed? The truth
was that Eithne Brown had had enough,

There are only two ways around it — you just
keep going on, crying, with your character, or
you just keep your head down and take the money.
I couldn't do that and it did come to a head and
conflict, 'if you don't like it, go!'

Eithne's explanation was supported
independently by one of the woman script
writers, 'The minute they get uppity they get
ebowed out it seems to me,...I'm not sure she
wanted to go so much as she was being used as
an actress?'. Chrissy's disillusionment was only
reinforced by a final storyline which appeared to
reinvigorate the character.

They suddenly wanted Chrissy to have this
outright exit when they knew I was leaving. I just
felt complete betrayal of the character...My
argument would be they could have written these
tings months back, yeah months back.

But Eithne had broader concerns than just
those surrounding her own character:

'Ve don't believe that the programme is really
indicative of the way women really are, and the
pressure that women really face, and the fantastic
tales that mothers and women really do...When
you have the very down-at-heel image of women where if they can't cope they just leave, you give

...women nothing to feel good about. Why are they
so single women on Brookside? Why can't
women achieve on their own...? There is a very
mushy, mismanaged foot in the way women are
being portrayed by Brookside as the victim, as the
heaven, and all these poor men are left
behind...'

Discussc the sanctity of motherhood is
very powerful. Two women scriptwriters for
Brookside explained how this had been particu-
larly significant in the storyline conferences
around the characterisation of Patricia Parham.
They described the anxieties of the male
scriptwriters, who feared Patricia would become
an antithetical character if she was seen to put
her career before her young child. Such anxie-
ties have presumably been allayed in more
recent storylines which have redirected Patricia
away from her successful career and back into
the home, reinforcing one of the 'post-feminist'
myths that women are unable to combine work
and motherhood without some savage penalty to
themselves, their relationships or their off-
spring. The real life struggles women face in the
tensions between work and personal relation-
ships are overshadowed by representations
which are unsympathetic and narrative which is heavily traditionalist, moralistic and judgmental.

Sexuality and sexual violence

As already established, the channeling of female sexuality into motherhood appears to take precedence over other expressions of that sexuality in Brookside. Single women characters have frequently been portrayed negatively in Brookside as symptomatic of that ‘dangerous’ female sexuality which exists outside of the boundaries of the family. At its most extreme this took the form of Jenny Swift, the ‘psycho-teacher from hell’, who in a bizarre Fatal Attraction storyline rip-off, was romantically obsessed with ‘poor’ Mick Johnson to the point of his attempted murder when her love was unrequited! Bev McLaughlin and Patricia Fairham both epitomized the stereotypical predatory ‘other woman’ in their early characterizations. They have only become slightly more ‘sympathetic’ characters as their identities have become more firmly located within their respective ‘reconstructed families’ as wives and mothers.

The dichotomy between ‘acceptable’ and ‘unacceptable’ expressions of female sexuality is reinforced by women characters conforming to the ‘acceptable’ stereotype and being given the dialogue with which to berate other women. The vitriolic reactions to Beth Jordache’s lesbianism by Bev McLaughlin and Jacqui Dixon illustrate the point, along with the incessant judgemental gossip-mongering of Julia Brogan — Brookside’s equivalent of Coronation Street’s Hilda Ogden or EastEnders’ Dot Cotton.

The double standard of morality was forcefully illustrated through a recent storyline which involved Max Fairham standing trial, wrongly accused of kerb-crawling. Although Max was the focus of much neighbourhood attention, the storyline was overwhelmingly sympathetic to Max as an innocent victim of circumstances.

Inevitably issues such as this, and attempts by Brookside to deal sensitively with other issues such as men’s physical and sexual violence, are difficult for an early evening soap and the expectations of drama-documentary analysis are sometimes too demanding. Yet it remains important that they are dealt with knowledgeably and that they challenge stereotypes. To that end there was a commitment to a storyline which did not ‘blame’ Sheila Grant for the rape which she suffered. Yet during interview, Jimmy McGovern who wrote that particular script acknowledged that he ‘could be accused of fulfilling every working-class male’s nightmare. If you let your woman do an Open University course some sick bastard’s going to be at her, to keep your woman barefoot and pregnant’.

Likewise the ‘date rape’ storyline involving Diana Corkhill and Peter Harrison was acknowledged for its attempt to deal with the emotional turmoil of a rape trial. However, in contrast to the Sheila Grant rape storyline, viewers had little previous sympathy for the woman character, and from the outset the question of whether she really had been raped was presented very equivocally, reinforcing a sense of popularly-held prejudices about the validity of women’s experiences and testimonies relating to male violence. Peter Harrison’s subsequent acquittal might not of itself have been objectionable had it represented an attempt to comment on the difficulties women have in seeking justice through the law. But the whole context of the storyline and the presentation of the allegation as possibly false was broadcast at the precise time that women in real life were experiencing a backlash over their ‘date rape’ allegations against ‘respectable’ men who were known to them. Further, the ‘routine’ events and the ‘sensationalism’ of male violence can be diminished by storylines which either focus on isolated or comparatively rare examples, or attribute causation to ‘deviant’, ‘pathological’ individuals and families.

The storyline involving the Jordache family reflected this tendency. Trevor Jordache was presented as the ‘sick’ wife-beater of Mandy and ‘perverted’ sexual abuser of his daughter, Beth. The characteristics of Mandy and Beth were problematic with Mandy the stereotypical, weak, passive, ‘appropriate’ or inevitable victim of verbal and physical violence who failed to protect her daughter from Trevor. Eventually her ‘rescue’ was due to the interventions of another male in the street.

Beth’s character initially conveyed the genuine courage and determination of a survivor of sexual violence, but this was undermined by a storyline involving the development of her homosexual identity. Had this storyline focused on another woman character it might have been a more positive portrayal, but the choice of Beth hopefully sabotaged the attempt by connecting her developing sexuality to childhood damage. The commitment to challenging male aggression and violence has been undermined by other storylines which appear to give legitimacy to the notion that a man has a right to use his physicality in order to discipline ‘his’ woman.

The storyline around the characters of Terry and Sue Sullivan was particularly contentious. Inadvertently, Terry discovered he was not the father of Sue’s child. Sue’s ‘betrayal’ threatened Terry’s sexuality especially since it coincided with the discovery of his infertility. Terry reacted violently towards Sue, throwing her and the baby out of the house, Terry’s dialogue was tinged with misogynist phrases for several weeks afterwards. Strong images of homosocial masculinity were (and have consistently been) evident in the narrative of Terry’s longstanding ‘mate’ Barry Grant. His reaction to Sue regarding the above storyline is a striking example — ‘If I were Terry, you’d be a corpse now. You’re not fit to be a mother. You don’t deserve Terry’. Sue Johnston recalled during interview how Brian Regan (who plays Terry) received many letters following that episode from men who applauded his violent behaviour. Eithne Browne revealed during interview how in real life both she and Annise Miles (who played Sue) had been verbally abused by men in the streets as a consequence of these storylines in which they had challenged the patriarchal authority of their husbands. Such incidents indicate the presence of a process of male bonding between the ‘fantasy’ of the characterizations and ‘real life’ men — a process which is often upheld in terms of its in-group and consequences for all women by those responsible for creating and presenting such images.

Race and Black women

There have been very few Black central women characters in Brookside. Those there have been are problematic. Josie Johnson was portrayed as the archetypal black, working-class woman who did her husband, children (and gender) wrong in her preference for ‘freedom’ over domesticity and motherhood. In deserting the duties of marriage and motherhood she was duly ‘punished’ via a heavy moralistic dialogue from other characters, both men and women. The portrayal was negative and did distinctly center, evoking sympathy for the long-suffering and ever-patient Mick. Her punishment was institutionalized as she lost custody of the children and Mick was further embittered with a ‘new’ woman, worthy of him: Marianne Dwyer. Marianne was presented as an articulate, ambitious, middle-class Black woman. The contrast in her character with that of Josie was unmistakeable, yet Marianne also developed negatively as a scheming whig-lace, hard-nosed and selfish woman. She dumped Mick’s brother at the altar in preference for Mick — revealing her ‘deceitful’ nature. There followed a sexual harassment at work storyline which focused mainly on Mick’s angst over the situation (‘is she another Josie?’; ‘has she given her boss the “come-on”?’). Mick’s response was stereotypically spontaneous, aggressive and confrontational. The Black working-class ‘male protector’ of ‘his’ woman was set against Marianne’s cool, scheming, feminine guile, through which she eventually turned the tables on her (Black) boss. In fact her character developed as the stereotypical middle-class ‘superwoman’ of the 1990s, giving a distorted representation of the dynamics of male violence and power. It reinforced the idea that it is primarily the responsibility of women to put an end to harassment.

The subtext of these storylines carried clear
expressions of misogyny and racism. Should women, particularly Black women, want to compete in the 'white man's world' they should be prepared to take the consequences. It was a theme confirmed in Marianne's characterisation: could she really 'back it' in taking tough decisions in the world of business? In this struggle she became the 'tormented', 'unhappy', 'whining', 'post-feminist' woman of the 1990s. She wanted a career, she wanted a relationship with Mick, but she rejected marriage and was consistently impatient when dealing with Mick's children. This was constructed as both selfish and deviant. Her 'punishment' was the introduction of a competitor for Mick's affections — Carol, an uncomplicated, bubbly, white, working-class Liverpudlian woman with no aspirations above those of her class or gender. The women were locked in a tactical struggle for Mick. Unsurprisingly, Marianne was compelled to sacrifice her successful job away from home in order to 'keep' her man. Initially, to secure the relationship, she gave up her independence and became engaged to Mick. It was only in a subsequent storyline revolving around Mick's wrongful arrest for burglary on their wedding day that a rift appears in the relationship and Marianne decides to move away and resume her professional career. The possibility of representing this positively as a really difficult decision for Marianne was overshadowed by narrative which ensured maximum sympathy for Mick. Marianne was won over again as the villain, depriving Mick in his hour of need.

Political identity

The political identity of the women characters in Brookside is significantly underdeveloped. By focusing on individual women's personal relationships as wives, mothers, girlfriends, mistresses, women's economic exploitation is conveniently side-stepped, neglecting all recognition of women's potential as a powerful, political force within society. It appears that women are allowed to be narrowly 'political' only in the relatively compartmentalised and marginalised area of 'women's issues' — infertility, menstruation, rape, domestic violence, housework. For example it is Eddie Banks (like Bobby Grant and Frank Rogers before him) whose storyline has involved trades union struggles. By contrast Rosie Banks's 'struggle' was her fight for an official apology and compensation after having been subjected to an unwanted and unnecessary hysterectomy. The political legitimacy of this storyline is unquestionable as an issue of concern to women. However an opportunity to develop a powerful narrative around the medicalisation of women's physical and mental health was lost. Rather than expose the patriarchal assumptions which inform the uses (and abuses) of gynaecological theory and practice, the storyline changed tack and concentrated on Rosie's 'pathological' deterioration into a gambling 'addiction'. Rare moments of solidarity amongst women are evident in Brookside as for example in the 'Free the Jordache' campaign. Yet even this storyline failed to deliver what could have been a powerful representation of sisterhood in so far as the Brookside women sought to distance themselves from the other women protesters who joined them. These 'other women', visibly dressed in the instantly recognisable 'feminist uniform', were portrayed as violent trouble-makers. The message that feminist politics and action is deviant and dangerous and of no relevance to 'ordinary' women came across loud and clear. Given that 'real-life' feminists involved with Justice for Women had given so much of their time and energy to Brookside during the development of the Jordache storyline even that the representation was as accurate and realistic as possible and giving crucial support to women viewers reflecting on their own experiences of domestic violence, the way those same feminists were subsequently represented was unsurprisingly experienced as a betrayal.

Making Brookside

An examination of the day to day working relationships on the set at Brookside reveals similar concerns in the area of programme production as those in the narrative. Eithne Browne recalled during interview:

There was a great deal of sexism against female directors. There was one occasion from an actor to a Black female director — "It's had enough having to work with a white actor, a Black woman?" Also you would find that when people were being viewed by the director and the editors appear in the box, common about various parts of their bodies were uncommon. So you're still not viewed as an equal individual, as a person who works with them, you're just somebody with big boobs on a person that would like to explore further the changes. That just goes to show that there is so much more to be done so that a woman could walk across 'Brookside Close' and they wouldn't notice her bosoms... and she could be viewed as another individual and not as a sexual object.

Two women scriptwriters for Brookside gave vivid accounts of their struggles to establish more positive representations of women characters in the programme. Their voices were often silenced or their suggestions ridiculed by the men in the storyline conferences. Additionally, one woman commented:

There is always a certain amount that we have no control over, which is partly to do with logistics or partly to do with one of Phil [Redmond's] decisions and we know that.

One of the things I think perhaps he (the producer) did make a decision over management, is that he would never try to pretend that the word from God isn't the word from God. "Phil says this is going to happen" says, and we know it's going to happen, so we don't waste our time.

Eithne Browne was no less blunt: "I think that while you've got a male at the top making those decisions and the greater number of male writers, then I can see women can't help but be coerced in some way." The tensions and conflicts that surround the process of characterisation and representation are mirror images of the real life struggles experienced by women who work at Brookside.

Failing to deliver

Whether at the level of day to day-working relationships of actors, writers, technicians producers, directors, administrators, or in the portrayal of women characters that ultimately appear on the screen, it is evident that when put to the test of 'woman-centredness' Brookside fails to deliver. In many ways the programme exploits stereotypes of women; it fails to interrogate, explain or offer alternatives to 'dominant ideological'; and it fails to 'awash with ideas for change'. As Dee Dee Glass states: 'by appearing to be "women's issues" dangerous illusions are created. The first is that there is no space to say about such subjects. The second is that, in any case, women's issues do not merit serious consideration' (p 45).

Anticipating the frequently hurled accusation of reading too much into the programme (after all it's only a television programme; people forget and take it seriously." (Phil Redmond New Statesman, 1990)). I want to make it clear that Brookside is and should be taken seriously for two reasons: First, it is impossible to represent images of women and men without dealing with relationships of power and control. As discussed earlier, all media — Brookside being no exception — have considerable power to reinforce, restructure and throw back at us a version of ourselves which is presented as the norm. In a capitalist, imperialist, patriarchal society, white, middle-class, male action, thoughts and words represent the 'norm' and women are only defined in relation to men. Brookside fails to convince us of its ability and/or willingness to seriously challenge sexist ideology. While it might start with what appears to be a promising storyline, all too often it lacks the courage of its convictions and changes track, as with Rosie's 'gambling addiction' and Beth's lesbianism. Whether this is a limitation of the soap genre, or a reflection of the contradictorily attitudes about gender which prevail on Brookside, the effect is the same.

