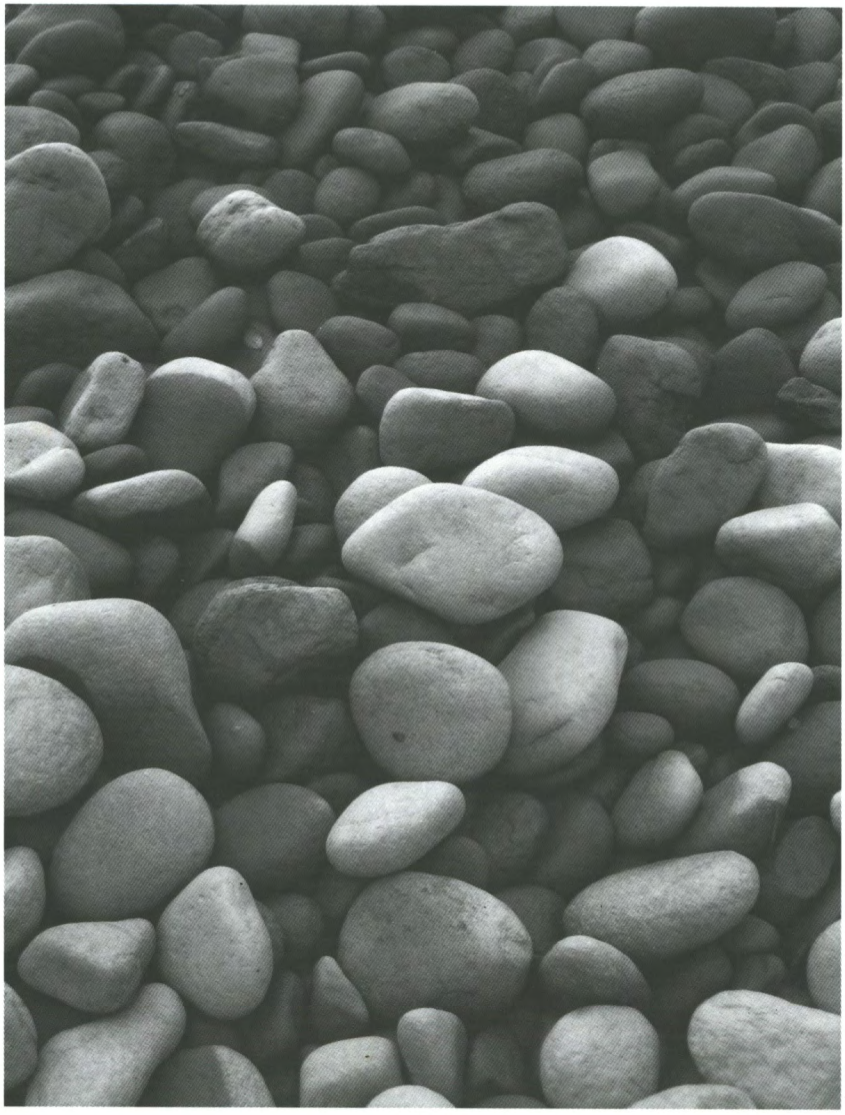
Women's Studies Journal

2005 19 : 1



Autumn 2005

Women's Studies Journal

Volume 19, Number 1

2005

The Women's Studies Association of New Zealand
with University of Otago Press

The *Women's Studies Journal* is published twice yearly by the
New Zealand Women's Studies Association Inc. with the
University of Otago Press

All contributions and content enquiries:
Jenny Coleman
Women's Studies Programme
School of Sociology, Social Policy and Social Work
Massey University
Private Bag 11 222
Palmerston North
Aotearoa/New Zealand

All subscription and advertising enquiries:
Women's Studies Journal
University of Otago Press
P.O. Box 56
Dunedin.

Subscriptions
Institutions … $45
Individuals … $45
Single copies … $24.95
Overseas airmail … Aus$45, US$45

ISBN 1 877372 11 0
ISSN 0112 4099
Printed by Otago University Print, Dunedin

Cover image
River Stones (2005). Photo by Lesley Patterson.

Contents

Women's Studies Association (NZ) Inc.

WSA (NZ), PO Box 5043, Wellington
www.womenz.org.nz/wsa/

The Women's Studies Association (NZ) is a feminist organisation formed to promote radical social change through the medium of women's studies. We believe that a feminist perspective necessarily acknowledges oppression on the grounds of race, sexuality, class and disability as well as gender. We acknowledge the Maori people as tangata whenua of Aotearoa. This means we have a particular responsibility to address their oppression among our work and activities.

Full membership of the Association is open to all women. Other individuals may become associate members. Annual membership includes three newsletters per year and inclusion on the wsanz e-list.

Organisations and institutions	$35
Individuals, medium-high income	$35
Individuals, low/medium income	$25
Individuals, low income	$10
Secondary school pupils	$5

Women's Studies Journal

The Women's Studies Journal is a biannual peer-reviewed academic journal established by the Women's Studies Association of New Zealand. It is published by a committee of WSA members in association with the University of Otago Press.

The Journal is essential reading for academics with an interest in gender issues, focusing on research and debate concerning women's studies in New Zealand and the Pacific. Issues of the journal are often used as texts in tertiary institutions, as it contains a wealth of resource material.

Submissions

The Editorial Collective welcomes contributions from a wide range of feminist positions and disciplinary backgrounds. The Journal has a primary but not exclusive focus on women's studies in New Zealand and encourages papers which address women's experience, explore gender as a category of analysis, and further feminist theory and debate.

Call for Papers: General Issues

Two issues of the journal are published each year. Contributions for general issues are accepted at any time. Submission guidelines and deadlines for Special Issues on a particular theme are available on the journal's website (www.womenz.org.nz/wsj/). Subscriptions, advertising and distribution are handled by the University of Otago Press. All contributions should be sent to the Coordinating Editor (see page 2).

Call for Papers

Special Issue: Women and Spirituality

The area of women and spirituality (or religion) is a broad theme which is gaining increased attention in scholarly literature. In February 2005 two research symposia on this theme were held at Massey University's Auckland and Palmerston North campuses, centred on the visit to New Zealand of feminist theologian Carol P. Christ. These symposia brought together a fascinating range of speakers and participants from very different backgrounds both within and outside academia.

The idea for this special issue on women and spirituality gained its impetus from these meetings. The papers presented at the symposia revealed the wide range of research currently being undertaken in this area. The intention of this issue is to cast the invitation more widely and submissions are welcomed from all academic disciplines

and from those working in the area of women and spirituality in the community. The Journal has a primary, but not exclusive focus on New Zealand and the Pacific region.

Each submission will be peer reviewed by two reviewers. Editors are Kathryn Rountree (k.e.rountree@massey.ac.nz) and Mary Nash (m.nash@massey.ac.nz).

Contributions should be between 5000 and 8000 words, including tables, notes and references, and should use either APA reference format or endnotes. The deadline for submissions is 15 April 2006. All submissions should be sent to Jenny Coleman at the address listed on p. 2.

Tena koutou, tena koutou, tena tatou katoa

Welcome to the general issue

Postgraduate Research Update

The Editorial Collective of the *Women's Studies Journal* invites postgraduate students engaged in feminist research to submit an extended abstract (500–2000 words) describing their work in progress. These will be collected on an ongoing basis and published from time to time in the *Women's Studies Journal* to keep readers aware of the depth and diversity of feminist research and to promote and advance feminist research at postgraduate level.

For further details contact the Coordinating Editor:
Jenny Coleman, J.D.Coleman@massey.ac.nz
Women's Studies Programme
School of Sociology, Social Policy and Social Work
Massey University
Private Bag 11 222
Palmerston North
Aotearoa/New Zealand

Editorial

Feminist writing is alive and well in Aotearoa/New Zealand and still relevant to women's lives. The publication of our last issue 18:2 Women, Work and Welfare, in Summer 2004–5, coincided with national policy debates around women and paid work and in particular, lone mothers' rights to benefits. This sparked interest from the press and radio in our journal, and a number of interviews followed which allowed contributors and editors to reach a wider audience.

So, now a warm welcome to the first general issue from the current collective at Massey University. This issue covers a wide field and contributors engage in scholarly discussion around a number of intriguing questions facing women. How might Maori women's traditional role of kaitiaki (guardianship) shape their response to the GM debate? What are the ethnic and gender biases in science? Is science heterosexist? Who bears the costs of motherhood, and can women be compensated for years spent on non-market caregiving activities? Do images of women vigilantes contribute to feminist social change?

Continuing some of the themes addressed in the last issue of the journal, Ee Kheng Ang and Celia Briar show how women's lives are shaped by the gendered nature of paid (and unpaid) work. Drawing on research with 'returners' (women returning to paid work after a 'career break' to have children) and employers, the authors draw attention to the reduced pay and status of women after taking time out of paid work. This has implications for women's economic citizenship. The article concludes with a number of concrete policy suggestions as to what governments can do to assist mothers returning to work.

Catherine Iorns Magallanes' article, 'Violent women in film: Law, feminism and social change', provides a wide-ranging discussion of representations of violent women in contemporary Hollywood films. Catherine's work considers broad trends rather than the detailed analysis that is used in some approaches to reading film representations. She considers how representations of violent women have changed over time, and how some recent feminist readings have lauded the representation of stronger, more powerful images of women. As a particular focus for her concerns, Catherine considers rape-revenge narratives. The questions she raises about the consequences of such

narratives and their representations of individual acts of revenge for feminist social change are compelling. How do these stories, and the images of vengeful women that they promote, contribute to feminist social change agendas? Is it possible that they may undermine strategies that feminists have engaged successfully towards social change – most especially the influence of feminist advocacy on legal change? These are critically important questions, and Magallanes' arguments are timely.