Second, contrary to Phil Redmond's comment above, Brookside purposefully sets itself apart from the rest of the soaps in claiming to deal with 'serious', 'real' issues of concern to women. It should not be surprised when women put its claims to the test! Any programme which claims to have a commitment to women's issues must do much more than bring such issues to our attention. It should demonstrate a commitment to showing women's strength, both individually and collectively, and women's ability to make a positive difference to their lives in spite of male oppression. Brookside's commitment to 'realism' demands that women are trapped in characterisations of powerlessness, vulnerability and exploitation, unable to "break free". Wrapped up in its dominant masculine ideology it presents its myths as reality denying the potential for alternative, progressive discourse. Ultimately this means that the programme is unable to represent women in any radical or challenging way. Until it is prepared to take on board a really woman-centred philosophy and practice then Brookside shouldn't pretend to be anything more than just another soap.

References:


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Confronting Contradictions

Beth Ritchie is a long time Black feminist activist who has worked in the US battered women’s movement. Her study of the connections between violence against women and women’s imprisonment Compelled to Crime was published this year. She teaches at a college in New York and continues to do education and support work with women in prison. In this interview with Liz Kelly she talks about identifying as an African-American woman rather than a woman of colour, her work with Black women in prison, and the challenges this involves for feminist analysis, service provision and activism.

Liz: Can we begin with you locating yourself and your work?
Beth: Well, I think of myself first and foremost as an activist — for almost twenty years now in the anti-violence movement — struggling with the issues of raising ethnicity as a component issue of violence. Increasingly I have thought of myself as distinctively African-American; not so much the multiple ethnicities that we think of as women of colour. I have done that in part because I really do believe that violence is a different experience, and the rates may also be different ([in different communities]), but certainly the experiences are different. Also because I’m more and more convinced of the need for specific cultural responses. So my work is much more embedded in Black communities and Black community development politics.

Being out as a lesbian in that context is very different than in other places, being out as a feminist in that context is very different from other places, but I see that as the locus of my work now.

Liz: What are the specific ways that you work with Black women in prison?
Beth: Mostly linked, yeah. For example, there is such rhetoric in the Black community about the protection of women in a very different way than in the white community. There’s a very popular T-shirt that Black men wear that says “Respect and protect the Black woman” and it has an African symbol on it. The contradictions between that cultural concept of protection and being abused is so profound. Then there is a community-level discourse about Black women being sacred, the mates of our community, the strength of our families, which means there’s less room for vulnerability, and that creates another internal contradiction for women who are then assaulted. I think that this matters deeply somehow, and I don’t think that there are many white communities or white families or white women who have that contradiction. They have other contradictions, but they don’t have that particular one, which has a lot to do with whether or not to seek out help, how long to tolerate the abuse, even to name something as abusive.

At the same time, Black boys are wearing a T-shirt that says “Shut-up Bitch”. There’s also the rap music, media-driven hostility towards Black girls which creates another contradiction. Black boys talk about their mothers as sacred and then they batter Black girls who might be the mother of their children. Tossing all this apart is much more complicated, but I actually think that the level of violence that younger Black women are facing is extraordinary, significantly greater than what women of a different generation faced as well as from women in different ethnic groups.

Working with women in prison
Liz: Can you talk a little bit about how you began work with women in prison?
Beth: There are three things that influenced this current work that I do with women in prison. One is that I was interested in Black feminist theory that would explain identity, social location and none of it addressed women in prison. There was a lot related to work and to sexuality, so I kept wondering what about women in prison as a Black feminist issue? I also became very involved in worrying mostly, and in organizing around, the death penalty — being concerned about incarceration rates in general, but also the particular ways that Black people are being incarcerated as a social-service solution often. I really saw the relationship between the erosion of human services in a community and mass incarceration. And again in that discourse there was no room for a gender discussion. Then I started to meet women that I knew from my community when I was going into the jail to do HIV/AIDS education. So I needed to follow the link that had been part of their journey. It’s been transforming in terms of how I understand race and gender politics and class.

It’s another part of the rhetoric: “It can happen to all women”. Battering happens so differently to women who are incarcerated — not the physical assaults, but the negotiation of one’s own autonomy, whether it’s to seek safety; or to stay safely. I began thinking we’d done a disservice to low-income women by not treating class as a distinguishing area.

Liz: Tell us a little more about what you mean?
Beth: Well, again for Black women class has a different meaning — most poor Black women have not depended on men in traditional ways for economic support, and yet the emotional or inter-personal dimensions of their relationship might be very — hegemonic is the word I use. Many of the women who I meet in prison have very idealized notions of relationships with Black men. Their economic work and their emotional work to reassert Black men is in part to endure their abuse, so that the abuse becomes a way to, not equalizing, but privileging men in order to meet this ideological standard of gender relationships. When women and men are
deeply interested in that, there are few other things that Black men can do to achieve that except beat Black women, and women think of it in this way. So that has to do with race and class, as closely as gender, not as 'add-one'-but really deeply intertwined within one person’s experience.

Lit: Does this connect to simplistic ways of thinking about 'empowerment' because many of the ways we see it used these days is as some form of personal power belonging to the individual which they are entitled to use to benefit themselves, and the fact that this may involve ‘power over’ someone else has become invisible.

Beth: Right, that’s the problem. I think about empowerment a little bit differently than most people; to me empowerment is related to critical analysis of one’s own experience and self-reflection. To me it’s a deepening understanding of situational barriers, to see how those are functional for other people than oneself. That isn’t often what people mean by ‘empowerment’ — regretfully, most ideas about it are very individual-focused and not analytical.

New perspectives

Lit: Can you talk a little more about the work with women in prison and how it has changed your understanding of violence against women?

Beth: There is something about the actual geography of doing work in prisons — every time I leave I am aware I can choose what I have for dinner that night. And I really think about it every day. I always feel respectful of the privilege of safety that I have, but I understand it in a different way now. So have this sense of deep obligation, I work so much harder, I feel constantly compelled to do work on behalf of women who are incarcerated. So my life has changed in that I do more work. And I do it urgently, it’s almost — that isn’t the right word — at the same time that I have knowing I have the privilege, I also know how fragile that is. It has become a deeply personal work, because I’ve been close enough myself, so I have this urgency about saving my own life in a very profound way. I have this identification with the women who are in prison, like no other categorical group that I have ever worked with. That’s partly because they don’t represent categorical work, they represent every woman who tries to figure out how to make sense out of a situation that doesn’t make sense. I often feel any of us are that close (snaps fingers) to being locked up. It’s like, this is what illegal now; at any time anything can be happening. And in the terrifying potential, how we administer justice. There have been a few times when I’ve been in the jail, I have been arrested, I have had to go to court and I have had to talk my way out of a few other things I’ve been detained in customs and I’ve tried to describe what I do to negotiate my way out of these points of detention; I realise how even with all the privilege that I have, these systems suck you in and you cannot get out. Arbitrary authority is used, isolation is used, demeaning of people is used — it’s exactly what happens in a battering situation. This whole system is actually terrifying to me. So I feel this urgency to work in my life to change that.

Part of it too is that I work a lot with this sense of people having to make choices about bad options. I am aware of that in my own life, but it is very strong for women in prison; you’re arrested for something you did but there’s a whole lot of other things that you could have been arrested for, and what you were arrested for might not be something that you did, but there were a lot of other things that you could have been arrested for. And I work with that a lot about my own life — if it had been a different time, if I were a different person, if I had been caught I would be there too. Whilst I do not understand the class privilege that I would have, I have also met so many people whose class did not protect them.

Lit: In your new book Compelled to Crime you talk about how many of the women you work with in prison have experienced male violence, and that this links in various ways to the reasons they are in prison.

Beth: They embody all of the complexities and failings of society. They represent public policy failure, they represent fear — the world is afraid of them, as poor Black women. I don’t understand what the fear comes from, but the fear and hatred of them is there. They’ve been failed, they’ve been betrayed over and over again to the public as well as to the intimate sphere of their lives. I think the battered women’s movement has furthered that, I think our attempts at elemency have said that it takes a better battered woman to deserve our efforts to get her out of prison. Most of the women that I work with aren’t there for assaulting their partner; they’re there for drugs, prostitution, assaulting some other man, failing to protect their kids. I understand in some way why this has happened, but we have so de-contextualised violence that it’s hard to see other issues that I think we as advocates have really betrayed the women who have experienced violence and are incarcerated because we don’t fit in whatever legal or policy area we’re working to change. And in that way it reminds of when I first started my work in the battered women’s movement when I used to have to go over and over again, to convince people that racism was an issue, and people would say ‘yes, but...’ It’s almost like ‘I’m back there saying ‘we have missed the boat.’ Why are we continuing to refuse to take on this issue, there are thousands more battered women in jails and prisons and that we recognise. They’ve ended up there because we have not found any other place for them to go, and we’re not organising to get them out!

Lit: In many ways to get where we have we concentrated on stressing women’s strength and survival, and rejected the term ‘victims’ in the process. In doing so I think we lost a way of understanding the many different ways in which women are harmed, the damage that violence does, that women find ways to resist that we don’t understand or recognise, and I wonder if in abandoning that term we have also abandoned women who don’t fit the ‘survivor’ category.

Beth: They don’t exist, that’s right. There’s a way that, for good reasons, and through very hard work, we did create this and it’s very hard to uncreate something that we worked hard for. I don’t think what we did was malicious, but our imagination has failed us, we need to deconstruct now, to take a different road. It means to me that in a lot of ways the anti-violence movement is no longer radical. Because radical politics would have us there working with women in prison. It’s almost like there is no other symbolic, metaphysical place, let alone any agency or institution, where women are so desexualised, so abused... and we sort of said we can’t do that hard work. A very concrete example of it is how we have still failed to deal with the harm that drugs do to women who are using drugs and alcohol, and so they end up in prison instead of in shelters. I know that entertainment is complex, that drugs, impairment, that alcoholism is tricky, but are we saying we’re only going to work with the easier ones? What does that mean? It’s about the kind of risk we take as a social change movement, whether we locate ourselves in sites of struggle or whether we create this infrastructure of services that requires that we keep our shelter beds full but not full beyond the capacity that we are licensed for. There’s this way we do a dance with people who are fundamentally our enemies. Again it really does take me back to why I started this work, there’s such a hypocrisy in some ways. It’s very hard to be critical of the women’s movement as someone who’s been a part of it — better me than someone else maybe — but there’s this sense that the whole thing is still fragile enough that all it takes is one peg to be pulled and the whole thing can come tumbling down. And how are we to give honour to the women who’ve saved lives over a long time, but also be self-critical and say ‘Now we need to find our way back to other sites’.

Challenging feminist orthodoxies

Lit: For me it’s about remembering our original vision. My story linked to this is about how when a woman came to a refuge it was about the danger she was in, and providing safety. But now I hear stories about women being asked to leave because a violent man knows she is there, so she’s endangering everybody’s safety. And I want to say ‘wait a minute’.

Beth: Right, there’s something fundamentally wrong with that!

Lit: I thought the whole idea was that we would create somewhere that she didn’t have to run from, that together we would stand and say ‘no, no more running’, that we removed her permission to terrorise women. So there is back-tracking even from that simple basic level.

Beth: That’s right, that’s absolutely true, that it is a loss of our original vision. Part of what is really hard and frustrating is that sometimes the vision is still articulated but the practice has departed from it, so it’s difficult to find the place then to enter into a critique. It’s easier to critique those who do this work with a different vision. But, you know the other thing that I have learned is that vision really is only practice and that there’s a way of talking about visions that has almost kept us from reality. One of the things I struggle with in my work with incarcerated women is — many of the Black women I talk to who are in jail really want justice, they want criminal justice intervention, they want better police, not no police, they want longer sentences. I want to listen to that, the more time I spend in jail the more I think ‘This is the worst place for any violent person to go —
unless they want to learn more violence'. They learn strategies for violence, but they also learn about the use of arbitrary authority, isolation, how profoundly well it works — because it works on them. So I'm left with what is the vision then? What is the underlying principle, because the strategy has come from somewhere.

I was really challenged by the OJ case because I really do believe in defendants' rights. And then a member of my family was almost killed three months ago by her batterer, and I found myself calling her legal advocate 'I want the State Attorney's phone number because I don't want this man to be given bail.' That's me and my family and I'm saying lock him up and throw away the key! I thought he should never leave those doors because he is trying to kill her, and he will try to kill her as long as he can walk this earth. And then, you know, I lobby for reduced sentencing.

**Lie:** These are the contradictions we live with aren't they? In some circumstances around certain crimes I prepare to listen to the abolitionist case against prison. But for other crimes, where deliberate damage is done to another person, and a sense of ownership and entitlement is involved, I think the opposite, because in the absence of knowing how to create an emotive channel that at least offers protection.

**Beth:** Right. But then how do we develop policy that fits a complex picture? Part of what I pose that question is that this links to my work more closely with the Black community, because I don't think we can have state-wide policy that takes us away and circumstances into account. Our community has to say: 'We will not tolerate intentional violence directed toward another person that's based on proprietary ownership and entitlement to abuse' and likewise we will not incarcerate people with the mental health and public health problem of addiction. That shift has to happen in our own community before I can ever expect, really, that there will be public policy that can factor in all of the different nuances and the competing priorities, competing interests that every group has. This is hard, because I don't think that we should let government off the hook. But part of what we have done is really tuned too much to government to solve this problem. That's why we are in this trouble that we're in with mandatory arrest. We've expected that law enforcement will solve this problem — and one of the reasons the law is not working is because we have not invested in the process of seeing that the law is properly enforced and the court is the legal representative of the community. One of the ways that we've almost really 'victimized against women' — thinking about it as a crime that is therefore sui generis separate or the criminal justice system to respond — has meant that we have created intervention, public policy, also public sentiment about police enforcement as a response to violence. So when the general public says 'Why don't women call the police?' it is without a consciousness of the tension, the hostility between Black communities and the police enforcement. We also don't factor in how Black women are deeply concerned about Black men going to prison. Let alone the fact that we don't have that police response, so it's not a real option anyway. Again I think it's an example of how we've just taken too narrow a view, and not looked enough at context with the solutions that we've tried to come up with. Having said that I do know that many Black women want men to go to jail and stay there, so this is a complicated issue. More and more I think that the answers that make sense to me, may not make sense to someone who stands in a different position.

If we look at national policy, like in the case of the Violence Against Women Act, that Act is problematic in so many ways as it affects immigrant women, for example, that we've got so committed to passing national legislation that we don't pay attention to the details. So it becomes a necessary exercise to write off the rights of immigrant women toward this greater good of passing the Violence Against Women Act. I think too that we need to be more critical of the values, principles and the reality. And the ways that we've gotten involved in these large systems is just a byproduct.