Jessica Hutchings makes a strong case for the urgent need for a distinct mana wahine discourse within the debates currently surrounding genetic modification within Aotearoa New Zealand. She argues that mana wahine concerns in relation to GM differ significantly from those of mainstream Maori because these have been 'colonised by colonial and patriarchal ideologies'. Drawing upon her experience with Nga Wahine Tiaki o te Ao, a Maori women's group formed in response to this debate, Hutchings emphasises Maori women's traditional role of kaitiaki (guardianship) and their connection to Papatuanuku to argue for an explicit and prominent mana wahine voice within the GM debate.

Noting the ways in which neo-colonial patriarchal ideologies have been (and are still) used to discredit and silence the voices of mana wahine, Hutchings adds to the work of others such as Aroha Mead, Leonie Pihama and Annette Sykes (among many others) in drawing attention to the threat posed to indigenous knowledge by the life sciences – and particularly biotechnology. It is not, however, science *per se* that Hutchings is rejecting in her discussion. Rather she is suggesting an opening to debate of questions about what (and how) science can contribute to Maori development in a way that both protects the environment and respects tikanga. Her contribution to this debate includes a proposed 'Kaitiaki Charter for Science' – a document setting out the boundaries and aims of scientific enterprise that protects both the earth and indigenous knowledge.

From the 1970s feminists have debated the merits of 'good' and 'bad' science. If traditional science is inherently gender-biased, is a gender-neutral science possible or even desirable? What might a 'feminist science' look like? Alongside such concerns have been fundamental debates around the nature of sexual difference and the nature and causation of diverse (non-heterosexual) sexualities. Sara MacBride-Stewart's article 'Health and Biotechnology in Le Vay's

Queer Science' traverses these debates in an interrogation of the claim made by Simon Le Vay in his *Queer Science* (1996) that biotechnology can play a positive role in determining a biological basis for homosexuality and thereby contribute to the elimination of oppression against gays. MacBride-Stewart meticulously deconstructs Le Vay's argument that research into homosexuality has been characterised by 'bad science' and, in the process, demonstrates how Le Vay's account of the materiality of homosexuality renders gender almost completely indistinct. At the heart of MacBride-Stewart's critique of *Queer Science* is a privileging of science, men and materiality over social constructionism, women and the social. Drawing on her own research on lesbian health, MacBride-Stewart exposes the gendered binary nature of Le Vay's arguments and questions the efficacy of biotechnology as a vehicle for the removal of stigma and discrimination against lesbians and gays.

We hope you enjoy this issue. We also look forward to receiving more articles for future issues – women and violence, women and spirituality and the next general issue. Remember to renew your subscription!

And now a date for your diaries: The WSA conference 2005 will be held in Auckland, on November 25–27. The theme of this conference is based on the notion Sustaining Women, Regenerating Feminism. See you there.

Celia, Jenny, Leigh, Ang, Mandy and Lesley.

sustaining women regenerating feminisms

THE 2005 Women's Studies Association conference aims to empower, educate and support women in their lives and in work for social justice and equity.

You are invited to contribute workshops, presentations and papers that explore this theme. They could include - steps towards women's economic and social rights; sustaining women's health, identities, families and communities; supporting mana wahine; sustaining Pasifika women; recording women's history; supporting women's art, performance and sport; regenerating women's groups and processes.

All contributions in line with WSANZ aims will be accepted. Workshops, posters and papers from community-based groups and postgraduate students are especially welcome.

Women's Studies Association of New Zealand Conference 2005

November 25-27

Auckland University Conference Centre
22 Symonds St
Auckland city

Send us a title and description or an abstract of up to 200 words of your workshop, panel discussion, poster, presentation or paper, with your name, postal address, phone, fax and e-mail address. DEADLINE - 31 August.

Email it to projects@womenz.org.nz or post it to the Auckland Women's Centre, PO Box 78 271, Grey Lynn, Auckland 1002.

Presenters must be women and members of WSANZ. We have a sliding scale membership. You can join or rejoin now for 2005/6 or with your registration. See www.womenz.org.nz/wsa/join.htm.

This conference is being organised by Auckland WSA members - see www.womenz.org.nz/wsa/conf.htm.

Email queries about WSANZ to prue.hyman@vuw.ac.nz and general queries about the conference to saphira@clear.net.nz.

Valuing Motherhood? Experiences Of Mothers Returning To Paid Employment

EE KHENG ANG AND CELIA BRIAR

Introduction

This article explores factors affecting the incomes and careers of New Zealand women who have returned to the paid labour force after time away as full-time mothers. The paper draws upon a postal survey of employers and interviews with employers and mothers conducted in 2001–3. We examine some of the pay and employment equity issues faced by solo and partnered mothers returning to paid employment.

Most New Zealand women become mothers at some point. Despite the trend towards smaller families and later child-bearing, most women have at least one child (McPherson 2003: 73). Internationally, it is well known that the lifetime costs to women of having children are extremely high (Joshi 1992). After a break for having children, American and British mothers have commonly returned to the labour force into lower paid and lower status positions than they occupied previously (Dex and Shaw 1986). Women earn less than men in all countries, but motherhood incurs an additional 'wage penalty'. Mothers earn significantly less than women without children, and the gap increases with each additional child (Waldfogel 1997; Avellar and Smock 2003; Budig and England 2001). Research from the US and UK suggests that mothers' lower pay is not entirely explained by differences between the labour market experience of mothers and childless women (Waldfogel 1997).

The growth in part-time and temporary employment is one factor helping to explain the lower incomes and status of mothers returning to the workforce. Mothers are more likely than women without children to be employed part-time (Budig and England 2001; Miller 1993: 91). In the UK, for example, it has been estimated that two-thirds of women who have taken a break for child-bearing subsequently return to paid work part-time (Dex, Walters and Alden 1993: 164). Many of these jobs are at the bottom of the wage scale, and part-timers often receive a lower rate of pay for the same job. The lower pay of mothers contributes to the gender gap between men's and women's average pay, and will continue to do so unless additional strategies to improve

the economic position of mothers are successfully pursued.

Internationally, women have been found to experience discrimination in employment on the grounds of gender, ethnicity, age, disability, sexuality and socio-economic status and also pregnancy and motherhood (Gregory 2003: 6; Hansard Society 1990; Warren 2003; Vianello 2004; Wright, Baxter and Birkelund 1995; Hochschild 1990). For example, differences in the likelihood of working part-time according to class have been found in the UK. For low-income earners the cost of childcare may prove too large a barrier to full-time employment, especially in occupations where there are few opportunities for advancement. Consequently, working-class women may work part-time when their children are small when partners and other family members are available to help with care. Mothers with tertiary qualifications have been found to return sooner to full-time paid work because their somewhat better pay makes the cost of child care more affordable. In addition, their better career prospects make childcare costs a better investment for the future (Glover and Arber 1995: 166).

Mothers in the New Zealand Labour Market

In New Zealand and in other industrialised nations, there has been a shift in the job market from full-time permanent jobs to part-time and temporary work, especially in the service sector (O'Connor, Orloff and Shaver 1999: 95–100; Fitzsimmons and Fitzsimmons 2001). This has also affected public sector employment, despite a long campaign by women to secure permanent part-time employment in the public service and equal employment opportunities under the State Sector Act 1988. Cuts in public spending and consequent pressure on resources have led to greater use of part-time and contract staff (Conley 2003).

In New Zealand as elsewhere, returners appear to suffer discrimination as older workers, including those with tertiary qualifications (Brown and Webb 1994: 58–71). It has been noted that women are regarded by employers as older workers at a younger age than men are (Jones and Proctor-Thomson 2003: 177; McGregor and Grey 2001; Handy and Davy 2004). Employers appear to believe that both younger workers and childless older women will give more commitment to the company than mothers will (Dipboye and Colella 2005; Shore and Goldberg 2005).

The Research

The purpose of this study was to explore the factors which affect the pay and status of partnered and solo mothers returning to paid work after a 'career break' for having children. The aim was to help overcome the shortage of New Zealand information about solo and partnered mothers who have returned to paid work.

The study consisted of a national postal survey of employers, six face-to-face interviews with employers (five women and one man) and interviews with mothers who had returned to paid work. The survey of employers selected participants at random from the New Zealand *Who's Who,* 2002, the 2004 AA Accommodation Directory and the New Zealand Telephone Directory, 2003. This survey of employers returned 142 useable questionnaires out of 700 sent out. Employers selected were in the areas of banking, tourism, education, retail and services. The face-to-face interviews with employers were conducted with three school principals, a bank manager, the manager of a retail outlet and one state sector manager. The research included twelve in-depth one-to-one interviews with mothers, and a focus group that included six mothers which met twice. The twelve mothers who were interviewed individually were recruited by newspaper advertisements placed in local newspapers, and by word of mouth. The six participants for the focus group were contacted though a snowballing technique.

The mothers interviewed individually held a range of qualifications, whereas the focus group consisted entirely of mothers with tertiary qualifications. Those mothers without qualifications also tended to be older. The majority of women participants in this sample had been employed as teachers, nurses, midwives, shop assistants and clerical workers before they had children. The sample included a former town planner, a veterinarian, a laboratory technician, a school principal, and an international consultant in development studies. Most had been employed in female-dominated occupations, but had reached the top of their scale in terms of pay and status by the time they left work to have children.