**Lie:** We've also lost sight of where most women get their support from. They get it from their sisters, from friends, from kids, from neighbours, or they get it from them. But if they do it makes a significant difference. The focus on government means we haven't looked at much at how we enable those close to women to be more effective.

**Beth:** That's right, and I've actually been inspired by the ways that Black are national campaigns to create community intolerance for violence... both the Zero Tolerance initiative, but also the National Network to End Violence Against Women and in the US. But I also think that there's still a sense of some monopolistic community; that one message that's supposed to be for everybody, I just don't know how well it works. So again is the best-intended efforts to make works on a national level — whether it's to draft legislation or community action — doesn't work without community-specific messages and interventions. The movement came up with that idea years ago but we've not the ones who design a national message to suit our community and assumes that it would apply to everyone — but that is what is happening with those national campaigns. In the Black community right now in major urban areas like New York there is a tension in terms of relating to the Youth Firearms Prevention folks who have a very radical race analysis — typically — but no analysis of gender whatsoever. And so that's a community ally that we're trying to influence, in a way that we're not working with the white mainstream of the battered women's movement, but that's OK. I think maybe it's a more appropriate alliance anyway.

**Misuse of powerlessness**

**Lie:** I was really interested in how you used the concept of misuse of powerlessness between those who share oppressions.

**Beth:** Caitlin Fulward, who was one of the first chairs of the Women of Colour Taskforce in the National Coalition Against Domestic Violence, like many of those early activists veterans has gone on to do other work; she's worked a lot with HIV/AIDS and developed one of the largest People of Colour Against AIDS networks in the United States. It is from there that she began to think really critically about how do we use a critical understanding of our oppression? Do we use it to shift consciousness and become activists and allies or do we use it to disguise or excuse away our own lack of taking responsibility for our stuff? This is a hard one to talk about publicly — it's different than internalised racism, and internalised racism is a problematic concept in some ways, because it does imply some psychological conceptualisation of internalisation. This more says that we understand powerlessness or we understand oppression and what we choose to do with it is tied in to our own best interests or in the interests of the community who are similarly oppressed as we are. I think it's a great concept because it implies that we can make a different choice and without going through some psychological process of exercising our internal angst. And I think it also sheds light on the ways that powerlessness really fucks with people, that people get caught into corners that they don't know how to get out of, and one of the ways they do that is come out on the wrong side sometimes.

**Lie:** I think it is in connection to the necessity of creating positive sense of identity in the context of external, negative definitions, but it's also a process forgetting that oppression doesn't necessarily make anyone a nice person.

**Beth:** That's right, or a sympathetic person, or one who's politically clear, it gives room for that range of responses to that trauma, if you will. **Lie:** The other thing you made me think about was the idea of agency which there is so much emphasis on in feminist theory, but agency seems to only mean that we have to choose to act, there is very little recognition of the vastly different contexts in which women are able to act.

**Beth:** One of the ways that it gets played out is the victim survivor/offender defendant set of categories that we've set up for women to try to fit into. From working with women in prison it's very clear to me that women make choices — but they don't have good options and they don't have free will; clearly they don't have free will, but they're not passive recipients or only vessels of despair. And they integrate that, sort it out and then choose what they want to be — they can actually go on. So they exercise agency, they're active, they are not without some kind of self-determination. Sometimes we are emotionally and strategically oriented to response being battered. The problem is that we don't have systems that allow you to be two things — a victim and an offender — so instead we've asked women to only be one thing, and relate to agency in one way. Our interventions are so categorical, overly determined, that we can't accommodate a lot of women's realities. So we either say women are offenders and therefore need these services or women are victims and they need these services without seeing that probably most are both. When you follow that to a logical extreme, in the case, I think of young Black men who are perpetrators — they are also victims. Increasingly we know this. And that means that our whole fundamental analysis has to be shaken up, because do we then say 'Well, the victimisation of women is more important than the victimisation of men?' Do we want to express that if men were victims? Do we want to express that if men were victims? Quin frankly I don't, but it is a logical
extension if we take this argument all the way. But I’m not convinced that it’s not stretching too far. I’ve been thinking about in terms of what kind of analysis we use to base our intervention on. And I’m not as convinced as I used to be that we need an analysis that is totally consistent, or that has sort of multi-level integrity. In other words, I think that we need to think of women as perpetrators and victims, as offenders and survivors, but I don’t think that means that we have to offer services to men just because they can be both of those things.

**Lit.** And we defend that as a political choice rather than in terms of theoretical consistency?  

**Beth.** Yes, indeed. It’s so interesting now having an identity as an academic, I really do think of myself as a methodologist and I’m very interested in theory. But that’s why I do this work, you know. I think that as more and more of us are positioned to contribute to scholarship and influence the literature we have to also be clear when we’re doing political work. Not that academic work is not political work but it’s really very different, the arguments I would make for theoretical consistency I would not make for political choices.

**Working with complexity**

**Lit.** All the way through this conversation you’ve been talking about how feminism need to be able to deal with complexity, but also how complicated that can be. Your response to the Million Man March, Louis Farrakhan, leader of the Nation of Islam, called in early 1996 for a million Black men to march on Washington, to make a statement about Black masculinity in terms of responsibility to their families — was an interesting example of this.  

**Beth.** Well I was sitting in Chicago, immersed in the politics of Black community development, trying to influence that work to have a gender analysis, aligning with men that I never thought I’d ever align with. The Million Man March almost came along to say “see Beth — this is why you can’t ‘do it’. And ‘this is why you can’t do it’ meant: how do you offer constant critique of black patriarchy that demonstrates understanding of the plight of Black men in contemporary society as different but not necessarily worse than the situation facing Black women. How do you articulate all of this? Do you stand, as a raced woman, on the side of these men trying to do something? Or do you risk feeding the white feminist, and progressive white critique of the march — are you used as an argument that they would all say “Oh, there’s some Black women who don’t get it”. Where do you find yourself? Initially, like many other women, I was silent, I just couldn’t figure out a way in to this debate. Then I found more women who thought like I did, there were Black feminists who spoke out publicly, and surrounding them was a whole group of women who said “I’m not going to be forced into this corner, I will not choose between a gender analysis and feeling like I’m part of a black community”. I don’t think we did that successfully — we got some press, and some sense that we were not totally weird. But we did not touch women in the same way that the Million Man March did. It really called us together — we still meet and talk about this; part of what we didn’t do is have accessible material and accessible arguments that have strongly articulated ideology. Louis Farrakhan had pamphlets that were attractive, that were easily accessible, that reflected people’s experience; deeply rooted in ideology of the Nation of Islam. We don’t have that deeply rooted in Black feminism, and we need to do that; our popular education has not been up to par, and to me that was popular education at its best, it was brilliant organizing, national organizing. We could only respond and have white feminist sisters and the progressive group of men behind them tried to exploit us, tried to get up to join their gender critique.

Some of our best Black men who were feminist allies joined the Million Man March. It emotionally and politically_shifted the balance to a point where we said “we have to do something”. Which is why we’re still meeting to try and figure out how to do popular education on this issue. In that sense I sort of feel grateful. I also really remember that day, it was such an awful day for me. And I remember that the best hope is that some battered women are safer because their husbands or partners went to that march, and I thought that maybe some of them will pay their child support when they get home, and maybe there’ll be a chance for women-only space, for productive discussions for women. I kept trying to find those glimpses of hope. I talked with men who I think were really changed by it, that made it more complicated. It didn’t enough good that I’d say it isn’t all bad. I wish I could say it was terrible, it was all bad — but it wasn’t. The way the white media responded to it was so overtly racist that the racial dimension of it just jumped forward. I’ve often thought since it was now and I knew what it was going to be like, would I go and protest? I still wouldn’t but I would try and articulate how wrong it was. They’re planning a Million Family March in October which to me is just as unacceptable. It’s problematic because their notion of ‘family’ is so — I’d rather just be men in some ways because then the critique is more apparent, than hidden under the ideology of family; because it’s really patriarchal.

**Lit.** And women are only there as part of ‘family’, they’re not allowed to be there as women.  

**Beth.** That’s right.

**Lit.** How do you see Black feminism in the United States, where it’s got to and where it’s going?  

**Beth.** I see a parallel between my evolving consciousness as a Black feminist, rather than a woman of colour, and what’s happening with Black feminism. Even in terms of where intellectual opportunities are created now, they are much more culturally specific. I think that’s a good thing. Journals look more for specific articles, conferences focus much more on specific groups. It’s actually widen who can be a Black feminist, because it’s not melded with so many other issues — I love that. It feels to me a place where I really can be all my identities. The ‘woman of colour’ category did offer more opportunity for blending, while this is much more specific but really about me, in some ways very self-interested but also with a sharpness to it. I’ve changed how I am because of how Black feminism has continued to grow, evolve, clarify, define, shape its way. The fact that there is some very well established, well-respected Black feminism who really articulate theoretical issues helps. I was having a conversation with Barbara Smith recently, of Kitchen Table Press, and I was saying ‘Barbara, where’s your Kitchen Press? What happened to that major institution that just changed women’s lives?’. And she explained where it is, it is doing alright; it’s going to publish again soon, but it’s without its edge. Black feminism was such a popular movement, as opposed to an intellectual movement, and it feels in some ways more intellectual now than popular and that’s interesting to me. There are so many women who remembered reading *Home Girls* and felt like life opened up for them. Very different to reading *Black Feminist Thought*, Patricia Hill Collins’s book, some people had their world open up, but it was not popular. I hope there’s a way to make it popular again. It’s similar to the Million Man March — how do we make that those of us who get really excited about theory have that, and how we do make sure that people who don’t get so excited about that have something else to get excited about? Black feminism can transcend the borderlines between intellectual life and real life, community life much more easily than other things. We’ve yet to do it very well, but it’s got to be our next step.  

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**References**


Taking Liberties

The time is long gone when feminism and gay politics might have been assumed to share a common analysis of heterosexuality. Gay activists, civil rights lawyers and the gay press seem united in their determination to measure gay (male) rights against a heterosexual norm. A recent report by Liberty illustrates this only too well. Not only does it exclude a lesbian feminist perspective, argues Stevi Jackson, it is dangerous, self-defeating and deeply reactionary.

Back in the early 1970s, the term 'sexual politics' was used as an umbrella term covering both feminist and gay politics. For a brief period, radical gay activists allied themselves with the women's movement, believing that gay liberation, like women's liberation, required the dismantling of patriarchal structures and institutions. This alliance, however, proved short lived. Today large sections of the male dominated gay movement are pursuing goals which are antithetical to feminism — and also counter-productive for gay liberation. This can be illustrated by a report produced by Liberty (formerly the National Council for Civil Liberties) in 1994: Sexuality and the State: Human Rights Violations Against Lesbians, Gays, Bisexuals and Transgendered People.

While produced by a civil rights organisation, the report was compiled in consultation with Stonewall and OutRage, representing respectively the reformist and radical faces of gay politics in Britain. The arguments it presents reflect those widely aired by gay activists and most of the evidence cited in support of these arguments comes from the gay press. The report can, therefore, be taken as representative of male-dominated gay politics. It is certainly not representative of lesbian politics. While claiming to speak for both lesbians and gays, the Liberty report is primarily a defence of the rights of gay men. There are women in both OutRage and Stonewall, but the agenda of these organisations is defined from a gay male perspective and this, unsurprisingly, is reflected in the report. Lesbian feminist perspectives are totally excluded. Among all the references to the gay press there are none to feminist publications and there appears to have been no consultation with feminist organisations, such as Rights of Women, which have campaigned around the legal rights of lesbians.

**Endorsing heterosexuality**

The lack of any engagement with feminism not only illustrates the distance between gay male politics and feminist politics, but also leads to some of the fundamental flaws in the arguments Liberty presents. Because the report ignores decades of feminist activism and scholarship on sexuality (as well as the work of more radical gay theorists) it reads as if no-one had ever developed critical perspectives on the social construction of gender and sexuality. In particular, it fails to address the ways in which institutionalised heterosexuality reinforces both patriarchal domination and the oppression of lesbians and gays.

Any attempt to further gay rights should recognise that lesbiness and homosexuality exist in opposition to heterosexuality. In the first place, the categories 'homosexual' and 'lesbian' serve to police the boundaries of institutionalised heterosexuality: homosexuals and lesbians are defined as deviant outsiders in order to confirm the 'normality' of heterosexuality. This is central to the oppression of lesbians and gays. Second, in mobilising around these identities, redefining them as political rather than deviant, lesbians and gays potentially challenge the institutionalisation of heterosexuality. Lesbianism in particular has been adopted as a political stance in opposition to the appropriation of women within patriarchal societies.

The Liberty report does not recognise the oppositional location of lesbians and gays. Hence it fails to question the structures and ideologies which maintain the distinction between heterosexuality and homosexuality, and which confirm the former as the norm. Nor does it take any critical stance on heterosexuality itself. It considers neither the power relations which exist within heterosexual relationships nor the power relations which operate between heterosexuals and homosexuals. Instead heterosexuality's normative status is confirmed. It is taken as the standard on which human rights are founded, and hence the issue of rights is posed in terms of equality with heterosexuals, leaving heterosexuality itself unchallenged.

The Liberty report aims to expose the ways in which the British state denies the rights of lesbians and gays. The argument is framed in terms of internationally agreed standards for human rights, such as the United Nations (UN) International Covenant on Civil and Political Rights (ICCPR). It is partly because it takes the terms of such international agreements, themselves formulated on the assumption of a universal heterosexual normality, that the report is problematic. I have no quarrel with the aim of defending civil liberties for lesbians and gay men, but this aim is not furthered by a perspective which treats heterosexuality as the standard for human rights and which does not consider the political consequences of endorsing patriarchal, heterosexual institutions.
'Nature' vs. choice: a false opposition

One of the grounds on which Liberty argues that discrimination on the basis of sexual orientation is an abuse of human rights is that 'sexual orientation is an immutable part of every person like their race or gender' (p. 11). In the very next paragraph, however, it is stated that:

'A debate continues about whether sexual orientation is a biologically innate characteristic or a conscious political choice'.

You cannot have it both ways! If sexual orientation is biological in origin it cannot be a matter of choice. Liberty wants to have it both ways because each of these options can be used to argue for protection against discrimination: 'either similar protection to that which is afforded women and ethnic minorities, or protection from discrimination because of political or other opinions' (1994: 11). This either/or distinction between biology and choice is not confined to this document: it has been a feature of other recent debates and campaigns, such as those around Section 28 and the homosexual age of consent. It relies, as Lynda Birke argues, on a reductionist view of biology as a single, simple explanation for complex human behaviour. More importantly, it leaves no room for social structures and processes. In ruling out the third alternative, that sexuality is socially or culturally constructed, it ignores the social contexts which shape both biological research and the choices we make. In addition to these problems, I am not convinced that either alternative — biology or choice — provides a sound basis for advocating equality.