Ages of participants ranged from thirty-five years to over fifty years. Most had been out of paid work for over ten years before returning to the paid work force. Younger participants had taken a shorter time out of paid work: three to five years.

Findings

The employers surveyed in this study overwhelmingly believed that offering flexible part-time and casual work was the best way to assist mothers to return to paid work. Ninety one per cent of employers (128 in all) agreed or strongly agreed with the proposition that the best way to encourage mothers to return to paid work was to offer flexible hours. A less striking but still notable 80 percent (114 respondents) agreed or strongly agreed with the statement that offering casual work that fitted with childcare was the best way to encourage mothers to return to paid work.

The employers who were interviewed face-to-face claimed that they believed in equal treatment, that every potential employee would be selected according to the same criteria (that they were able to carry out the required tasks), and that no-one was discriminated against. However, it seems unlikely that they would have offered fathers part-time and casual work. Their stated policy was to take on employees who best fitted into their company culture.

Most of the returning mothers interviewed had been successful in obtaining paid work. All had been initially obliged to accept insecure part-time work, although some were later able to obtain more permanent and full-time positions. Every one of the eighteen women had lower pay and status after returning from their 'career break'. A number of well-qualified women worked as cleaners when they returned to the workforce. The international consultant was cleaning laboratories when she first returned to paid work. At the time of the interviews some participants had still not regained a position at their previous level even after ten years back in the paid workforce.

The low pay and status of the partnered mothers returning to paid work meant that they and their children continued to be financially dependent on the main earner of the household and so were obliged to prioritise their partners' careers. Two mothers had given up their paid work to relocate when their husbands changed jobs. One participant had moved three times to advance her husband's career, and each time had been obliged to start again at the bottom of the occupational structure. In this way these women's poor pay and prospects was reinforced.

At the start of the research all of the employed mothers had returned into part-time jobs, although two years later some of those with tertiary qualifications had been able to move into full-time jobs.

Obviously, the sooner women return to full-time work the greater their chances of improving their career prospects and incomes and thus reducing the gender pay gap in lifetime earnings.

The mothers did not share the employers' view that casual work was in their best interests. All the women whose jobs were not permanent wanted greater job security. Those women whose partners were not in well-paid employment wanted to have more hours of paid work. One participant recounted how, after working part-time and being re-hired on temporary contracts, she asked her employer for permanent employment but at the time of the interview she had not yet been successful. She said:

> It leaves me feeling: if you need me this year and your roll is going up what's the hassle making me permanent? It leaves the worker vulnerable to what will happen next. Do I prepare for next year? How much do I allow myself to be involved in the other school activities in view of the lack of certainty?

Some of the mothers felt that they experienced discrimination on the grounds of age as well as sex and motherhood. Several of the mothers felt this acutely. At this age – late thirties to early fifties – men are still advancing career-wise but mothers are regarded as 'older workers' at a younger age. Women sometimes resort to 'age proofing' strategies as a result (Jones and Proctor-Thompson 2003). One mother reported that she dyed her hair in order to look younger for a job interview. She was adamant that getting rid of her grey hair was a key factor in her getting the job.

Mothers felt that skills gained while out of the paid work force were not valued. As one mother put it: 'Being a mother at home means you almost become a nonentity'. It was not only unpaid work in the home that failed to count. Motherhood-related voluntary work in the community, such as serving on a school's board of trustees or coordinating a playcentre, may carry considerable responsibility and adds to a mother's work experience. One participant had been in sole charge of a large building project. Yet none of the participants felt that the skills obtained from such work were valued by employers.

The tertiary-educated women believed that their qualifications would be regarded as dated and that if they wanted a full-time career they would have to retrain. Women in the study with occupational qualifications, such as midwives and teachers, found that changes in

working practices had occurred during their time away. A qualified midwife, who had been at the top of her career before having her own children, felt discouraged by such changes when she applied for a job in her field. The participants felt that they were given little information, encouragement and assistance with returning to their former careers.

For all workers, there are financial costs associated with returning to paid work after a break or period of unemployment. Returning mothers incur costs such as training and education fees, work clothes and childcare expenses. Yet on average they earn less than women in full-time work who have not taken a career break and much less than men.

The costs of retraining can be extremely high. They can mean incurring a large debt, with no certainty of obtaining a sufficiently good job (or indeed any job) with which to pay back the loan. Only those mothers who had been qualified teachers and nurses before they took time out of the workforce had been eligible to access government retraining schemes where the tuition fees were paid. Others felt that there was an assumption made by the government that their partners would absorb any cost of finding a job. This could put a strain on their relationship even if the partners had been willing and able. Some of these mothers had therefore taken on loans to finance retraining. Repayments reduced their disposable incomes and added to their financial worries.

Mothers mentioned the need to acquire new clothes suitable for the workforce. They were aware of the importance that employers attach to appearance. It takes time and money to assemble the necessary wardrobe. The participants saw this cost as a major outlay, given their low benefit income or financial dependence on their partners. For mothers who had taken substantial career breaks, spending on personal attire had been drastically cut.

Childcare costs, including the expense of after school care, were also cited as a barrier to full-time employment, especially for mothers with more than one child. The main forms of childcare appeared to be partners and close relatives, especially grandmothers, mainly because this was free. Often part-time work was taken which fitted in with the availability of relatives or with school hours. The costs of formal childcare were seen as a barrier to full-time employment because they would take too high a proportion of expected earnings.

Mothers were willing to sacrifice pay and work conditions for work that fitted in with affordable child care and school hours. Some participants were able to negotiate to be off work during school holidays. Participants were aware that their pay did not fully reflect their qualifications or the experience gained from their work as mothers and community workers. Like the employers, they saw it as an exchange for flexibility. However, in the long term it is a trade that benefits employers, through salary savings, with women carrying the cost in terms of lower pay and limited careers.

Discussion

Although the mothers in this study managed to find paid work, this was, on average, on poorer terms compared with their previous positions. Returners' downward occupational mobility was identified in the 1980s (Dex and Shaw 1986) and appears to be continuing. There is some debate in international literature about whether mothers experience additional discrimination from employers. Opponents of the view that employers' policies are a main reason for returners' truncated careers have argued that mothers' earnings and status are lower because they have less time and energy to devote to their paid jobs than fathers or women without children (Becker 1985). It is claimed, simply, that mothers choose to put their families first. The lower average pay and status of mothers is often explained in the language of lifestyle choice, and it is argued that mothers choose to be part of the secondary labour market so as to spend more time with their children (Hakim 1996: 81).

In this study, employers clearly regarded their policies as giving returners what they were assumed to want: a way of managing to maintain their domestic and care-giving responsibilities while being secondary earners in their households. However, in both the study and the wider literature it is possible to detect attitudes and practices of employers that affect the pay and status of mothers returning to paid work. These include assumptions that mothers were only suitable for part-time employment, failure to value the skills women had obtained in their time out of the paid work force and age discrimination.

As discussed by these participants, during their time out of the paid workforce, mothers gain or improve many skills that are relevant to feminised professions such as teaching and nursing and are relevant to jobs which involve working with or dealing with people. The three

school principals interviewed face-to-face in the study, all of whom were women, did acknowledge this. However, other participants did not find that their unpaid work experience was acknowledged as an asset. In general, housework and childcare are not valued by society. This lack of value attached to the unpaid work performed by housewives and mothers reflects the undervaluing of women (Waring 1988; Crittenden 2001; Gavron 1966; Woods 1993; Mason 2000; Oakley 1985) and is in turn reflected in the pay in occupations in which women – and returning mothers – are typically employed.

Most of the participants in this study had received in-house retraining provided by employers. However, part-time employees tend to receive only basic and short training. Some teachers and nurses in this study had been able to obtain refresher courses. In general, however, research indicates that employers are more likely to train younger employees than older ones. This tends to work against mothers returning to paid work.

Even women who are committed to combining childcare and a career and take only a short time out of the paid workforce may be disadvantaged upon their return to their job. There appears to be an expectation on the part of employers that mothers will put their families first. Organisations such as banks still tend to treat mothers who put their career first as aberrant (Liff and Ward 2001: 30–31).

It appears from this survey that employers' assumptions about what mothers want (or ought to want) are in a large measure responsible for returners' lowly position in the paid workforce. Mothers in this study expressed different preferences about the kind of employment they wanted. This links with twenty years of research which demonstrates that both women and men prefer work that is well paid, secure, interesting and with opportunities for advancement (Bryson 1996). As in other research (Boswell and Jenkins 1994), the great majority of the employers in this study appeared to be blind to the patriarchal structures that result in the domestic division of labour and discrimination at work. Fathers and mothers are treated quite differently (Jones and Causer 1995: 51). Most employers did not question the gender division of childcare responsibilities, or see as problematic their own roles in reinforcing the male-chief-breadwinner and female-chief-care-giver model of family life.

Policies to improve mothers' position

There is a good deal more that governments can do to assist mothers returning to paid work. Leaving decisions to employers is not resulting in equitable outcomes. There was an assumption amongst the New Zealand employers in this study that it is helpful to returners to provide employment that fits around their family responsibilities. The mothers interviewed in many cases chose part-time work because of childcare constraints but also expressed a preference for more job security, and in some cases expressed a wish for more hours of paid work. As we saw, mothers pay a high price in terms of downward occupational mobility and lost lifetime earnings. It is a great loss to mothers, their families and to the nation when women's skills and experience acquired over many years in paid and unpaid work are undervalued and under-utilised.