It is not clear whether the idea of sexuality as a choice is a misunderstanding of social constructivist theories of sexuality or of political lesbianism or both. If the idea of choice derives from political lesbianism it is a somewhat naïve interpretation of it: the slogan may have been that 'any woman can be a lesbian but, in fact, not every woman could. Lesbian feminist theorists such as Adrienne Rich had a great deal to say about the material and ideological constraints involved in the maintenance of compulsory heterosexuality. Those who became lesbian for political reasons did so as a result of a particular analysis of sexuality, one which derived from the women's movement: that sexuality was socially constructed within heterosexually ordered patriarchal relations. It was in this context that the possibility of challenging and transforming sexuality opened up, making new choices available. Moreover, although the idea of choice has been important to feminist thinking on sexuality, feminists have also long been aware of the complexity of sexuality and the dangers of a liberal individualistic model of desire and identity (see Jackie Stacey's article 'Promoting normality').

Locating oneself as lesbian or gay is potentially political, because it entails embracing an identity oppositional to the prevailing norm: it is precisely the social significance of homosexuality and lesbianism that creates this political potential. Following the logic of heterosexuality as a choice, Liberty argues for gay rights as analogous to the rights of political belief and dissent. What they do not consider is what gays and lesbians are dissenting from if not compulsory heterosexuality. The one thing which a politically motivated lesbian or homosexual does not want is to be just like a heterosexual, yet the aim of the report is precisely that lesbians and gays should be treated just like heterosexuals. They should, it is argued, have the right to form heterosexual style families including entitlement to the pensions and tax allowances which derive from the economic inequality underpinning heterosexual marriage. The goal is to be included into heterosexual privilege rather than to challenge it. Political lesbianism, on the other hand, has always been seen as a challenge to institutionalised heterosexuality, a refusal to live within its boundaries.

Even in the absence of such a radical analysis, what freedoms could a person have a right to? A diet of sexual freedom? The right to believe and articulate a political defence of homosexuality or lesbianism is not equivalent to the right to freedom of sexual conduct. There is not, nor can there be, absolute freedom of action for any of us. Liberty's claim that the ICCPR 'protects the right of people to enter into relationships' (Liberty 1994: 11) is, to say the least, rather vague. None of us is free to enter into any form of relationship we choose, nor should we be. Many feminists would balk at the extreme liberalisation which such an argument could lead to. We would not, for example, support the right of an adult man to enter into a sexual relationship with a six year old child. Indeed feminism directly challenges some existing relationship rights, particularly the rights over women which men gain through marriage.

The return of biological determinism

The alternative strategy offered by Liberty is the claim to rights premised on sexuality as a biologically ordained immutable characteristic. Their assumption that immutable sexual nature is the only alternative to political choice is not an isolated instance, but part of a more general turn to biological explanations among gay activists. In the absence of a political understanding of sexuality as socially constructed, the idea of being 'born that way' becomes attractive to many gays and some lesbians. The cultural legitimacy of 'science' provides individuals with an easily understandable way of accounting for their own sexual desires and practices. Biological explanations 'ring true' not because they are based on incontrovertible fact, but because they provide culturally approved ways of making sense of sexuality.

A further reason for the popularity of biological determinism among gay activists is that the political Right sometimes uses a version of social constructionism against lesbians and gays, suggesting that it is possible to 'promote' homosexuality or convert people to it. This, however, is no reason to abandon social and cultural perspectives. If both choice and determinism can be used to defend gay and lesbian rights, they can equally be deployed against those rights — to damn lesbians and gays as genetic freaks on the one hand or moral degenerates on the other.

More importantly, countering the Right's homophobia by resorting to biological determinism conceals political ground to them. Feminists have long been aware of that homo- sexuality — and more specifically lesbianism — does represent a threat to institutionalised heterosexuality and to the hierarchy of gender which is integral to it. It has always been a central tenet of femininity that sexuality is socially constructed and that we can therefore struggle politically to change it. The existence of such a threat, the potential for political change, depends on recognising that the current ordering of gender and sexuality is social rather than natural.

The notion of an innate sexual orientation offers no challenge to hierarchies of gender and sexuality. This is precisely why biological
order. Indeed, this is the political stance taken by Simon LeVay, the originator of the ‘gay brain’ theory.

This position also ignores the continued viability of lesbian and gay communities, which have managed to reproduce themselves non-biologically. As Sarah Franklin argues:

The implications of biological and genetic theories, that they suggest that lesbians and gays, if not extinct, should be a dying breed, seems to have been missed by those gay activists who endorse such theories. They also ignore the central issue raised by Franklin, the political importance of the social reproduction of lesbian and gay communities. Instead they assume that lesbians and gays constitute a permanent, more or less stable, natural minority. To campaigns for equal rights on this basis is misguided. The hope behind this, as voiced by the American gay activist Randy Shilts, is that being gay could have no more significance than being left-handed, that it will therefore cease to be regarded as socially intolerable. Pleas for rights on this basis — we deserve tolerance and protection because we can't help it — hardly seem a promising start for claims to equality.

The TCQ is founded on a misunderstanding of why homosexuality is socially significant, or why it exists as a meaningful social category at all. Homosexuality is not a natural difference that has become stigmatised through some irrational prejudice, but a category which only exists in relation to normative heterosexual. It cannot be equal to heterosexuality: it is necessarily in opposition to it. Homosexuality will inevitably be regulated, oppressed and stigmatised when heterosexual retains its privileged position as the unqualified, institutionalised cultural norm. Nowhere in the report is this privilege challenged.

The politics of gender and sexuality is somewhat ironic that the Liberty report takes the immutability of sexual orientations as analogous to gender (p 11), given that the concept of gender has been used by feminists in order to refute the idea that sex differences are natural and unchanged. It also leads to further contradictions. Gender, we are told, is fixed and immutable — but because Liberty want to defend ‘transgendered’ individuals they complain that ‘the law does not recognize the right of people to have changes to their gender acknowledged’ (p. 58). The argument runs like this: gender can’t be changed, but law should recognize our right to change it! They do not see that the very existence of gender divisions might be part of the problem and that this is linked to the division between hetero- and homosexuality.

Heterosexuality as a system depends upon gender hierarchy and patriarchal domination. Heterosexuality as a sexual practice is legitimated as the ‘natural’ outcome of equality ‘natural’ sex differences. Hence biological sex, gender and sexuality are conflated: to have female genitalia is to be a woman; to be a woman is to desire men (and vice-versa). At the case of heterosexuality is gendering of desire — the idea that we should be attracted to ‘the opposite sex’. Because the ‘wrong’ choice of sexual partner, it has often been seen as a gender disorder. Some recent forms of biological determinism promoted by gay scientists and activists accept this. For example, Simon LeVay’s (1981) ‘gay brain’ theory relies on the idea that the brains of gay men are characteristicity feminised, and thus assumes that if men desire other men they must be ‘like’ women. Thus patriarchal and heterosexist ideology which identifies gay men as failed men — and lesbians as failed women — is left intact.

The policing of gender divisions and of heterosexuality is intimately interconnected. It is the work of the author of the Liberty report fails to appreciate. He also has not noticed that heterosexuality is necessarily a gendered institution: a man plus a woman equals a heterosexual relationship. Heterosexuals are not a genderless category. Moreover, men and women do not share equally in heterosexual privilege since heterosexual marriage has historically institutionalised women’s subordination to their husbands. It is a nonsense to claim equality with heterosexuals when the condition of being heterosexual, by definition, differs for women and men.

**Prevented families**

Major problems arise when Liberty demands rights in areas which are central to the institutionalisation of heterosexuality, notably ‘the right to form a family’ (pp 18-44). The well-worn example of Section 28 of the Local Government Act 1988 demonstrates that the family, by definition, is heterosexual: gays and lesbians can only have ‘prevented family relationships’. This, however, is only served to underline what was already the case. However diverse family forms are becoming, a variety of state social policies reinforce the institutionalised heterosexuality and male dominance on which families are still founded. Why would lesbians and gays want to be included into an institution which has served to perpetuate heterosexuality and patriarchal domination.

The idea of family diversity to argue that the ICCPR’s provision on family rights could be extended to lesbians and gays, but the rights they argue for do not rely at all on ideas about diversity, but rather on the closest possible mimicry of conventional heterosexual domesticity. Rather than looking for ways of enhancing diversity, Liberty simply want to give lesbians and gays rights modelled precisely on the heterosexual family. It would seem that Liberty is indeed advocating rights enabling lesbians and gays to establish ‘prevented (heterosexual) family relationships’.

Demands for the recognition of gay marriage are now, of course, widely heard throughout the Western world. Liberty’s call for legal recognition of same-sex relationships includes the ‘benefits accruing to heterosexual couples, such as wives’ pension rights and the ‘marital tax allowance’ (sic) (p. 37). The report’s author seems curious without obvious of the implications of this. Taxation and social security provisions have evolved in the context of a hierarchical system in which husbands are economic heads of households and wives are their dependants. Again we might ask why lesbians and gays should want to replicate the patterns of support and dependency which have typified patriarchal marriage.

The right to parent is potentially of a different order from the right to marriage, in that rearing children outside conventional families could pose a more radical challenge to institutionalised heterosexuality. This, however, is played down in the Liberty report. Liberty’s defence of the rights of lesbians and gays to parent, and especially to foster and adopt, is couched in terms of the difficulties faced by
lesbian and gay couples (p. 43). This presupposes the normality and desirability of monogamous couples. Presumably the aim is to appear respectable and reasonable — but it also reflects an insensitivity to issues of gender.

Although the report mentions the specific problems faced by lesbian mothers — loss of custody of their children and barriers to access to assisted conception — it assumes a generalised opposition to lesbian/gay parents. This is not the case, since that opposition is clearly related to the gender of the parent as well as their sexuality. The work that has been done on lesbian mothers by organisations such as Rights of Women suggests that one of the reasons why they lose custody of children is that their children are growing up without being subject to the proper patriarchal authority. Similarly, the “virgin mothers” scare around Artificial Insemination by Donor in 1991 entailed publicly expressed outrage that women should dare to become pregnant without men, without being “possessed” by a man, without fulfilling conventional feminine obligations to men (see Jill Radford in T&D 21).

The gender division underpinning heterosexuality means that gays and lesbians are not simply common oppressions through their homosexuality but are located differently in relation to compulsory heterosexuality. Rights pursued by gay men may not, therefore be rights for lesbians. Aside from the (very) limited recognition of gender difference in relation to the specific problems faced by lesbian mothers, the report largely ignores differences between lesbians and gay men.

The problem of consent
Another obviously gender specific issue is the campaign for an age of consent which applies equally to heterosexuals and homosexual men. What is not widely recognised, and is not mentioned in Liberty’s coverage of the issue, is that the age of consent is a gendered concept — effectively positioning (sic) gay men in an analogous situation to straight women: consent- ing to have ‘it’ done to them. This model of sexual relations is clearly absurd since in practice both active and passive partners are equally liable to prosecution for sex with someone under the age of consent. Yet the assumption of an active older man and a passive younger man certainly shapes the thinking of some of those who oppose lowering the age of consent, who see it as a license for men to bugger young boys. I am not suggesting that the age of consent campaign is misguided, merely that it should be recognised that it does not render gay men formally equal to heterosexual men but rather to heterosexual women. This holds true whether one regards the age of consent for women as repressive discriminatory legislation or a necessary protection against male sexual exploitation.

The lack of attention given to these issues is surprising since the NCCL (now Liberty), argued in the early 1980s for the removal of the age on consent on the grounds of sex discrimination — an argument controversial at the time since many feminists felt (and still feel) that it was necessary to protect young women from sexual violence and exploitation. The history of heterosexual age of consent legislation has also been much debated among feminists, particularly in terms of whether its protective intent was progressive for women or repressive of their sexuality. This has been ignored despite the fact that it was the same piece of legislation — the Criminal Law Amendment Act of 1885 — which both raised the heterosexual age of consent to 21 and outlawed “acts of gross indecency between men”.

Whose rights?
The issue of consent serves to underline, yet again, the pursuit of rights ‘equal’ to those of heterosexuals is far from unproblematic, and that the way in which heterosexuality has been constructed and institutionalised should be questioned. Throughout Liberty’s report, the social construction of heterosexuality remains unexamined. Moreover, the focus on individual rights diverts attention away from social inequalities which are not amenable to change simply through legal reform. We cannot even begin to challenge heterosexual hegemony while limiting our concept of equality to formal, individual rights. The fact that women have gained many such rights without attaining social equality should demonstrate the limitations of a politics of rights which ignores the structural bases of social inequality.

To whom, in any case, do the lesbian and gay “rights” lobby want to be equal: heterosexual women or heterosexual men? I suspect that many gay men are seeking equality with heterosexual men and are quite happy to leave lesbians the less enviable goal of equality with heterosexual women. Lesbian feminists, of course, have continued to fight for equality for all women and an end to gender hierarchy. This does not mean equality with men, or being like men for, as Christie Delphy puts it in ’Re-thinking sex and gender’, “if women were the equals of men, men would no longer equal themselves” (p. 8). That is to say, since men and women are categories rooted in a hierarchical division of gender, without that hierarchy the categories would cease to be socially significant. The same logic can and should be extended to the division between homo- and heterosexuality. If real equality existed heterosexuality would no longer be what it is today. To seek equality with heterosexuals is a logical absurdity since it cannot happen without displacing homo- sexuality from its status as privileged, institutionalised norm. Rather the goal should be to make the anatomical contours of one’s chosen sexual partners socially irrelevant. This itself requires that gender ceases to be a significant factor in the way we organise our sexual and social lives.
Motives and Meanings

Feminists were mostly silent about the Rose West case in spite of having an analysis of sex crime, because female perpetrators of sex murder seemingly did not fit that analysis. Debbie Cameron argues that we can understand female sex murderers within a feminist framework.

The story so far...
In an earlier piece (TAJ 33) I wrote critically about the way mainstream commentators represented Rosemary West using the largely fictional concept of the 'female serial killer'. Media pundists and their tame experts were seemingly gripped by a liberal desire to believe that everything, including sexual abuse and killing, is now an equal opportunity activity. But beneath this liberal feathery interface lurked a less liberal anti-feminism. The real point was to convey a message that when feminists go on and on about male violence they are simply airing political prejudices with no form of fact.

As I argued before, this is nonsense. Women's contribution to serial killing is so insignificant that Robert Ressler, the former FBI agent who coined the term and is widely considered to be the world's leading expert on the phenomenon (he is without doubt the world's most tireless propagandist for it), feels able in his memoir Whosever Fights Monsters to dismiss the whole question in a single paragraph:

I am often asked why I don't discuss female serial killers. Only one female has been arrested and accused as a serial killer — Aileen Wournos in Florida. Although there may be others, my extensive research has not come across them... Do the psychological impairments that characterize the men also describe the pathologies of violent women? Frankly, I don't know; such research remains to be conducted (p. 35).

I will return to the FBI's 'extensive research' on serial killers and the 'psychological impairments that characterize the men'. At this point, I want to draw attention to this expert's frank admission that where women do, exceptionally, engage in violent acts similar to those of male serial killers, he and other researchers don't know what lies behind their behaviour. All serious commentators on the case of Rose West, including feminist ones, found themselves looking into the same explanatory void. That is my starting point for this second piece on the West case: how do we as feminists deal with the issues without resorting to fiction ('the female serial killer'), sex stereotyping ('the murderous mother') or simply to silence?

Problems and pitfalls
As far as I know, there has been very little published feminist commentary on the West case, and I don't think that's coincidental. Talking about it from a feminist perspective (particularly in public, given the climate of mainstream anti-feminism which almost guarantees that what you say will be misinterpreted) is not easy. Any attempt to do so must negotiate a number of potential pitfalls.

One of these is a defensive desire to say nothing about what Rose West actually did, for fear of just reinforcing the crude misogyny of the mainstream. It's tempting to concentrate on how exceptional her crimes were, and how outrageously she was scapegoated by the media ("The Most Depressed Woman On Earth", as The Sun newspaper trumpeted in November 1995). An observation that recurred in conversations with other feminists was that 'one abusive woman doesn't cancel out 999 men: why aren't they talking about the real culprit?' The point is a reasonable one, and we should lose no opportunity to make it in public; but it cannot be all we say, for it totally sidesteps the hard questions about Rose West herself.

We also need to resist any assumption that our role as feminists is to find excuses for Rose West, to explain her behaviour away as opposed to just explaining it. I am not saying TMS readers would themselves make this assumption, but we need to be aware of how commonly it is made by others about us. During the trial I was amazed how often colleagues and casual acquaintances — not to speak of reporters — just took it for granted that the 'natural' tendency for anyone with my political beliefs would be to spring immediately to Rose West's defence.

More subtly, there's a danger of normalising Rose West's behaviour or playing down her own responsibility for it, by saying in effect 'yes, what she did was awful, but in her position many women might have done it'. This is the kind of argument which has been used — sometimes successfully and sometimes with support from feminists — in trials of what the FBI calls 'compliant victims', i.e. severely abused women whose involvement in multiple rapes and/or murders initiated by their male partners occurred under duress. In some ways it parallels the 'self-preservation' argument about women who have killed their abusers (in some circumstances a woman may perceive her only choice as 'kill or be killed'); though I find it much more problematic to extend that argument to the killing (not to mention the rape and torture) of someone other than the abuser.

Still, there have been instances where I think this posed a genuine dilemma for femi- nists. An example is the case of Canadian Karla Homolka, who participated in her husband Paul Bernardo in the abduction, sexual abuse and murder of two teenage girls, as well as the abuse of her own younger sister which resulted in the sister's death from the drugs they gave her to stop her resisting. Karla Homolka got a deal in exchange for testifying against Bernardo, and in consideration of her plea that she was horrifically abused by him and feared for her own life if she did not participate in the killings as he directed. I have often asked myself where I would have stood on the Homolka case if I had been an activist in Canada at the time: the answer is, I don't know.

Rose West: abuser and victim?
In the West case feminists were spared this dilemma, at least in public, because Rose West's defence did not try to portray her systematically as a 'compliant victim'. The issue of her being abused by her partner in crime, Fred West, was only one minor ingredient in a stew of more or less feeble arguments which seemed almost to have been thrown together at random (I often wondered why the defence didn't stick to one or two so neatly: perhaps it was assumed that the verdict was a foregone conclusion).

Privately, however, most of the feminists I talked to during the trial believed that the question warranted more attention than it actually got. To feminists, the evidence strongly suggested that Rose West was not only an abuser but also a victim herself. It seemed obvious, for instance, that she was abused by Fred West. It was also rumoured (and several reporters claiming 'inside information' assured me the rumours were true) that the authorities were covering up, or at least refusing to fully investigate, the true extent of the abuse that went on in the 'house of horrors', in which many people besides the Wests — including police officers — may have been involved. No-one familiar with the workings of organised abuse
networks could overlook the possibility that 25 Cromwell Street was at the center of such a network, and that women in the house, including Rose West, were more extensively victimized than anyone who knew the full details was willing to admit on the record.

It also seemed likely that Rose West had a longer history of sexual abuse going back to childhood. Family sources spoke of her being forced into sex with her father and grandfather; outside the family she was said to have been sexually active at 14, picked up for soliciting at 15 and raped on at least two occasions. If these (depressingly plausible) reports are true then even before she met Fred West, Rose West’s life was a catalogue of exploitation and abuse.

Feminists who made the point about victimization did not mean it crudely as an excuse for Rose West’s own behaviour towards other women and children. No-one I spoke to questioned Rose West’s guilt. But the issue of her victimisation was certainly assumed to be relevant to the explanation of her actions. Her abuse of others was seen as the consequence of the hideous abuse she had suffered, and perhaps was still suffering, herself. This is the argument I want to examine in detail. While I agree it is relevant to ask whether Rose West was abused, I want to argue that the relationship between what was done to her and what she did to others is not a straightforward matter.

Something that I find particularly troubling in the ‘cause-and-effect’ line of argument is that it is similar reasoning underpins the currently orthodox account of why men engage in this kind of abusive behaviour. Experts on ‘serial killing’ like Robert Ressler also locate the genesis of (male) killers in their early experiences of abuse. Is something wrong when feminists are echoing the theories of FBI behavioural scientists—theories we are highly critical of in other contexts? How do we make sense of the apparent contradiction?

One way to resolve it would be to invoke the ‘equal opportunities’ discourse in which the tendency of an abuser becomes an irrefutably. But this would hardly be acceptable to the feminists who raised the question of Rose West’s own victimization; and anyway, whether or not she was victimised, it is clear gender was not an irrelevance in the life she shared with Fred West. Sexually ‘unconventional’ the couple may have been (if that term can be stretched to cover ‘sadistic, abusive and homicidal’), but every-thing we know about their ‘lifestyle’ implies a thoroughly traditional view of male-female relations. In many activities which we know they engaged in, their roles were neither interchangeable nor equal—for example, with or without her consent, it was Fred who prostituted Rose and not the other way round. More generally, to live at 25 Cromwell Street was to inhabit a culture which concentrated every conceivable form of sexual violence against women and children: pornography, prostitution, rape and murder. However actively and enthusiastically she participated in it, a woman within such a culture could not be in exactly the same position as a man.

At the same time, I do not want to assume that Rose West shared nothing with her husband, that her role was at all times and in all ways utterly different from his. I do not feel able to assume that, because the evidence is against so simple a view. Before I elaborate on that point, however, it is necessary to digress from the main thread of the argument and consider in more detail what the couple actually did, and for what.

Unspoken acts: the meaning of sex murder

In my earlier piece I suggested that mainstream commentary had failed to get to the root of what Rose and Fred West were doing during their career as abusers and murderers. Most attention was given to the abuse of the children in the West household and the murder of two of them; this was treated as the key to the case, if not the whole story. Conversely, silence was maintained on all kinds of other issues that seemed to me to leap out of the court reports. These issues were, it seemed, ‘unspoken’; the authors alluded to them in passing: ‘shock horror’ terms, but more serious analysts had little or nothing to say about them.

For instance, I read nothing addressing the peculiar significance of rape in the sexual lives of the Wests, though the subject cropped up in the evidence repeatedly. Sex with Black men appears to have had a particular meaning for Rose and Fred West, but no-one tried to make anything of this. Serious commentators also shrank from saying anything about the fact that Rose West was a self-identified bisexual. This was either seen as one more sign of her general depravity, or else it was ignored.

If these issues leap out of the evidence for me, it is because I see a pattern in them, which fits with my theoretical understanding of what sexual murder is about. That understanding, in turn, is based on studying numerous case histories from the last hundred years. The West case exhibits many similarities with the other cases I have looked at, and this leads me to believe that similar motives and meanings are at issue in it. Like other sexual killers, what Rose and Fred West were doing in the course of their criminal career was constructing a form of identity based on sexual transgression and existential transcendence—concepts I will now explain.

Transgression and transcendence

What, one might ask, could possibly connect such activities as having sex with Black men and abducting young white women, or engaging in lesbian sex and spying on your children in the toilet? On the face of it these things are not the same, and we would not want to judge them in the same way: for feminists, obviously there is nothing in principle wrong about interracial or lesbian sex, whereas abduction and voyeurism are inherently repellent. But what matters here is how the Wests connected things in their own moral order. In their worldview, which was remote from any feminist one, all their sexual practices—not just the most obviously heinous ones like abduction, murder and child sexual abuse but also sex with Black men, sex for money, S/M, bisexuality and pornography—were elements in the forbidden.

“This connects to what I am calling ‘trans-gression and transcendence’. Since the late eighteenth century there has been a set of ideas connecting sexual transgression (that is, flogging taboos, being what today’s Queer Theorists romanticise as a sexual “outlaw”) with personal freedom and transcendence of the social constraints which restrict: more ‘ordinary’ people. Acts and persons which are conventionally forbidden are, equally conventionally, erotically charged. The pornography on sale in any sex shop displays in its most banal form the range of transgressions which are culturally coded in this way, from Asian Babes to Spaff. The Wests appear to have embraced virtually all of them.

Murder, of course, is considered in our culture the ultimate forbidden act, the last taboo: that is why, for some, it is also the ultimate turn-on. ‘True’ sex killers do not kill in a panic or in cold blood, to silence someone they have abused in lesser ways, but because they are aroused by the idea of having total control over another person, not just temporarily (as with rape) but forever. In almost every case their passion begins their criminal careers with less serious transgressions and escalates; at the same time they do not necessarily lose interest in ‘lesser’ crimes. It is not uncommon to find that someone who has committed several murders has also, during the same period, committed a string of quite “ordinary” rapes. In other words, the latter stages of a sex-killer’s career are often characterised by involvement in a number of sexually transgressive scenarios. This also seems to have been true of the Wests, and it is another reason why I distrust any account that does not consider the whole range of their activities—that focuses, for instance, on their abuse of their own children to the exclusion of all else.

The idea of eroticised transgression/transcendence can in fact be applied to the sexual abuse of children, and to incest, since intergenerational and intrafamilial sex is conventionally forbidden. Let me emphasise that this is not the only meaning of child sexual abuse—the ‘forbidden fruit’ element is not equally significant for every abuser, there are other motives for eroticising children and other reasons (such as ease of access and control) which choose them as victims—but it is one possible meaning, and in the case of the Wests, who were steeped in a whole culture of eroticised transgression, it seems likely that this meaning was relevant.

The point I am trying to emphasise is that the various socially and sexually transgressive activities of Fred and Rose West need to be considered in their totality: if we are to make any sense of the case. However diverse these activities seem, and despite the fact that some of them must strike us as much worse than others, together they do add up to a coherent picture which is, in addition, typical of this kind of offender. But the coherence does not lie in any obvious similarity among the various acts they themselves; it lies in what they meant to the actors, Fred and Rosemary West.

The idea that what they meant was trans-}
Gender and abuse: illogical arguments

Earlier I noted that one line of feminist argument — that ‘Rose West’ behaviour might be explained by her own experience of being abused — resembles a currently influential argument against male sexual killers. This argument will be depressingly familiar to feminists from other contexts, for it is a version of our old friend the ‘cycle of abuse’. Its central thesis is that sex murderers (or serial killers as they’re now called) are an extreme manifestation of this alleged cycle, being almost invariably survivors of sexual abuse themselves. Liz Kelly has noted serious methodological flaws in much of the research which is supposed to ‘prove’ this correlation between abusing and having been abused (see T&S 33). She criticizes researchers for lumping together different types of abuse (e.g., emotional, physical, sexual); if a physical abuse survivor goes on to commit sexual abuse, in what sense is this a ‘cycle’? and also for making no distinction between being filmed at once and being raped every night for years. In the specific case of sex murderers, however, the research evidence available is less vulnerable to such criticisms. While I would never suggest that the methods used by FBI profilers, for instance, are perfect, they do have some virtues — the FBI have the resources to do in-depth interviewing over long periods, providing access to a sizable sample of the target group, and a suitably sceptical attitude to what they are told by informants whom they regard as practised liars (a precaution which is not always shared by clinicians doing similar research).

Studies carried out by the FBI suggest that around 70% of convicted serial sexual murderers (all, of course, men) experienced childhood sexual abuse. Although this is not a sufficient explanation of their subsequent behaviour (and would not be even if the figure were 100%), the percentage is high enough that I do not feel able to dismiss the finding as irrelevant or meaningless. Explaining what exactly it does mean is another matter, however. As Liz Kelly points out, ‘cycle of abuse’ accounts have logical as well as methodological flaws, and gender is the rock on which their logic tends to founder. An obvious objection to the theory that abused children become abusive adults has always been, and in spite of Rose West still is, that the most numerous group of abused children — girls — is also the least likely to grow up to abuse others. Abused girls are, sadly, statistically common; whereas abusive women are rare: the theory does not add up. No wonder most feminists reject ‘cycle of abuse’ explanations of child sexual abuse and domestic violence.

Fine lines

But where does this leave the feminists I talked about earlier, with their belief that Rose West behaved in the way she did because she had been abused, and was perhaps still being abused, herself? Although I tend to disagree with this idea in the particular case of Rose West, I am aware that no account, including my own, can possibly be definitive when so much vital information is missing or has been suppressed. If new information emerged, the argument might become more plausible — I am not saying I couldn’t be persuaded of its relevance. Yet even if the facts were clearer, I would still be troubled by the inconsistency of feminists decisively rejecting a line of argument about violent men, only to embrace it in the case of a violent woman. A feminist theory which says, in effect, that men abuse it has nothing to do with their own history of abuse whereas if women abuse it has everything to do with it, is — to my mind anyway — illogical and untenable.

I am not making a liberal, ‘equal opportunity’ argument here. What bothers me most is not the implication that abused girls and women are in a different position from abused boys and men — by and large I agree that they are, and I will come back to this point later. Rather, what bothers me is the implication that being abused has a determining effect on the subsequent behaviour of (some) women which it does not have in the case of (any) men; they abuse because they want to and they can, but if we abuse we must have been driven to it by forces beyond our control. It may be a fine line between suggesting that in some circumstances women do not have a meaningful choice — e.g., battered women who kill, or some women in ritual abuse networks as discussed by Kate Cook and ‘The A-Team’ (T&S 32) — and implying that women as a subordinate group must inevitably lack agency, responsibility and will. But I know which side of that line I want to be on. I don’t believe in equal opportunity sex-murder, but nor can I go along
with the idea that women who do terrible things should automatically be treated as a special case, not just receive the usual treatment.  