At present in New Zealand there is a government policy of increasing the number of lone mothers exiting the benefits system. Assistance with finding employment is provided to beneficiaries. Partnered mothers who have not been on a benefit and who wish to re-enter the paid work force tend not to receive any government assistance with finding a job, however. A major problem, especially for unpartnered mothers, who are sole earners, is that much of the paid work available to the women is low-paid and insecure. A particular need identified by this study is for policies to prevent the reduction of pay, status and job security that seems to occur for mothers who have taken time out of paid employment to have children. Mothers also wanted good quality childcare that fits in with better-paid employment and some assistance with the costs of returning to work.

Government policies can encourage employers to recognise the specific needs and the contribution made by mothers, but without this being at the cost of mothers' pay, career prospects and job security. A tightening in government regulations could provide more secure terms of employment for working people, and this would be of special assistance to mothers. Although the Employment Relations Act (2000, amended 2004) has made it unlawful to keep workers on temporary contracts without good reason, employers are still nevertheless currently able to keep mothers in the lowest paid, lowest status and most insecure positions.

One of the reasons for returners' poor earnings is the prevalence of part-time employment. As well as having lower pay due to shorter

hours, part-timers are sometimes employed under less favourable terms and conditions than full-time employees (Davidson and Bray 1994). In the UK, under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, which resulted from an European Union ruling, employers must provide equal pay and conditions to part-time workers on a pro rata basis. New Zealand could introduce similar legislation.

High childcare costs, especially for small children, were a significant factor in keeping mothers out of the paid workforce for longer than they would otherwise have chosen. There has been some shift in government policy from funding tax rebates to supporting the provision and viability of early childcare education centres, including better pay for early childhood education workers. The announcement of free early childhood education in the 2004 budget was welcomed, although to be of assistance to employed mothers these provisions could be further extended. Increased subsidies for preschool care plus assistance with the costs of after school care would also be helpful. So would provision of paid leave for parents of children under the age of fourteen to enable them stay at home to care for sick children.

Governments could provide assistance with job search to mothers who have not been on a state benefit, and possibly grant a lump sum payment to returners to assist them with the costs of re-entering the work force. Mothers in the study also identified a need for help with the costs of retraining. Short refresher courses for mothers wanting to return to their previous jobs could be jointly funded by government and employers. For partnered mothers requiring longer training or retraining courses, it could be possible to extend the Training Incentive Allowance currently paid to some solo mothers wishing to re-enter the paid workforce.

Pay equity is an important goal for New Zealand women. However, experience from Australia and Britain shows, that even with legislation for equal pay for work of equal value, the gender pay gap has proven to be stubbornly wide (Whitehouse, Zetlin and Earnshaw 2002). If successful, pay equity will close the gender pay gap in hourly earnings to some extent. However, if there continues to be an earnings gap between mothers and non-mothers, this will continue to depress women's average incomes.

As well as pay equity, a minimum wage increase would improve the incomes of women who are working in low-paid jobs (Hyman 2005).

Restoring the universal family benefit for main caregivers (and raising the level of payment) would partially compensate mothers for their work and responsibility. Paid parental leave is also a way of acknowledging the responsibilities of new mothers whilst also regarding them as having an attachment to the labour force. At present New Zealand offers the minimum paid parental leave (fourteen weeks) set out by the International Labour Organisation (ILO). The level of payment is also very low by OECD standards and could be improved. The time allowed could be extended, and also supplemented by a statutory entitlement to paid parental leave at times of children's sickness, as in Sweden.

Conclusions

Despite a well-publicised growth in labour force participation by mothers, and their earlier return to paid employment in recent decades, returners are re-entering the workforce into jobs that are lower paid, are seen as requiring less skill and with fewer prospects. This has implications for women's ability to plan their lives, be economically independent, and avoid poverty in old age.

Having children is not a lifestyle choice. Society needs children. It is predominantly women who take on the main responsibility for childcare. Global economic trends are putting pressure on employers in both the state and private sectors to casualise their work forces, and women, especially mothers are the workers most severely affected. Nonetheless, governments can make a difference. The state still has the power and mandate to legislate for equitable treatment of women and men, parents and those without children, and to place greater value on motherhood.

Ee Kheng Ang *is a senior tutor in the Department of Management at Massey University. Her research interests include women in organisations, and overseas students and their needs. Her current and ongoing research is on mothers in paid employment.*

Celia Briar *is a senior lecturer at Massey University teaching social policy and research methods. Her previous publications have been on the gendered effects of work and welfare policies. She is currently working on a book on the health effects of gender inequalities.*

References

Avellar, S. and Smock, P. J. (2003). 'Has the price of motherhood declined over time? A cross-cohort comparison of the Motherhood Wage Penalty', *Journal of Marriage and Family*, **65**, August, 597–607.

Becker, G. (1985). 'Human capital, effort and the sexual division of labour', *Journal of Labour Economics,* **3,** 33–8.

Boswell, C. and Jenkins, S. (1994). 'Equal Opportunities Policies, Employment and Patriarchy', *Gender, Work and Organisation,* **1**(2), 83–93.

Brown, A. and Webb, J. (1994). 'Career prospects for mature women students: aspirations and achievements', in J. Evetts (ed.), *Women and Career: Themes and Issues in Advanced Industrial Societies,* Longman, London.

Bryson, L. (1996). 'Revaluing the household economy', *Women's Studies International Forum,* **19**(3), 207–19.

Budig, M. J. and England, P. (2001). 'The Wage Penalty for Motherhood', *American Sociological Review,* **66,** 204–25.

Conley, H. M. (2003). 'Temporary work in the Public Services: Implications for Equal Opportunities', *Gender, Work and Organisation,* **10**(4), 455–77.

Crittenden, A. (2001). *The price of motherhood: Why the most important job in the world is still the least valued*, Metropolitan Press, New York.

Davidson, C. and Bray, M. (1994). *Women and Part Time Work in New Zealand*, New Zealand Institute for Social Research and Development, Christchurch.

Dex, S., Walters, P. and Alden, D. M. (1993). *French and British Mothers at Work*, Macmillan, Basingstoke.

Dex, S. and Shaw L. B. (1986). *British and American Women at Work: Do equal opportunities policies matter?* Macmillan, Basingstoke.

Dipboye, R. L. and Colella, A. (2005). 'The Dilemmas of Workplace Discrimination' in R. L. Dipboye and A. Colella (eds), *Discrimination in the Workplace: the Psychological and Organisational Bases,* Lawrence Erlbaum Associates, New Jersey.

Fitzsimmons, M. J. and Fitzsimmons M. J. (2001). *Service Management: Operations, Strategy and Information Technology,* Irwin McGraw-Hill, Massachusetts.

Gavron, H. (1966). *The Captive Wife*, Penguin, Harmondsworth.

Glover, J. and Arber, S. (1995). 'Polarisation in mothers' employment', *Gender, Work and Organisation,* **2**(4), 165–179

Gregory, R. F. (2003). *Women and Workplace Discrimination: Overcoming barriers to gender equality*, Rutgers University Press, New Jersey.

Hakim, C. (1996). *Key Issues in Women's Work: Female heterogeneity and the polarisation of women's employment*, Athlone, London.

Handy, J. and Davy, D. (2004). 'Age and gender discrimination in recruitment agency employment practices: a qualitative study of older women's job experiences', *Women's Studies Journal,* **18**(2), 37–52.

Hansard Society (1990). *Commission on Women at the Top*, HMSO, London.

Hochschild, A. R. (1990). *The Second Shift: Working Parents and the Revolution at Home,* Piatkus, London.

Hyman, P. (2004). 'Significant increases in the minimum wage: A strategy for gender pay equity?' *Women's Studies Journal,* **18**(2), 11–24.

Jones C. C. and Causer, G. (1995). '"Men don't have families". Equality and Motherhood in technical employment', *Gender Work and Organisation,* **2**(2), 51–61.

Jones, D. and Proctor-Thomson, S. (2003). 'Age, Gender and the Rhetoric of the "New Career"', in *Labour, Employment and Work in New Zealand,* Proceedings of the 10th Conference, November 2002. Industrial Relations Centre, Victoria University of Wellington.

Joshi, H. (1992). 'The costs of caring', in J. Millar and C. Glendinning (eds), *Women and Poverty in Britain*, Harvester Wheatsheaf, London.

Liff, S. and Ward, K. (2001). 'Distorted views through the glass ceiling: The construction of women's understandings of promotion and senior management positions', *Gender, Work and Organisation* **8**(1), 19–36.

McGregor, J. and Grey, L. (2001). *Mature job-seekers in New Zealand*, Massey University, Palmerston North.

McPherson, M. J. (2003). *The Nature and Role of the Extended Family in New Zealand*, Family Studies Monograph no. 2, Social Policy Research Centre, Massey University, Palmerston North.

Mason, R. (2000). 'Beyond the Career Break: Women Returners' Perception of the Skills they Bring from the House and Barriers to their Return to and Advancement in Paid Work: an Exploratory Analysis', unpublished MA thesis, Massey University, Palmerston North.

Miller, C. F. (1993). 'Part time participation over the life cycle among women who work in the market', *Applied Economics,* Jan., **25**(1), 91–100.