More than one answer

It seems I am back to the question, what (if anything) is the relationship between being abused and becoming an abuser? Before I try to answer, some general points need to be clarified. I will be concerned with the very extreme (and very rare) case of sexual murderers. How far my comments should be taken to apply to any other case is difficult to say. I also want to emphasise that I would never claim all sex murderers are sexual abuse survivors (30% of the FBI’s sample were not); still less would I wish to imply the converse, that all, most or even many survivors go on to abuse other people—let alone to kill them. The argument I want to pursue is much more restricted: it is simply that there is more than one way to answer the question, why do [some] abuse survivors go on to abuse?—particularly, to repeat, where this applies to sexual killers.

My own answer aims to avoid two main pitfalls: first, determinism (while I do not suppose we have absolutes, free will, I do not want to naturalise abusive behaviour in any circumstances); and second, false gender neutrality (that is, I want to explain why the people we are talking about are overwhelmingly men—though without excluding the rare cases in which they are women).

The common sense popular understanding of why abuse leads to more abuse takes two main forms. One depends on the notion that some abuse survivors are so scarred by their early experiences and/or so lacking in models of ‘normal’ relationships, they simply repeat the only patterns they know—abusing is a natural and inadequate response by a damaged and broken personality. An alternative account represents the move from being abused to abusing as a strategy for getting revenge on a world which has hurt and humiliated you: it is the only possible route of simple meagre but of rage. In a more clinical, critical context, either of these two accounts can be elaborated in various ways to see various branches of psychotherapeutic doctrine.

In relation to the murderers I have studied (and others, too), I see that the people I and others talk about are some extent by examining their own representations and those of ‘experts’ to whom many of them have talked at length. I regard these accounts as misleading. The first one is almost entirely unconvincing, because as Liz Kelly has pointed out, when an abused individual abuses they are not repenting but reversing their past experience. The second, ‘rape’ account seems more plausible as an explanation of that reversal, but I believe that in the case of sexual murder it focuses on something which is secondary, not primary. It’s true that many killers do talk about rage (and their actual crimes suggest a very high degree of it); some use the word revenge when they discuss their motivation. But I would see revenge, which centres on the desire to punish others, as secondary to the fundamental motive, which centres more on the subject, the self-transcendence.

Masters of the universe

Many murderers are eager to talk about themselves (a fact which has underpinned the new science of ‘profiling’); some have written at length about their crimes or even made and preserved actual recordings of them. The result is that we have quite a lot of information on how sexual killers understand their own experience. The most pronounced characteristic of that understanding is solipsism: a conviction that the whole world revolves around you, that you are in control and that other people exist only to confirm your own supreme importance. Sex killers are living embodiments of a philosophy summarised in George Orwell’s novel 1984, when Winston Smith is being interrogated by his torturer, O’Brien: ‘How does one man assert his power over another, Winston?’ Winston thought. ‘By making him suffer’, he said.’ The purpose of the victim’s suffering is the assertion of the abuser’s power. That assertion culminates in the victim’s destruction, and not uncommonly continues with further abuse after death — which is surely the absolute extreme of solipsism, since the victim is no longer able even to suffer.

This kind of murder is centrally about asserting the power of the person who commits it. Punishment is only the means, not the end. What kills do is that their victims must certainly feel like punishment, but from the killer’s solipsistic viewpoint what matters is the act of killing itself (and the representations many make of their crimes, it is made clear that what the killer considers ‘punishment’ is inflicted only in anger when mastery fails. Most commonly this happens when the victim refuses to comply with the killer’s demands, thus implicitly rejecting the status of worthless object or slave. Abuse inflicted when the victim is compliant (terrified or drugged or indeed already dead) is not conceived by the killer as punishment, because it is not about the victim, or a response to the victim’s actions. Rather it is about the killer and his ability to transcend the formal social law of interjectivity (the assumption that other people’s experience impinges on ours and vice versa) in mastering another person completely, suggesting that other’s will and thus (as the killer sees it) demonstrating the absolute freedom of his own.

It is this feeling of absolute power and freedom which affords pleasure, including and indeed particularly sexual pleasure. The dependence of pleasure on mastery over another is the link feminist analysts perceive between the extreme behaviour of sexual murderers and ‘normal’ masculinity. The ‘transcendent’ subject is enraged by what he regards as the obstacles and constraints placed upon his freedom of action by a social order that does not recognise his superiority to other people and his right to dispose of them as he wishes. The classic example in literature is Dostoevsky’s Raskolnikov in Crime and Punishment (a book Ian Brady preferred to pirate), who believes that as a ‘superman’ he has a perfect right to kill, and who murders an old woman in order to demonstrate the validity of that assumption. The fictional Raskolnikov gets his rage against the world, his desire to transcend its petty constraints and his beliefs about how this may be achieved from reading what Dostoevski calls ‘the philosophy of a certain…group of people’.

Some real-life killers may well get their desire for transcendence from their experience of being abused, of the object of somebody else’s desire for transcendence.

This desire is always fuelled by the feeling that one has been reduced, humiliated, to a state of worthlessness (to ‘some trembling vermin’ as Raskolnikov puts it); in cases where the desire is burnt by a survivor of abuse, the feeling of worthlessness is grounded in past experience. For such a survivor, the quest for transcendence is not merely an acting out of a half-baked philosophy, but may be experienced as a means to psychological survival. It is not that abuse

‘causes’ or leads inevitably to more abuse; it is that people who have been abused have a powerful motive for seeking transcendence; putting it crudely, they have more than most other people to transcend. Transgressive or abusive behaviour is one means to do this — but it is by no means the only one.

Gender and abuse revisited

So why is it (almost) exclusively male survivors who make use of this strategy? I would suggest, because to do it you have to have a huge conviction of your own entitlement and power; you must feel that your individual status as a victim is somehow a temporary accident, an injustice, and you also have to be able to imagine — and to derive gratification from imagining — that you could be a victimiser of other people instead.

Unlike a lot of ‘experts’, I don’t see this process of imagining yourself in a different position as a whole internal, unconscious psychic drama, unaffected and unconstrained by external factors. On the contrary, I believe the imaginative identifications which are possible for women and men in this situation have a great deal to do with their assessment of what is possible for them in reality. Of course, there is also the question of individuals’ own attitudes: most survivors would be repelled rather than gratified by the idea of abusing somebody else, even assuming they could conceive of being able to. There is undoubtedly a great deal of individual variation in people’s responses to the experience of abuse. But gender affects the possibilities open to women and men to begin with.

Women and men are not in the same position, even when both are suffering the most hideous abuse; for they live in a world that treats their suffering differently. It is both more important, culturally speaking, for men to transcend it, and more conceivable that they could. Masculinity is by cultural convention incompatible with victim status, whereas femininity is not. Women in patriarchal society are given little or no sense of entitlement and power, and are thus more likely than most men to feel trapped in the victim position.

For this reason, I suspect that any woman who follows in Rose West’s footsteps will act, as she did (as virtually all other alleged sexual serial killers have), in complicity with a man rather than alone. In a world where women
are not transcendent subjects, they have to be shown (by example, by encouragement, and often initially by a degree of coercion) that transcendence through transgression is either possible or pleasurable for them. However, I don’t think we can rule out the possibility that some of them will discover it is both of these things.

Cultural logics
It may be a dismal conclusion, but if the most pertinent answer to the question ‘why do so many men abuse?’ is ‘because they can’, at least part of the answer to the corresponding question ‘why do so few women abuse?’ may be, ‘because they usually can’t’. The case of Rose West shows that this isn’t always true: there are circumstances in which a woman can (albeit on conditions which do not apply to men, i.e. women are usually required to play a dual role as both abusers and victims); and there are women who elect to take advantage of those circumstances, who decide there is pleasure in transgression and transgression.

None of this, however, should be taken to imply that from now on, the maniacs, beasts and monsters that haunt tabloid headlines are as likely to be women as men. We are still far from having equal opportunity sex murder. Nor should we be surprised by the oft-repeated argument according to which equal opportunity sex murder is one logical outcome of feminism — Rose West was merely ahead of her time, a harbinger of Things To Come, and an epidemic of Rose Wests will someday be the price we have to pay for equality. In pessimistic moments I sometimes think it might be the price we have to pay for spurious sexual ‘liberation’, but equality in the same radical feminism understood it would have a wholly different effect.

All the observations I have made regarding murder, sexual abuse, transgression and transcendence, men who rape and kill because they can and women who don’t because they can’t, etc., are valid in the context of patriarchy, a system in which social hierarchies are constructed and maintained by means of sexual exploitation and sexual terrorism. PROTotypically these are hierarchies of gender, but the same means can be used (and often are) to police other hierarchical social relations — the use of rape to enforce pecking orders in men’s prisons is one example. Variations in who actually occupies the social/sexual positions of dominant and subordinate can be accommodated within the system without changing its fundamental structure. And the same point applies to sexual murder: whatever the gender of the murderer (or the victim), the crime follows the cultural logic of patriarchy, and it is only within that logic that it makes any sense at all.

Radical feminism is a critique of patriarchal culture and patriarchal logic; its ultimate political goal is to get rid of patriarchy altogether. Meanwhile, it offers a positive alternative to the model of transcendence through transgression adopted by Rose West. I observed earlier that engaging in abusive behaviour is only one way to transcend the experience of being abused. By politicizing their experience, and by engaging in collective struggle against the system which produces that experience, innumerable courageous women have become not victims or abusers, but survivors and resisters. The best feminist response to Rose West, as I see it, is neither special pleading nor shameless silence. It is to continue to give women the possibility of a different kind of transgression — through feminist consciousness and political action.

Monumentally Male

The global tourism industry involves many women, both as workers and as consumers. Feminists have given considerable attention to the way women are exploited by the industry, most obviously through sex tourism; but we’ve had less to say about the sexism of what’s on offer closer to home.

In Britain, tourism has long been an important economic activity, and its importance is increasing since it is often seen as a solution to the economic problems that arise when more traditional industries disappear from a local area. Contemporary strategies for promoting tourism in Britain are most frequently organised around the notion of ‘heritage’: visitors are invited to experience a carefully constructed representation of history and of place. But whose heritage is this, and what is it saying to/about women? Cara Altmixon takes us on a guided tour of Stirling, one of Scotland’s premier tourist destinations, and suggests that for feminists it has rather few attractions.

Whilst the combined sectors of leisure and tourism are frequently cited as ‘the world’s fastest growing industry’ or ‘the world’s largest industry’ they are less frequently identified as the world’s most sex-segregated industry or the world’s most sex-role stereotyped industry. The leisure industry demonstrates gendered patterns of employment in virtually all areas of work, in addition to sex-role stereotyping with men greatly outnumbering women in the positions of power related to policy-making, planning, finance and senior management. In the UK only seven out of 146, or less than five per cent, of local authority leisure services departments are headed by a woman (Local Government Management Board 1996). In tourism women are concentrated in low-skilled, poorly paid and part-time areas of employment. This can be likened to a form of ‘commercialised domesticity’ for women where their domestic roles of cleaning, cooking and home-making are replicated in the workplace.

There is a growing body of research which analyses the gendered nature of tourism provision and employment, but there is very little feminist research on tourism participation, the experience of women tourists or the role of gender in constructing and representing tourist attractions and destinations. Through an examination of heritage tourism in one location I will argue that the representation of ‘heritage’ serves to render women invisible in our past whilst maintaining masculinist identities centred around militarism and nationalism. The location I have chosen is the Scottish town of Stirling where I lived for ten years.

Heritage tourism
Feminist analysis needs to consider tourism not just as a type of business or management but as
a powerful cultural form and process which both shapes and is shaped by patriarchal society. One very evident example of tourism as a cultural form and process is the construction of 'heritage', which now forms an increasingly important element of the tourism industry, particularly within the UK. Just as landscapes are often "man-made" constructions of the environment, heritage is a "man-made" construction of the past. Many of our heritage attractions are constructed, represented and marketed by men. In addition to being "man-made" these tourist attractions are patriarchally controlled, masculinised, and structured in such a way as to exclude women.

**Stirling**

The heritage landscape of Stirling is a case in point. It is a product of the town's masculinised, militarised and nationalist history which, in part, linked to its geographical location. Stirling is located at the narrowest point between east and west in the whole of the British Isles and also overlooks the Carse of Forth which forms the divide between the Highlands of Scotland to the north and the Lowlands to the south. The town itself grew down the side of one of the volcanic outcrops in the area which rose above the marshland of the carse, a deep impermeable moat which was not drained until the eighteenth century.

Stirling's economic and industrial history is a mix of market and garrison town supported by the primary industries of coal and agriculture. With the decline of coal mining and other related secondary industries in the 1980s, the town focused upon financial and retail services, its university, and tourism as its major sources of income. There is a sense in which Stirling has sought to replace the masculinity of the collapsed male dominated industries with the masculinity of nationalist and militarist history; William Wallace, Robert the Bruce, Rob Roy, McGregor and the Stuart Kings feature heavily in product development, place promotion and marketing literature.

While Stirling's tourism industry has undoubtedly received huge economic benefits from the recent film of Braveheart and Rob Roy along with the less widely known film of The Bruce starring Oliver Reed, this type of place promotion may further serve to entrench the marketing of Stirling as a tourist destination within a framework of masculinist, militarist, and nationalist fervour. Such gendered marketing and place and product promotion serves to stimulate the male "tourist gaze" and constructs women as 'the Other' by focusing on the iconography of a heritage landscape which emphasises masculine visibility and superiority through landmarks and monuments, buildings and statues, signs, symbols and banners, postcards and promotional literature.

**Feminist analysis of heritage landscapes**

Through an examination of the representational media just mentioned, it is possible to construct a framework for future feminist analyses of heritage landscapes. This analytical framework could be used to critique existing heritage tourism sites and strategies, or more positively, could contribute to the creation of new development plans. Such a framework has to include an analysis of the representation or non-representation of women which includes the following elements: constructions of 'the Other' in heritage tourism; the male 'tourist gaze'; the iconography of gendered tourism; nationalism and gendered heritage; militarism and gendered heritage; and masculinist myth making in heritage tourism.

**Constructions of 'the Other'**

The creation of a unique place or tourist destination frequently depends on the social construction of 'the Other'. This has been commented upon at some length in the literature of tourism anthropology and tourism sociology and there is widespread agreement that tourists often engage in the search for 'the Other'. The attempt to create and market an identity based on a unique heritage must coexist, however, with the need to facilitate the tourist's identification with that identity. Thus a balance must be sought between presenting something which is different and presenting something sufficiently familiar for the tourist to identify with. This can be achieved by using vehicles such as nationalism and militarism, combined with ancestral heritage, to provide the connections between the past and the present or between the familiar and 'the Other'.