O'Connor, J. S., Orloff, A. S., & Shaver, S. (1999). *States, markets, families: Gender, liberalism and social policy in Australia, Canada, Great Britain and the United States,* Cambridge, Cambridge University Press.

Oakley, A. (1985). The *Sociology of Housework*, Basil Blackwell Ltd, Oxford.

Shore, L. M. and Goldberg, C. B. (2005). 'Age discrimination in the workplace', in R. L. Dipboye and A. Colella (eds), *Discrimination in the Workplace: The Psychological and Organisational Bases,* Lawrence Erlbaum Associates, New Jersey.

Vianello, M. (2004). 'Gender differences in access to and exercise of power', *Current Sociology* **52**(3), 501–18.

Waldfogel, J. (1997) 'The effect of children on women's wages', *American Sociological Review,* **62**(2), 209–17.

Waring, M. (1988). *Counting for Nothing: What men value and what women are worth*, Allen and Unwin/Port Nicholson Press, Wellington.

Warren, T. (2003). 'A Privileged Pole? Diversity in Women's Pay, Pensions and Wealth in Britain', *Gender, Work and Organisation,* **10**(5), 605–28.

Whitehouse, G., Zetlin, D. and Earnshaw, J. (2001). 'Prosecuting pay equity: Evolving strategies in Britain and Australia', *Gender, Work and Organisation,* **8**(4), 365–86.

Woods, G. (1993). *Just a Mother: The Importance of Women at Home*, GP Publications, Wellington.

Wright, E. O., Baxter, J and Birkelund, M. G. E. (1995). 'The gender gap in workplace authority: A cross-national study', *American Sociological Review,* **60,** 407–35.

Violent Women in Film: Law, Feminism and Social Change

CATHERINE J. IORNS MAGALLANES

Introduction

The last decade has seen a plethora of films depicting violent women in a range of genres and narratives. The feminist analysis of such violence has been mixed, but the predominant view is that such depictions are liberating for women. In this article I question how liberating the recent depictions can be.

I consider that law can be a useful tool for feminist social change. However, the message from the Hollywood film industry is that feminist change is best achieved through violence and that the law is unlikely to help. This paper discusses the narratives concerning violent women in film, with a particular focus on the avenging woman.

I first discuss the method of film analysis that I favour, then the role of violence in film generally, and then violence by women in Hollywood films in the 1990s. I pay particular attention to the rape-revenge narrative, discussing the broad themes and messages they contain, and how they relate to social trends and arguments.

In this article I argue against adoption of these portrayals as clear feminist victories. My primary reasons are that the site of such feminist struggle is the private rather than the public, and that the law is portrayed as irrelevant to feminist social change. Feminism needs more than violent, avenging women for an effective vision of social and political change, but we do not see much more than that from Hollywood.[1]

Film Analysis

My method of feminist film analysis does not utilise the more common focus on films' texts in minute detail. I am more interested in the broader pictures of trends, both of film narratives and of society, but particularly their relationship to each other.[2]

In the 1970s, feminist film analysis focussed on the images of women in film, and how these representations perpetuated existing stereotypes and roles for women.[3] The films were assessed for their

contributions to upholding (or not) particular (especially false) ideologies. The aim was exposure and then overthrow of (false) patriarchal ideologies.[4]

An alternative method of analysis which also emerged in the 1970s and predominated in the 1980s and 1990s is the closer focus on a film's text and the complex ways in which meaning is produced from that text. It utilises semiotics and psychoanalysis, and examines the relationship between representation and reality.[5] Thornham comments that it is more difficult to relate this kind of analysis to a social change agenda. For example, the focus of change here would be personal desires and **unconscious** feelings, which are hard to change purposefully.[6]

A third approach to feminist film analysis focuses on the reactions of actual viewers of the film.[7] For example, while a film today may portray stereotypical images of women, women viewers may reject them in anger rather than accept them. Thus, through provoking the anger that fuels feminist criticism, such films might actually support a feminist agenda, despite their appearances.[8]

In the 1990s, all of these methods have been used, including hybrids made from their integration.[9] Thornham comments that in the 1990s most work on real audiences occurs in analysis of television, while most feminist film analysis focuses on the text,[10] and only some film work has tried to bridge the two.[11] Jacinda Read notes that many modern films themselves 'exhibit such a high degree of self-consciousness about the kinds of theoretical paradigms that have been used to analyse them' that filmic analysis needs to go beyond such paradigms, and better integrate historical and cultural analysis.[12]

Thornham has argued that a feminist analysis without consideration of the cultural context of a film poses problems for feminism as a movement. Such analysis focuses on the private rather than the public and – added to the post-modern 'gender scepticisms' of the 1990s – means that it has difficulty in constructing a (public) political vision.[13] I agree. I am interested in feminist political visions and strategies for their implementation. I consider that, because film texts are 'cultural problem-solving',[14] one must closely examine the culture and its relationship to the text in order to analyse a film meaningfully.

The approach I have utilised is closest to that taken by Jacinda Read.[15] Read consciously employs a broad perspective, analysing

social trends and how they are reflected (or not) in the films she studies. Knowing the social trends helps identify how the images and text fits current social arguments and how the film suggests that current conflicts may be resolved. In this paper, I consciously do not analyse individual texts in great detail.[16] Instead, I look at broad themes and messages that emerge from the 1990s films that depict violent women. I am concerned with feminist themes and messages, particularly strategies and methods for social change.

Why Hollywood films?

I wanted to limit my study to Hollywood-produced and/or -distributed films for several reasons. Primarily, the wider availability and visibility of the films means that huge numbers of people have viewed them world-wide. They are part of public consciousness and popular culture. Second, because of the structural and economic changes in Hollywood in the 1990s, I thought it reasonable to expect that I would not be limiting myself to only middle-of-the-road, traditional storylines. In the 1990s the major movie studios in Hollywood bought many of the smaller, independent studios. Thus, movies which might be aimed at only a small market are nonetheless distributed by the major players, thereby increasing access to the less-traditional films.[17] In this environment, one would expect to see more non-traditional films than before – films that take more risks and films that challenge mainstream cultural views, including views on the appropriate roles and status of women.

Film Violence in General

Violence is used in films (plus other media) to depict and debate social and cultural conflict. Film violence is thus a manifestation of such conflict as well as an attempt to mediate the various cultural forces involved.[18] Violence is a particularly useful tool in this regard as it entails negotiation of social values concerning order and the use of force, legal and illegal. One analyst comments that 'The history of film violence thus offers one account of cinema's evolving role as a crucible of standards of legitimate action and social order.'[19] Thus, despite images of violence typically representing 'non-conformity, deviance and transgressive behaviour',[20] its function is often 'to produce and maintain social cohesion'.[21] Importantly, violence is thus often used not simply 'to release aggression' but to uphold 'a social imperative

to overcome competition, discover kinship by confirming otherness, and affirm hierarchies of central versus marginal individuals.'[22] Thus, 'Identifying which individuals are sacrificed, **how**, and in the name of what, grants insight into the evolution of social values.'[23]

Interestingly, in the late-90s, a group of movies came out that fits this analysis of film violence as reinforcing traditional values: action thrillers focusing on the family as the central concern of the narrative. In this narrative the stereotypical traditional family is threatened and then saved, with a 'heroic father, supportive mother, vulnerable children.'[24] Paradoxically, it is violence that 'sutures the family unit back together.'[25] Violence has a positive function, here: it is seen to be acceptable in defence of such an important institution. One author argues that the greater crime is breaking 'the Father's law' – the message is that 'dismemberment of the family unit that embodies and reproduces that law' is validly resolved through (male) violence.[26]

In the 1970s, feminist analysis of film violence at the time argued that the social values that were affirmed were sexist ones which subordinated women. Even the rape-revenge movies of the 1970s, including ones where women victims later killed their rapists, worked to endorse and uphold 'traditional conceptions of femininity', and to keep women in their place.[27]

Since the 1970s, film violence generally has continued to change with the times – particularly with regard to the relationship between women and violence. The most notable change here has been the depiction of women as agents and doers of violence, not merely as victims of it. While there have always been some depictions of violent women on screen, they were comparatively rare, and limited to a few, stereotyped roles.[28] In the 1980s, white women started to 'pick up guns in remarkable numbers' – especially the Final Girl in 'slasher' movies.[29] But it was the 1990s when they really took off, in a wider variety of film genres. And it is these 1990s films which some argue have challenged the traditional analysis of film violence as reinforcing traditional society. Instead, filmic violence by women is argued as liberating women from their passive, victim roles and thereby challenging prevailing stereotypes.

Violent women in 1990s Hollywood

Many feminists in the 1980s reacted to the '80s slasher movies with criticism of the in-built discrimination against women, including

portraying women as victims, despite the use of the strong and violent Final Girl. In 1990 there was still a strong theme within feminism of the pacifist, woman-as-mother-nature feminism, where women would make better leaders than men because they were more humane, conciliatory and attendant to the web of life. Violence in and of itself was toxic and was certainly not seen as feminist.[30]

But clearly Hollywood film producers expected the general public to think differently enough to portray plenty of violence in the 1990s, especially violence by women. The 1990s started off with more than a bang. 1991 has been described as a 'banner year for violent women in film'.[31] 1991 saw releases of movies with a range of types of violent women, from policewomen, such as in *The Silence of the Lambs*,[32] to revenge, such as in *Thelma and Louise* and *Sleeping with the Enemy*,[33] to visibly masculine women, such as in *Terminator II*.[34] While some of these were controversial, audiences flocked to see them – these were the biggest grossing movies of 1991.[35] Notably, *Thelma and Louise* hit a real public nerve. Many men and pacifist women – including feminists – branded it as espousing toxic feminism. Yet it was extremely popular, and many women viewers cheered and clapped at the heroines' violent revenge acts.[36] *Thelma and Louise* has become part of the social culture world-wide, with the female avenger the largest and most visible category of violent woman in the 1990s. Interestingly, even when the violent woman isn't strictly an avenger, a common thread involves a feminine, domestic figure who transforms somehow into an empowered battler and who becomes capable of doing violence (to men).

I suggest that the main types of films that show violent women in the 1990s are the following:

1. Slasher horror. Interestingly, in the 1990s there was a retreat of the Final Girl in teenage slasher horror movies. In the 1980s, the Final Girls who personally defeated the 'monsters' in these films were strong and resourceful. They transgressed social norms, and won. They are regarded by some as feminist heroines. In the 1990s, the Final Girl was reduced to victim-cum-reluctant-heroine, who often had to be saved by someone else rather than defeating the monster in her own right. There is much less challenge to authoritarian social structures and much less for feminists to applaud in these '90s films.[37]

2. Woman law enforcer.[38] The first generation of these movies – the 1980s and early-1990s – simply portrayed such women adopting men's ability to do violence (for example, killing criminals).[39] In the mid-1990s we saw a redefinition of the female hero as different from men: they kept their ability to be tough but also added more feminine characteristics such as co-operation[40] or nurturance.[41] There were also films that completely split the male and female sides of the heroine's personality.[42] All of these women carried guns and weren't afraid to kill with them.

3. Avengers, especially rape-revenge. This category is discussed in more detail below.

4. Action heroine. As with women law-enforcers, such women are not afraid to use violence against their opponents, male or female. The most notable for pushing the boundaries of women's roles in film are those that portray extremely masculine women, such as hard-bodied, masculine gun-toters,[43] and Hong Kong kung fu fighters.[44]

These violent women in film have spawned many different reactions, including among feminists. But the most commonly expressed feminist view is that this violence is liberating. For example, a 2001 book devoted to the study of these films has articulated the editors' feminist opinion of such violence as liberating.[45] The editors explicitly reject women's pacifism as a political tool. Instead they argue that violence by women on screen provides viewers with images that 'challenge smug oppressors' who rely on the notion of sex differences. These feminist editors 'like the threat that women's movie violence presents to the all-important divide between women and men.'[46]

Thus movie violence provides women viewers with images of women's strength, of women winning their fight – whether with individual men or with the wider world. It persuades them that maybe they can win too. It provides men with images of men **not** always winning their fights against women, thus impliedly cautioning them to not pick such fights with women in the real world. Such violent images at least 'subvert the notion that women will suffer abuse patiently.'[47]

Interestingly, there has been a documented surge of women across America enrolling for self-defence classes and joining gun clubs throughout the 90s.[48] There is a range of cultural trends that have

probably coalesced here. For example: the health and fitness movement, the increasing financial strength of women, and the American political trend of individual self-reliance generally.[49] But, added to these images of violent, strong women in the movies, women in America – and, I suggest, New Zealand and Australia[50] – have taken it on board and are becoming physically stronger and more self-reliant, with the confidence to kick male butt if necessary.

The Rape-Revenge Narrative

I want to pay particular attention to one category of films that portray violence by women, and that is the rape-revenge film. It is partly because it is particularly relevant to feminism. The rape-revenge narrative structure – which is influenced by post-1970s feminism – involves sexual offences against women **because** they are women and then retaliatory violence against the male perpetrators (and against any other violent or sexist men). The avenging woman narrative portrays women winning at the expense of men, typically avenging sexist actions. It thus has the potential to contain a strong feminist message. When the act being avenged is sexual assault or rape, and the vengeance entails mental and physical strength on the part of the woman, with the perpetrator dying a violent death, this appears to be a feminist victory. However, I suggest that the victory is not as strong as it looks.

Another reason I focus on this category is that the 1990s saw the reign of the rape-revenge narrative. I have counted more than thirty Hollywood movies involving rape-revenge narratives, as part or all of the plot.[51] It appears to be the largest category of Hollywood films involving overt violence by women in the 1990s. Finally, reactions to this group of films places them in a class of their own. The avenger films, even if less violent than horror or action movies, have been more widely criticised for the violence portrayed. The reason given for this criticism is that the violence is directed at men – that the films are 'male-bashing'.[52] The consensus seems to be that these are feminist films, and it is this more overt feminism which scares (or encourages!) people.[53] That is, the problem people have with these movies is not the violence *per se,* but the apparently feminist motivation for the violence.

The narrative formula for the rape-revenge movies is fairly simple: rape of (or other similar assault on) a woman; transformation of the

victim, both physically and mentally, into a person capable of revenge; then revenge for the original crime. There have always been vengeful women portrayed in film, but it is the method of vengeance which has changed over the years. The current obsession is with violence by women against men.

As I've mentioned above, pre-1970s rape-revenge films reinforced women's traditional roles. For example, they punished transgressors and rewarded those who displayed purity and innocence and the morals of a good wife and mother. Interestingly, the good victim's response to rape was not transformation but conformity, and the revenge was often carried out by a man, rather than the victim herself. Jacinda Read comments that these films reinforced rape myths.[54] In contrast, the rape-revenge narratives of the '80s and '90s provided new pictures of feminism.

In the 1970s and early 1980s, rape-revenge movies appeared with a strong (albeit typically transformed) avenging woman, who used violence to extract revenge. As Carol Clover wrote in 1992, this is because of the women's movement from the 1970s: it provided 'the image of an angry woman – a woman so angry she can be imagined as a credible perpetrator … of the kind of violence' we see in rape-revenge movies.[55]

In the late 1980s there was a small cluster of movies where the revenge exacted was not via violence but via the legal system. Indeed, in these movies violence is explicitly addressed and its futility demonstrated. Instead, the legal system wins.[56] There is thus a personal victory within those stories for the individuals concerned, but also more clearly a wider victory for feminism, and the benefit of other women. However, their time was short-lived and they have not appeared again.

In the 1990s, instead of utilising the law, the rape-revenge narrative used violence as the means of revenge. In each story, as a necessary part of the plot, the use of violence was justified by an inability to use law for some reason. Indeed, violence by women without such clear justification is instead portrayed as psychotic.[57]

Another element common to the 1990s rape-revenge narratives is the integration of femininity with strength in the main female character. These women are active, powerful, intelligent and sexy. Indeed, they derive power from their sexuality rather than portraying femininity as a weakness.[58] Read comments that 'insofar as feminism

can be defined as involving a struggle over the meanings of femininity, it is in its ongoing articulation of these struggles that the rape-revenge film can be seen to be attempting to make sense of feminism.'[59] These films thus articulated 'negotiated popular versions of feminism'.[60]

Read argues that a clear picture provided by these movies of feminism in the '90s is the feminine and sexy feminist – a woman neither trapped in femininity nor rejecting of it, but using it (as well as violence). She wants not just men but power, control, material wealth and social status too. This portrayal Read describes as post-feminist. The '90s were full of portrayals of post-feminism in films. This stems from (and helps reinforce) the social pressures at the time. For example, in the late 1980s and 1990s the New Right in America and Britain produced a politics and morality of individualism, self-reliance, and a distrust of public institutions. The law was not considered to be a valid tool for (leftist) social change purposes and was thus portrayed as ineffective at solving individual problems – they could be better solved by the people concerned. This is reflected in the '90s rape-revenge narrative of revenge through violence, by strong, yet sexy (heterosexual), individualist women.[61]

An interesting subset of the rape-revenge narrative is the parental revenge story. In the early-to-mid 1990s a group of movies emerged where the legal system was explicitly portrayed as unable to punish the male perpetrator, forcing a parent to take the law into their own hands. These movies show individuals taking charge of their lives and restoring their families. Unfortunately, they also depict a mother's proper place as being in the home, under male control – all the weak fathers and the strong, working mothers are criticised and punished for these character flaws.[62] Indeed, feminism is blamed for all the ills of the family, including the initial rape.[63]

Such criticism of feminism is not so overt in other examples of '90s rape-revenge films. For example, while working women may often be portrayed as unhappy and single – as victims of feminism – their transformation and subsequent revenge gets them over that, and the result is seen as a re-negotiated feminism.

Overall, the feminist analysis of such films has been positive. Primarily this values portrayals of violent women across the various categories of film, as described above. This is the idea that such images are liberating for women. In addition, though related to this, film analysts have argued that it is the 'imagined' violence in the

avenger films in particular which is so useful.[64] Film violence allows 'ourselves to imagine the **possibilities** of fighting violence with violence', while it does not suggest that we actually 'all pick up guns' and start retaliating here and now.[65] The place for political rage thus now becomes fantasy, not real life.[66]

Commentary

So, what is wrong with this so-called post-feminist portrayal of strong, violent (yet feminine) women? And how useful is this concept of imagined violence?

The simplest answer to the first question, 'what's wrong with this?', is the violence itself. It is the violence (or capability of doing violence) which, in these films, makes a feminine woman a feminist one. If it wasn't for the revenge through violence, she'd be just another victim retreating into femininity. I know I could be violent. For example, I am a mother and would instinctively kill to protect my children (and I was not aware of this capability before they were born!). But I was a feminist before I knew I had this capability; I don't regard this new-found ability to do violence as turning me into a feminist or defining of my feminism, certainly not today. And I don't regard it as defining of feminism as a movement. It can only be a small part of what can make someone feminist. Yet it is the only part focused on in such movies.