But these connections are provided by men, for men and are about men. The heritage of Scottish women is not represented in Stirling and their absence makes them 'the Other'. Women tourists are also constructed as 'the Other' because they are expected to identify with a male construction of heritage which has rendered women invisible and perceived men, both past and present, as 'the norm'. Most writers in the area of the tourism anthropology and tourism sociology cite Edward Said as the originator of the concept of 'the Other' in reference to the western social construction of 'externalism'. The male-dominated discourse of tourism studies ignores the wealth of feminist writing on 'the Other' underpinned by the much earlier references to woman as 'the Other' by Simone de Beauvoir. Similarly, discussions of gender within tourism anthropology have tended to focus on sex tourism and the creation of the 'exotic Other' rather than recognising the all-pervasive patriarchal power of defining all women as 'the Other'.

**The male 'tourist gaze'**

References to the 'tourist gaze' entered tourism studies following the publication of John Urry's book of that title whereas previously the concept of 'the gaze' was more commonly associated with poststructuralists like Michel Foucault. The concept of the gaze is about the power of looking, and how the right to look in particular...
but we are less familiar with notions of the male gaze directed at particular forms of masculinity rather than femininity in order to maintain male supremacy. Perhaps the most common example of this is seen in sports such as football where the male player is revered by the male spectator and reverence seems to increase with increasing displays of aggression by the player. Similarly, in heritage attractions, the male gaze is directed towards masculinist icons of a brutal and bloody past where representations of 'the gaze' and male constructions of 'the Other' are intertwined to maintain patriarchal constructions of masculinity and femininity.

The iconography of gendered heritage

In addition to analysing written material, the heritage landscape, including artistic heritage, buildings, monuments, statues, symbols, signs and images can also be analysed and interpreted critically. In a piece called 'The Masculinisation of Stirling's Heritage', Tim Edensor and Una Kohari argue that heritage production and consumption is gendered through a series of processes which, 'articulate masculinist notions of place and identity, and male dominated versions of the past which privilege white, male, heterosexual experience and activity'. They go on to identify the three sites of the Argyll and Sutherland Highlanders Museum at Stirling Castle, the Bannockburn Monument and the Wallace Monument. They are all part of the heritage of the town and are located in the highlands, and as the location of the history of the making of Scotland as a nation. In addition, postcards feature numerous images of the two icons from both near and far, conveying the heroic guardianship of the town.

Stirling's male dominated and male-defined history is evident in the names of buildings and their previous uses. Many of the buildings of the old town are now used as tourist attractions or as restaurants and coffee shops, primarily for tourists. In 1994 the Stirling Heritage Trail opened, featuring many of the buildings of the old town but without any critique of the gendered nature of the town's heritage and/or of the representation of that heritage. Old town buildings named after their original male residents include John Cowane's House, Glenegory Lodge, Spittal's House, Dumfries House, Norrie's House, Auchencowie's House, Mar's Wark, the Argyll's Lodging, and the Brakinc Church.

In addition to residential buildings and churches, Stirling's new heritage trail, which starts with 'a soldier's view' from the castle esplanade, includes many other buildings with male histories: the Old Military Prison, the Old Grammar School for boys, the Old High School, the Tolbooth and Prison, the Mercat Cross, and the Boy's Club.
Fatal attractions: ‘Torture, death and damnation’

The Old Military Prison opened in April 1996 as a combination of tourist attraction and office space for local businesses. The redevelopment took over three years and cost £2.5 million of public money with funding coming from Perth Valley Enterprise, Stirling District Council (which no longer exists following local government restructuring in April 1996), and the European Regional Development Fund. The attraction is modelled, to a large extent, on Inverary Jail whose promotional literature states that the attraction has won a number of awards and recommendations for its display of ‘torture, death and damnation: the story of Scottish crime and punishment 1500—1700’ which features ‘an introductory exhibition with blood curdling details of medieval punishments’. Neither attraction acknowledges the gendered nature of the history they seek to represent or the gendered nature of the textual representations.

In spite of protests at the ‘Jack the Ripper Experience’ at the London Dungeon by groups such as the Campaign Against Pornography, the heritage industry continues to portray uncritical representations of abuse, mutilation and murder of women as appropriate tourist attractions. Promotional literature for the London Dungeon invites tourists to ‘Come with us down the dark, dank streets of London a century ago and maybe you too will feel the spirit of the Ripper as he stalks his next victim’. There are now a number of London tour companies offering ‘Jack the Ripper’ tours and one such company, run by four men and calling itself ‘Rippling Yarns’, distributes publicity containing the following:

For a completely different night out why not walk the very streets that were terrorised by a man who became known as JACK THE RIPPER. We take you where he committed the murders, we tell you how he murdered his victims and, because a picture tells a thousand words, as we walk around we show you actual photographs — the only tour that does this.

The same obsession with violence and death is promoted by Stirling’s new tourist attractions which feature the old Court Room and Prison in Jail Wynd off Broad Street. Prisoners condemned to death were taken from the prison to the Mercat Cross in Broad Street where hangings and beheadings were considered public entertainment. The Old High School has now been refurbished, extended and converted into a large hotel with the old headmasters’ study being transformed into the bar. Hanging on the walls of the ‘bar’ are portraits of all the previous headmasters: women cannot even have a drink during their leisure time without suffering the male gaze from the past as well as the present.

Nationalism

The symbiotic relationship between masculinity and nationalism has been well documented. Less frequently discussed, however, is the role that nationalism plays within tourism promotion. A variety of forms of media have combined to reassert Scottish nationalism in recent years and films such as Braveheart, The Bruce and Robin Hood have acted as catalysts for a tourism industry desperately in search of the ‘familiar’ ‘Other’.

The Wallace Monument epitomises the interrelationships between masculinity, [illegible] and nationalism in heritage production. The monument was refurbished to incorporate a variety of new visual displays in time to benefit from the additional tourists generated by the film Braveheart. The 220 foot high tower overlooks Stirling and the River Forth and was completed in 1869 as a monument to William Wallace who had led the defeat of Edward I of England at the Battle of Stirling Bridge in 1297. Heritage production within the monument uses a powerful combination of written text and pictures, statues, audio-visual displays, high-tech drama, costume, and music to recreate the past. Visitors entering the monument are overlooked by a huge bronze statue of Wallace with his sword drawn. The two-handed broadsword is then displayed on the first floor of the monument alongside a picture board display which presents a historical account of Wallace’s life under titles like ‘The Struggle Continues’ and ‘Capture and Execution’. In the centre of the same floor is a reconstruction of an English battle tent guarded by one of Edward’s knights. Visitors are invited into the tent to witness ‘a dramatised reconstruction and a talking head’ of William Wallace who has been captured by the English following years of hiding after the Scottish defeat at the Battle of Falkirk in 1298.

Whilst the technology can be commendable, the text and discourse of Wallace’s talking head requires more critical analysis. Although in shackles, Wallace’s posture and voice still command attention from his pulpit-like position as he gives his version of history, complete with anachronisms. Wallace introduces his account by stating, ‘Men must have their power. They seek to influence, to strengthen their position, to be seen as something in other men’s eyes’.

On the second floor of the monument is the ‘Hall of Heroes’. The publicity literature informs the visitor that, ‘In this vast chamber you’ll meet other great Scots, carved in marble. Writers, explorers, inventors and statesmen are here, including King Robert the Bruce, Sir Walter Scott, David Livingstone, Robert Burns and James Watt, among others.

A large plaque within the Hall of Heroes tells visitors that ‘In 1885, sixteen years after
the completion of the Monument, the Custodians who were then responsible for its operation, launched an appeal for sponsors for a "hall of heroes of marble statues of very notable Scotsmen."

**Militarism**

The iconography of heritage tourism in Stirling is closely intertwined with militarism from different eras which reinforce notions of Scottish nationalism and masculinity. Wallace and Bruce are seen as national heroes because of their military victories. Stirling Castle and its regimental museum is a tourist attraction largely because of its militaristic heritage. Complementing the statue of William Wallace overlooking the castle esplanade is another statue of an Argyll and Sutherland Highlander with bayonets drawn during the Boer War. There is a further sword-bearing statue in the form of Rob Roy MacGregor positioned in another focal point on the edge of the old town and The Old Military Prison reinforces the militaristic theme and further entangles the web of masculinism, militarism and nationalism. There are no statues of women anywhere within the town and no monuments to women’s history.

**Masculinist myth making**

In addition to the gendering of heritage tourism outlined in the sections above, local tourist promotion has also embraced masculinised myth making in the name of tourism. Thus Rob Roy MacGregor, whose life history is not recorded accurately, has had a heroic past constructed for him through postcards, statues and a visitor centre. Rob Roy is known to have been a cattle thief and to have used extreme violence against both English and Scottish people. At the Rob Roy visitor centre tourists are encouraged to make up their own minds as to whether Rob Roy was a 'hero or villain?' but the language and imagery used to describe his life and character provide few challenges to the masculinism, violence and nationalism which are reconstructed through a romanticised heritage. Rather than seeing Rob Roy as a murderer, visitors are invited to view him as a 'rogue' and a 'ruffian' — words which fail to convey the full horror of the violence prevalent at the time and which also serve to strengthen the imagery of men’s use of violence masquerading as emancipatory nationalism.

Tourism development in Stirling has also focussed upon Ghost Walks which are evening guided tours on foot led by a number of costumed male characters. These tours provide an even clearer example of the way in which tourists are invited to empathise with male violence. The Ghost Walk starts and finishes with speeches by Allan Mair, the last person to be hanged publicly in Stirling. Mair was hanged in 1843 for battering his wife to death and his ghost is said to haunt the Tolbooth which is now a restaurant. Although much of the information presented during the actor’s performance is accurate historically, the performance has been constructed as a pantomime-like scene where Allan Mair protests his innocence to the audience, again in a 'roguish' manner, and the audience are encouraged to empathise with the murderer and are then invited to shoot their opinions as to his culpability for the crime. This reconstruction of the past results in a majority verdict of 'not guilty' for the murderer.

**Challenging 'heritage'**

A heritage trail has recently been constructed in Edinburgh to represent fifteen notable women from the city’s past. Whilst this demonstrates that feminist resistance to a male dominated and male-defined heritage industry is possible, it also highlights the difficulty of working towards a redefinition of 'heritage.' The Edinburgh example can be seen as reflecting ‘women’s heritage’ rather than ‘feminist heritage,’ as it replicates existing models of heritage provision by simply replacing the ‘great men’ with ‘great women’ rather than challenging our current models of provision and our constructions of heritage.

In addition to increasing women’s visibility within representations of heritage we must also continue to resist and protest against existing and planned heritage sites which glorify men’s use of violence, particularly against women. Such sites range from the London Dungeon and Jack the Ripper walks to many local tourist attractions in our home towns. Tourism and the heritage industry form the foundation of numerous local economic regeneration initiatives and require large numbers of visitors to sustain such regeneration. Adverse publicity, or even the threat of adverse publicity, may be sufficient to promote change within many public sector bodies such as local authorities and regional tourist boards. However, smaller commercial sector heritage tourism companies may require more persuasion to change their practices; direct action along the lines of the London Dungeon campaign organised by the Campaign Against Pornography may be more appropriate in some cases.

**References**

TRIANGLES AND TRIBULATIONS

THE GAY APPROPRIATION OF NAZI SYMBOLS

The pink triangle was originally a Nazi symbol — and it was only worn by gay men, not lesbians. Amy Elman questions whether the pink triangle can be 'reclaimed' as a symbol of gay pride. As well as obscuring the different histories of lesbians and gay men under the Nazi regime, the rehabilitation of the triangle risks glossing over the horror of the Holocaust.

I stood before a T-shirt shop in the heart of Greenwich Village, New York. There, hanging in the window was a white T-shirt emblazoned with a tree. Within the tree a pink triangle dangled like a leaf from a branch. Beneath the graphic, the designer inscribed: 'The family tree stops here.' This specific attempt to embrace cosmically an alternative to conventional heterosexuality struck me as tragic as the ever-homophobic Nazi Heinrich Himmler, Chief of the SS, who exclaimed, 'We must exterminate these people root and branch... the homosexual must be eliminated' (Richard Plant, The Pink Triangle, p. 99). Apparently unaware that gay men (and lesbians) can procreate through the sexually uncomplicated procedure of intercourse, Himmler depicted the homosexual man as a 'traitor to his own people' who must be 'rooted out' for his failure to reproduce. Consciousness of the Holocaust fades. Amnesia cloaks the distasteful irony of contemporary jest.

First adopted by American gay men in the early 1970s after the Stonewall riots of 1969, the pink triangle is now promoted by many as an international symbol of gay and lesbian pride and liberation. In a political culture that Americanises history, sexualises dominance and is undeniably imperialistic, this should come as no surprise. Here I explore the history associated with this symbol and argue against its use as an affirmation of gay identity more generally and lesbian identity in particular. Because the pink, down-turned triangle served as a distinct emblem of Nazi heterosexism which signified and even hastened the destruction of gay men, I argue that it should be abandoned as a positive symbol for the movement. Like all Nazi symbols, the pink triangle is ungerenate. Moreover, the lesbian adoption of pink triangles conceals the specific struggles associated with being lesbian by conflating the experiences of lesbians with those of gay men.

As Julia Penelope notes: 'Our invisibility, even to ourselves, is at least partially due to the fact that our identity is subsumed by two groups: women and gaymen' (Call Me a Lesbian, p. 48). Consequently, the truths of lesbian (history and present being often dissipated because lesbianism itself, autonomously, is rendered socially unthinkable. This condition is exacerbated by the gender-neutrality of queer politics. Lesbians have lost their autonomy (i.e., their "lesbian nation") and, not coincidentally, their distinctive symbol of pride. The lavender two women symbol is nearly extinct.

It is unseemly that girls and women long taunted by forced pink, feminine identifiers are now, as lesbians, to believe that a pink triangle signifies gendered rebellion. Failure to critically assess this situation contributes to an ever-increasing inability to distinguish between those strategies and associations that enhance visible integrity with those that seek to destroy it.

Pink triangle: gay identity

The Third Reich used myriad colored triangles to classify the various groups of peoples they interned in concentration camps. The selection of this emblem was not insignificant. For Hebrews, the triangle was a symbol of truth. Within cosmic, geometric symbolism, triangles symbolise connection between heaven and earth. In the Greek sacred alphabet, triangles represented the vulva of the 'Mother Delta'. It is understandable, given the Nazi's contempt for truth, Jews, and all that is female, that the Third Reich used the triangle, down-turned, to denigrate those whom they forced to wear it.