In answer to the second question: an advantage of such imagined violence is that fantasy clearly allows more possibilities for such violence than reality. However, I'm not entirely comfortable with the imagined violence analysis, and for two reasons. The first reason is that I suggest that the violence is not expected to be limited to fantasy and that it hasn't been so limited in reality. This is because, firstly, some feminist analysts don't stop at the level of fantasy: they argue that women can 'harness the force of fantasy and transform it into productive fear', such that the fantasy thereby makes an activist of the viewer.[67] So women can anticipate and give more violence in reality. Secondly, even those that share the imagined violence analysis expect men to also imagine that violence and be afraid that it might happen in real life.[68] Such anticipation, by both women and men, of a more violent reality helps to normalise it and thus produce it daily. Thirdly, I argue that the films really do suggest that women can pick up guns or other fighting skills and be ready to retaliate should the need

arise. I have already noted that, in real life, women across America are increasingly preparing themselves to do violence should that be necessary. However, it has gone further than just preparedness: for example, women in the 1990s have actually committed violent crimes at a rate increasing much faster than that for men.[69] I suggest that the premise of the imagined violence explanation – that it is limited to the imagination – has turned out to be wrong. Fantasy has become reality.

The second reason I am not comfortable with the imagined violence analysis is that the ability to use violence in fantasy can lull women into a false sense of security about the effectiveness of violence in reality. The film fantasy doesn't address this because, in the revenge narrative, the ineffectiveness of the law must be overcome with the effectiveness of violence. The only movie I have come across where the ineffectiveness of violence is addressed specifically is *Shame*, an Australian film. At some places in the film, violence is advocated and shown to work. [70] Indeed, even though the film advocates that rape should be avenged through the law, the subsequent death of the rape victim is only able to be prosecuted because of the violence used against one of the primary suspects to force a confession.[71] However, the limitations of violence are acknowledged when the rape victim is being encouraged to learn how to defend herself (ie, to transform herself): she asks 'But what if there are five of them?' and there is no answer. Thus, in reality, a woman may have to suffer the initial offence and use violence after the fact to effect revenge (e.g., when she has the upper hand from planning and surprising her victim). Of course, this is consistent with revenge fantasy violence: the violence in the revenge narrative is never used to prevent the offence occurring in the first place – this would destroy the story-line. But the revenge narrative suggests that, because of the transformation of the victim into a strong woman, capable of using violence, that she will never suffer such an offence again. This is unrealistic. It cannot drive feminism in real life.

A key concern of mine is the suggested scope for social change. Whether the focus for political rage is fantasy or real life, these films don't leave much scope for feminist change at a broader social level. The change that we can see to society is through individual women changing themselves separately. Only then may men change their sexist behaviour, for fear of retaliatory violence. (It also suggests that

violence is the only language that men understand which involves unhelpful stereotyping.) This encourages feminists to drop ideas of, for example, political and legal change, because women can achieve so much at a personal level, whether in real life or fantasy. And it is this criticism that, as a feminist lawyer, I find particularly troubling: that the violent women in 1990s film suggest that violence against individual (violent and sexist) men is the only useful feminist method for achieving change in individual women's lives.

Feminism is about power and control by women of their own lives, but it is wider than physical power over abusive men. This version of feminism plays into the hands of the New Right – it is individualistic, private and self-reliant, and it doesn't challenge society or politics on a wider scale. While these films advocate public femininity (as opposed to containing it in the private sphere), the overall package of feminism advocated is private. Coupled with the negative portrayal of the utility of the law for women, I find it too narrow a vision for political change.

This is linked with my final criticism of such movies from a feminist perspective. An additional message from these films is that the law will never help women in the situations when they most need it.[72] The solution presented is not to change the law but to go behind it. However, I suggest that the futility of law portrayed is wrong and unhelpful. Law has been and will continue to be a powerful tool for social change. Women have achieved many feminist gains through law[73] and there are yet more that can usefully be made.

Just taking the topic of the rape-revenge narrative, for example, sexual assault laws and police practices are much improved on those of twenty years ago. Indeed, it is simply not true that the law won't help the women in the situations portrayed in these films. There are still improvements to be made, to be sure, but the message from these films is 'don't bother trying.' Instead they say that a woman is much better off taking care of her problems herself, without interference from the law. Indeed, the implication is that personal power (and violence) is so much more helpful than the law, that it is not even worth attempting to change the law. It implicitly criticises law as an institution, not just the particular laws relevant to that rape-revenge situation.

Ironically, in terms of the particular laws relevant to rape-revenge, the portrayal that a woman can kill a man in revenge for sexual assault and get away with it shows how far the law must have already come

in responding to women's needs. That is, if the law really did not help women, then the female avenger would herself feel the force of the law after the fact. But in these movies, the most common scenario is that the movie ends with the woman victorious in defeat of her opponent, with no suggestion that she will legally suffer for it.[74] This implies that the law already sympathises with her position, which is a feminist victory in its own right.[75]

However, there are criticisms of this even from a legal feminist point of view. For example, while the subsequent legal treatment of her behaviour is typically not addressed in the movies, many stories make one wonder what is going to happen next (e.g., will she get punished for her violence?). Many scenarios offered by the films would fit the popular conception of a justification based on self-defence and/or battered woman syndrome. However, battered woman syndrome is one concept or tool that has been criticised by feminists as feeding into a feminism based on victimhood.[76] Thus, despite a personal transformation from victim to avenger, such narratives can still support a notion of 'victim feminism' as opposed to that of 'power feminism.'[77]

The wider criticism of such stories is that they hinder the legal feminist push for law reform in order to support feminist goals. A feminism based on women's strength does entail personal growth, but the law is not irrelevant to this and must support it. For example, if property and/or financial power and independence are necessary for women[78] then the law will necessarily play a part in achieving this, because law regulates the acquisition and transfer of property world-wide. For example, law regulates: the earning of money through employment; inheritance; sale and purchase of property, real and financial; division of property upon relationship breakdown. Many gains have been made for women in all these areas and law changes have helped women get where they are today. Yet there are still many more such changes that are needed. For example, employment law (affirmative action, pay equity, parental leave) and relationship property law (rules on division, especially upon relationship breakdown) still have aspects requiring legal change in order to be fairer to women. I fear that portrayals of the inability of law to meet women's needs – as the rape-revenge narrative certainly does – makes it more difficult for women to want to push for the legal changes that can help them achieve their feminist goals.

Conclusion

'Feminism ... is culturally and historically specific, is constantly being negotiated and transformed.'[79] This process of negotiation and transformation in the '80s and '90s has been reflected in the films produced in the '90s, particularly evident in the many rape-revenge films of the period. Carol Clover suggested in 1992 that the rape-revenge narrative was then in decline. It wasn't. (Though it was probably written before the success of *Thelma and Louise* in 1991). Instead, it took off in the 1990s and we have had more than ever before. It is only toward the end of the decade that they started tailing off.

In 2000, Jacinda Read suggested 'that the narrative possibilities the rape-revenge structure offers may have been exhausted. Instead, as feminism continues to evolve and new feminist stories emerge, I think the culture industry will devise new narratives to make sense of them.'[80] I suggest that Read is right. That the numbers of rape-revenge movies have declined is evidence of the decline of the utility of this particular narrative. Yet I also suggest that the angry woman who is willing to use violence is going to be around for a while yet, even if in a slightly different narrative. And, until feminist victories change the social and political situations of women, I suggest that the narrative of the avenging woman may also persevere for a while yet (i.e., there is still much for women to want to avenge, daily). A recent example of such a narrative is *Panic Room* (2002), where a violent woman is willing to personally avenge a (non-sexual assault) crime, even though the law could have helped instead.[81] A recent revenge narrative which received positive reviews from female viewers is the film *Enough* (2002).[82]

Unfortunately, and importantly, it appears as though the portrayal of the ineffectiveness of the law also remains.[83] If feminism can ever be an effective movement for political and social change, this negative portrayal of the law and the legal system must be explicitly addressed. Maybe I am showing the bias of one legally trained, but legal changes have made huge gains for many individual women. I think that the law can continue to be an effective tool for feminist social change. But the portrayal of feminism in popular culture is individualised and contemptuous of wider, more structural change. If such issues are made explicit in society, maybe it will even come to be reflected in films in the next decade.

Thus, even if the strong, avenging woman remains in film in the

future, I suggest that the story can be told without denigrating the utility of law. Maybe it can even be made with a more useful picture of the strong woman – one that includes a positive portrayal of having it all: work, family and politics.[84] I look forward to the next re-negotiation of feminism and its increasing relevance to society rather than the predicted post-feminist decline.

Summary

The avenging woman narrative is instructive because it portrays women winning at the expense of men, typically avenging sexist actions. It thus has the potential to contain a strong feminist message. When the act being avenged is sexual assault or rape, and the vengeance entails mental and physical strength on the part of the woman, with the perpetrator dying a violent death, this appears to be a feminist victory. However, I suggest that the victory is not as strong as it looks.

The transformation of the woman from clear victim to a strong woman, capable of revenge, is positive. But it is the recommended feminist method that I disagree with. One message from these '90s films is that feminism works solely on a personal level. The change that we can see to society is through individual women changing themselves separately. Only then may men change their sexist behaviour, for fear of retaliatory violence. It suggests that violence is the only language that men understand which involves unhelpful stereotyping. It suggests that a woman becomes a feminist through becoming angry and willing to practice violence against men. An additional message from these films is that the law will never help women in the situations when they most need it. The solution presented is not to change the law but to go behind it.