The colours of the triangles were as follows: red for political dissidents, green for criminals, purple for Jehovah's Witnesses, blue for emigrants, brown for Gypsies, black for lesbians and other anti-socials, and pink for homosexual men. The pink triangles symbolised the femininity of this group of despised whose masculinity was diminished within the context of Nazi heterosexism. Jews, by contrast, were marked by six-pointed, yellow Star of David within which the word 'Jew' was inscribed. Jewish gay men were forced to wear a yellow triangle beneath the pink one. From this combination, the six-pointed Jewish star of David was formed. Additionally, Jewish communists wore the yellow triangle beneath the red and so on.

Pink triangles identified the thousands of gay men who were sent to concentration camps as '175ers'. Researchers estimate that between 5,000 to 15,000 gay men died in these camps. This figure does not include those who were interned and later released. The number 175 refers to the paragraph within the penal code, adopted in 1871, that criminalised male homosexuality. The law was later broadened by the Nazis in 1933 to include any form of 'effeminacy' between two men. This meant that the slightest display of affection was a crime for which the 'criminal' was to serve six months. After 1936, homosexual men were deported to concentration camps, and while at no time were they sent en masse, as gay men, to the extermination camps of Auschwitz, few survived the concentration camps. Still, the persecution of gay men was never methodical. Unlike Jews, whose religious affiliation was routinely noted on birth certificates, or leishis, whose political sympathies were determined by party lists, gay men were not as readily identifiable. Moreover, in countries conquered by Nazis, gay men comprised the only group exempt from outright extermination. Equating gay men with weakness, Himmler believed their presence expedited the demise of conquered communities. Consequently, non-German homosexuals were often not punished as their German counterparts were. Indeed, during the Olympic Games of 1936, some Berlin gay bars were permitted to reopen and police were ordered not to bother foreign gay visitors.

The regime's reaction to male homosexuality was uncomplicated. Although male homosexuality was vigorously denounced and outlawed gay men usually paid the penalty with their lives, homoroticism was a central component of 'male bonding' within the Reich's all-male paramilitary organizations. When complaints of illicit homosexual behaviour within the SA reached Hitler, he stated that the private lives of officers 'cannot be an object of scrutiny unless it conflicts with basic principles of National Socialist ideology' (The Pink Triangle, p. 61). It was only when the SA proved surly that Hitler demanded the killing of his gay SA chief Ernst Röhm and the immediate
expulsion of other gay men from the SA and the Nazi party. Nonetheless, homoeroticism continued to characterise the nationalist propaganda that fuelled the movement and valued gay male artists even under security extensions to Nazi officials. Moreover, even the interactions that Hitler had with his immediate subordinates were tinged with an element of the homoerotic. Hermann Göring once said of Hitler, 'Every time I face him, my heart falls into my trousers' (Dorchen Leidholdt, 'Where pornography meets fascism,' p. 21). Throughout the reign of the Third Reich, many distinguished gay men lived undisturbed in Germany while thousands of others perished in concentration camps.

The Nazis did not unreasonably regard male homosexuality as biological degeneracy. Many believed that homosexuality was a contagious, though curable, social disease. Indeed, barely two per cent of those found guilty of being gay were considered 'incorrigible'. 'Re-education' provided a possible cure for the majority of others. This meant compulsory visits to brothels. Those the Nazis forced lesbians, Jewish and Gypsy women into sexual slavery and watched to determine if the '17ers' had been sufficiently cured. Castrations and injections of testosterone were also used to 'convert' gay men to heterosexuality.

Black triangles: Lesbianism obscured

The fact that the pink triangle was regarded as a symbol of gay and lesbian liberation is disturbing because pink triangles were exclusively worn by those men the Nazis had identified as gay. Lesbians freed from the camps by the means of stigmas (e.g., being Jewish) remained exempt from prosecution. This was not the result of a greater acceptance of lesbianism. Rather, love between women was so intolerable that lesbian existence had been vociferously denied.

Measures to criminalise lesbians were considered in 1910 but abandoned as feminist opposition proved politically effective. Consequently, paragraph 175 never extended to lesbians. Gay men were, and are, conceived as exclusively synonomous with 'homoerotic' and publicly persecuted as such via criminal proceedings; contempt for lesbians, then as now, was expressed through clandestine acts. The most effective way to render lesbians powerless was to sever their connection(s) to other women. With the rise of Nazism, lesbian meeting places and private homes were raided and their visibility obscured. Therefore, in opposition against lesbianness, as abhorred as it was, a broad category applied to all people who evaded Nazi rule. These detainees were considered socially maladjusted. All asocials were identified through black down-sloping triangles.

It is politically significant that the asocial category was not exclusively lesbian; it was a diverse grouping that included prostitutes, vagrants, murderers, thieves, and those who violated laws prohibiting sexual intercourse between Aryans and Jews. Precisely because the asocial group was so heterogeneous, lesbians were not as readily identifiable as were gay men whose pink marking exclusively signified their homosexuality. Universalizing the pink triangle today renders lesbians almost as invisible as the black triangles did in the past. Failure to appreciate this obscures some vital aspects of fascist history.

Even within the newly established Holocaust Memorial Museum in Washington, DC one is unable to find any accurate information on lesbians. The Encylopedia of the Holocaust is accessible via the museum's computer center. Search commands involving the word 'lesbian' evacuate the release of information that focusses exclusively on male homosexuality. The pink triangle and paragraph 175 appear on screen as if one could assume that both the triangle and the law extended to lesbians. At a time when Holocaust deniers readily prey on any errors and use them to erode the credibility of scholarship concerning the Holocaust, one must be exceedingly careful with the facts.

In an attempt at historical accuracy, some lesbians wore black triangles. It is understandable why a lesbian, possessing a desire for historical precision, might wish to regard herself as the descendant of black-triangled women as distinct from pink-triangled men. Yet, this is an unsatisfactory solution because of the issue of historical accuracy is ineffectively linked to an ethical question that is too rarely asked, and impossible to answer definitively. Still, that question, put simply, is this: Is it not unethical to suggest that a symbol whose horrific use has denoted the destruction of a group of people be claimed as a symbol of liberation? And, what might it be like for survivors to witness the sight of what to them is so brutal a symbol? While young gay men and lesbians have the luxury to put on and take off the symbol of hatred that the pink and black triangles represent to many of us, those who have survived the camps cannot erase the tattooed symbols from their skins. They are as permanent and painful as the memories that cannot be extinguished.

The yellow star and the Jewish community

The Jewish community does not wear yellow stars. That is not because anti-Semitism has been exhausted. Rather, the Jewish community rightfully rejects for itself anti-Semitic emblems and labels. The community is very much aware of the politics of symbolism. In the first stages of anti-Semitic policy, the Nazis insisted on undoing assimilation. The Zionists, by contrast, insisted that anti-Semitism be countered by Jews asserting their identity with pride. In response to the first organized ban on Jewish businesses on Boycott Day, April 1, 1933, Zionists insisted that Jews wear yellow stars. Robert Weltsch, editor of a Jewish newspaper, urged his readers to wear the star and 'Wear it With Pride'. This slogan was specifically directed against the assimilationists, whom the Zionists blamed for betraying the Jewish community. In turn, assimilationists blamed Zionists for their persecution. They asserted that Zionists, who insisted on their distinctiveness as Jews, were an obstacle to peaceful co-existence with gentile Germans. In sicker ing over whom to blame for their subordi nation, these Jews failed to seriously consider that the anti-semitism stood at the root of their dilemma. Six years after Weltsch had issued his statements on stars, the Nazis compelled all Jews to wear them.

In hindsight, Weltsch later stated that he would have never suggested that the badges be worn had he been able to anticipate the developments. Ironically, the star facilitated the enforcement of residence and movement restrictions for Jews. It was an additional control measure that permitted police to detain any Jew, anywhere, at any time. More importantly, such identification paralysed the Jewish community. Constantly identifiable and scrutinized, Jews became more docile and responsive to Nazi orders than ever before. This, the Holocaus are scholars Raul Hilberg suggests, was the most devastating function served by the yellow star.

The politics of reclamation

It is incongruous that those pursuing liberation can reflect upon the past and insist that Robert Weltsch could not, that any Nazi symbol can be used with pride for the purpose of liberation. With the exception of gay men, no other group that has survived the camps has proudly claimed the identifier that denoted their demise. Yet, unlike any other persecuted group, the requests of gay men to be commemorated as the victims of Nazism has gone largely ignored. This is not because historians dispute their victimization but because most seem indifferent to it. While the refusal to acknowledge Nazi tyranny against gay men is inexcusable, embracing the symbols of persecution is likely to offer affirmation only among those ignorant of cureless with the past. Indeed, the adoption of such symbols might have unintended consequences of concealing rather than promoting consciousness of the Holocaust. Many who wear and/or display the triangles possess little, if any, accurate information about the Holocaust. Still fewer appear to know about the particular history of the triangles. One of the greatest appeals of this symbol may be its obscurity and not the revelation of its historical significance. Stated simply, the pink triangle is a 'discreet' and politically safe (i.e., gender neutral) signifier for those caring little about the survivors and the Jewish communities that may object to its being worn.

Far from promoting an understanding of the past, the gay male movement has been impatient and utterly commercialised this Nazi symbol. The pink triangle is now used as an artful back drop to promote gay-owned and operated businesses. Those whose aspirations are more political have similarly trivialised the past. Claiming the symbol to highlight current injustices is cancer. It implies that gay men and women share a similar history of state-sponsored genocide on the North American continent. Consequently, all bigotry is reduced to a horrifying and simplistic uniformity. That the Holocaust involved a state and political movement dedicated to the destruction of a people is conveniently overlooked; Jewish memory is desecrated.

The feminist philosopher and Holocaust scholar, Joan Ringelheim, asks: 'Can we so biliously reclaim and make right what has been so much oppression without some careful
A Question of 'Why?'

Joan Sekula reviews Amiri Baraka's Love Over Gold, the latest film by Amiri Baraka, director.

The theme of the film is the role of women and girls in the fight against racism and for social justice. The film is set in the Harlem of the 1960s, and it follows the lives of several young black women as they navigate the challenges of racism and sexism in their community.

The film explores the complex relationships between individual women and the larger社会, and it highlights the struggles of women to assert their own agency and resist oppression. The film is a powerful and thought-provoking piece of art that reflects the experiences and perspectives of women who were involved in the Civil Rights Movement.

The film also addresses the issue of love and passion, and it explores the ways in which these emotions can be misused and exploited. The film features a number of powerful performances, including those of Baraka himself and other prominent actors of the time.

Overall, Love Over Gold is a must-see film for anyone interested in the history of the Civil Rights Movement and the role of women in that struggle. It is a powerful and inspiring piece of art that is still relevant today.
reproduce as if their fulfilment depended on it. In so far as one can identify any polities in the film at all, they seem to lie in the belief that women's "power" resides in their reproductive capacity, although this thinking in turn depends on their ability to enhance male sexuality to that end.

The cast of female characters encompasses Antonia herself, a robust Mariachi who struts about on a cart-horse instilling reverence (or lust) in the male villagers; her daughter Danielle, an artist who hires a James Dean look-alike to impregnate her and then becomes intriguingly infatuated with Lara, her daughter Therese's schoolteacher; the "Mad Madonna", inane with frustrated desire, who howls at the moon; the "simple" Dedo, child of an abusive and violent family, disturbingly presented both as victim and comic character; Therese, Danielle's daughter, a mathematician who is ridiculed for having no maternal instinct... The list of female cameos goes on, reflecting in their weaknesses and idiosyncrasies, Antonia's conspicuousness.

In fact, the only character it is remotely possible to identify (or sympathise with) as the plot moves inexorably from one generation to the next is Crooked Finger, a disaffected, despairing and rather grubby old man who finally gives up on the whole enterprise and commits suicide, having no meaningful place in Antonia's world of ploughing and mating.

The other "nice man" in the film, a widowed farmer, lasts after Antonia and wants her as a mother for his five sons. She offers him companionship instead, in a rather cloyingly display of self-reliance, but this neo-feminist moment is forfeited when her devotion finally pays off and she agrees to having sex with him once a week in a purpose built shed. Even this is supposed to demonstrate Antonia's strength, since the contract is made on her own terms, but it graphically underscores the way in which men are necessary to all the women in the film, even Antonia herself. For we are told, in a voice-over, that at this point, "Love broke out everywhere", and we are invited to (thankfully brief) collage of various heterosexual couples fucking, (with a rather chaste image of Lara and Danielle kissing thrown in for the sake of inclusiveness).

Pointless tableau

This is just one example of how the insistent and authoritative narrative voice repeatedly deludes us into thinking that somewhere, at some point, we will be able to make sense of this otherwise pointless tableau of muting with its unexplained background of rape, violence and death. At one point, when Dedo and Loopy Lippa ("the village idiot") pair off, the narrative voice announces: "And we, like people, are like to like". Their wedding is then presented as a kind of parody, a PG Tips advert in which the characters are seen to imitate the social rituals of "normal" people. Later, when the focus is on the childhood of Antonia's grandchild, they are informed: "In these enlightened times Therese was raped," What on earth do either of these statements mean? They are presented with such solemn certainty that we cannot help but wonder what the hell has happened to the editor of A Question of Silence and Broken Mirrors in the intervening years. Do we live in a world where rape is any less frequent? Are we supposed to find disability hilarious? Are we supposed to be celebrating marriage? God knows.

It may be that Marlene Gorris is here intending to present us with a strong, humane (and essentially female) response to the brutality of everyday life in a rural community. It may also be that she intends to demonstrate the gendered nature of that brutality and pose us with a moral dilemma: At great length and at gunpoint Antonia curses the men who raped both Dedo and Therese, but it is in the village men (those who are in her thrall) who beat him to a pulp, and it is in her own brother who draws him. Yet, throughout, she glosses over the incidents of male violence that she has chosen to portray; all of them serve one purpose — to demonstrate the power and influence of Antonia. Moreover, these episodes are often the pretext for humour. In no single case are we offered the perspective of the woman who has been violated. So, after the rape by her brother, presumably not for the first time, Dedo is seen smiling in Antonia's pew in church, wearing a new pair of bright blue spectacles, while her abuser winks with his bandaged hands and crotch (Danielle impaled him on a pitchfork when she discovered the rape). And later, after the village priest is caught abusing a woman (visibly distressed) in the confessional box, the film moves straight to a scene where the priest from his pulpit is forced to admit (through a parable) that he too is now at Antonia's mercy.

The only sense I can make of all this is that male violence is understood to be so ubiquitous and inevitable that it is not worth commenting on, and we should focus instead on women's strength and autonomy. Even in this perspective, however, it is hard to find any of the extraordinary, uncompromising clarity that made Marlene Gorris's earlier films so exhilarating.
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