I disagree with this lop-sided portrayal of feminism. I suggest that it actually plays into the hands of the New Right ideology of individual effort and self-reliance. It is thus unhelpful. If it had been balanced with other portrayals of feminist victories using non-violent methods, my concerns may not be valid. But it hasn't been. A filmic analysis utilising broader pictures of social trends and arguments shows that feminists need to explicitly target these messages.

As a feminist lawyer, I'd like to think that we can (continue to) target the law (and the legal system) and argue for its ability to effect feminist social change. Realisation of the nature of the obstacles

faced makes it look hard but is in fact helpful because it enables us to focus our arguments.

CATHERINE IORNS MAGALLANES *(BA, LLB (Hons) Well., LLM Yale. Senior Lecturer in Law, Victoria University of Wellington) has taught law for more than ten years. While her primary areas of teaching and research have been indigenous rights, environmental law and statutory interpretation, her first academic publication was a feminist analysis of the proposed New Zealand Bill of Rights, for which she won the Beryl Hughes prize in Women's Studies in 1987.*

Notes

Drafts of this article were presented to the conference *Mediating Law*, University of Melbourne, 29 November 2002, and the Feminist Legal Academics Workshop, Adelaide, 21 June 2003.

[1] One of the questions that led me to work on this topic was 'where are the *Philadelphia*s (1993) or the *Erin Brockovich*es (2000) portraying feminist victories?' I thought that there were some great stories of feminist victories that could be made into film, so went looking for them. But I found that the 1990s were instead full of avenging women and violence. The only '90s film that I could find with a feminist victory narrative that did not involve law-breaking or violence is *The First Wives Club* (1996).

[2] This does not denigrate the utility of the various other filmic analytical approaches for their different tasks; they are just not tools that I need for this project. It is also possible that my project is enabled partly because others have already closely examined the narratives of many of the films involving violent women. This has made it easier to categorise the large numbers of works, utilising only what I need for this project.

[3] *Cf.* E. Ann Kaplan, *Feminism and Film* (Oxford: OUP, 2000), pp. 1–3; *Issues in Feminist Film Criticism*, Patricia Erens, (ed.), (Bloomington: Indiana University Press, 1990), pp. xvii; p. 2; Patricia Mellencamp, *A Fine Romance: Five Ages of Film Feminism* (Philadelphia: Temple University Press, 1995), p. 45; Sue Thornham, *Passionate Detachments* (London: Oxford University Press, 1997), ch. 2.

[4] There was also a strong sociological component concerned with women's personal experiences of and reactions to films. *Cf.* B. Ruby Rich, 'The Crisis of Naming in Feminist Film Criticism', *Jump Cut,* no. 19, 1978, pp. 9–12, reprinted in Sue Thornham (ed.), *Feminist Film Theory: A Reader* (New York: NYU Press, 1999), pp. 41–7.

[5] *Cf.* Laura Mulvey, 'Visual Pleasure and Narrative Cinema' (1975); reprinted in *Feminism and Film Theory*, Constance Penley (ed.), (London: BFI, 1988), pp. 57–68, also reprinted in *Feminist Film Theory: A Reader*, Sue Thornham

(ed.), (New York: NYU Press, 1999), pp. 58–69. Mulvey was most influential in introducing psychoanalytical theory to film analysis in order to address the structural aspects of film that she suggested the then current analysis was unable to address adequately. However, even this structural approach is text-based and ahistorical and thus differentiated from the broader social and historical approach I take in this paper to the film genre. For a summary overview of these approaches, *cf.* Kaplan, above n. 3, at p. 7; Erens, above n. 3, at pp. xvii–xxi; Thornham, above n. 4, at pp. 2–4.

[6] Sue Thornham, *Passionate Detachments* (London: OUP, 1997); ch. 2.

[7] Annette Kuhn is one such writer who distinguishes between film and television audiences for women's genres. *Cf.* Annette Kuhn, 'Women's Genres: Melodrama, Soap Opera and Theory', reprinted in Thornham (ed.), above n. 4, pp. 146–56. Other writers who focus on audience reactions include: Elizabeth Ellsworth, 'Illicit Pleasures: Feminist Spectators and *Personal Best*', in Erens, above 3, at pp. 183–96; Janice Radway, *Romancing the Reader: Women, Patriarchy and Popular Literature* (Chapel Hill: U of North Carolina Press, 1984); Ien Ang, *Watching Dallas* (London: Methuen, 1985); 'The Spectatrix', *Camera Obscura,* (1990), pp. 20–21; Special Issue on Female Representation and Consumer Culture, *Quarterly Review of Film and Video,* 11(4), (1989). See also Erens, above n. 3, at p. xxii. I do utilise some of the writings about reactions to the rape-revenge genre.

[8] See Thornham, above n. 6, ch. 3.

[9] Thornham, above n. 6, pp. 68–72.

[10] Thornham, above n. 6, p. 85.

[11] Thornham, above n. 6, pp. 86–9.

[12] Jacinda Read, *The New Avengers: Feminism, Femininity and the Rape-Revenge Cycle* (Manchester: Manchester University Press, 2000), pp. 246–7.

[13] Thornham, above n. 6, p. 168.

[14] Linda Williams, 'Film Bodies: Gender, Genre and Excess', 44(4), *Film Quarterly* (1991), pp. 2–13; reproduced in, Thornham, (ed.), above n. 4, pp. 272–81, at p. 280.

[15] Read, above n. 12.

[16] I acknowledge that the effect of taking this approach in a paper of this size means that I am unable to analyse in detail many specific examples of particular scenes or characters, nor minor variations between them where that does not affect the broader theme.

[17] See Christina Lane, *Feminist Hollywood: From* Born in Flames *to* Point Break (Detroit: Wayne State University Press, 2000), p. 33.

[18] *Cf.* J. D. Slocum, 'Film Violence and the Institutionalization of the Cinema', *Social Research*, (Fall 2000); viewed at www.findarticles.com; p. 2.

[19] Slocum, above n. 18, at p. 2.

[20] Slocum, above n. 18, p. 9.

[21] Slocum, above n. 18, p. 10, citing Schatz, 1997 [reference details not provided].

[22] Slocum, above n. 18, at p. 11, citing Girard, 1978, 1976, 1977, 1986 and

Hamerton-Kelly, 1987 [reference details not provided].

[23] Slocum, above n. 18, at p. 11 – my emphasis added (I consider that the 'how' is key in the context of this paper).

[24] Schneider, Karen, 'with violence if necessary' *Journal of Popular Film and Television*, (Spring 1999), at www.findarticles.com.

[25] Schneider, above n. 24.

[26] Schneider, above n. 24.

[27] Read, above n. 12, at pp. 94–6.

[28] Neal King and Martha McCaughey, 'What's a Mean Woman Like You Doing in a Movie Like This?' in Neal King and Martha McCaughey (eds), *Reel Knockouts: Violent Women in the Movies* (Austin: University of Texas Press, 2001), pp. 1–24, at p. 4. For example, violent black women emerged in the early 1970s in a category called 'blaxploitation', where these strong, stroppy black women (often in prison) were not going to take any more abuse from 'whitey'. These could also be seen as feminist movies – with violence as a feminist political strategy – but were discussed then as race-based movies. This is particularly noticeable for those movies set in women's prisons, where sex discrimination was not seen as an issue.

[29] The label 'Final Girl' was introduced by Carol J. Clover in *Men Women and Chainsaws: Gender in the Modern Horror Film* (Princeton: Princeton University Press, 1992). This refers to the one (teenage) girl who rises from victimhood to defeat the violent (psychotic) male who has killed the other girls, typically her friends.

[30] *Cf.* a study of audience reactions to *Thelma and Louise* where feminist women peace activists notably disliked the many expressions of violence in the film and did not see the film as feminist, but as masculinist. Tiina Vares, 'Action Heroines and Female Viewers: What Women Have to Say', in *Reel Knockouts*, above n. 28, pp. 219–43, at p. 223.

[31] Neal King and Martha McCaughey, 'What's a Mean Woman Like You Doing in a Movie Like This?' *Reel Knockouts*, above n. 28, pp. 1–24, at p. 5.

[32] Or private investigator *VI Warshawski* (1991).

[33] Also *Mortal Thoughts* (1991).

[34] The French film *La Femme Nikita* was also released in 1991.

[35] Carol M. Dole, 'The Gun and the Badge: Hollywood and the Female Lawman', in *Reel Knockouts*, above n . 28, pp. 78–105, at p. 86.

[36] Many commentators on the film have described this. *Cf.* Tiina Vares, above n. 30, at p. 220. See also Barbara Miller, below n . 52, at p. 205.

[37] Trecarsky, Sarah, 'Final Evils and Terrible Youth: Transgression in 1980s Slasher Horror', *Journal of Popular Film & Television* (2001), at www.findarticles.com.

[38] *Cf.* Carol M. Dole, 'The Gun and the Badge: Hollywood and the Female Lawman', in *Reel Knockouts*, above n. 28, pp. 78–105.

[39] For example, *Blue Steel* (1990), *Impulse* (1990), *VI Warshawski* (1991).

[40] *Cf. Copycat* (1995).

[41] *Cf. Fargo* (1996).

[42] *Cf. Long Kiss Goodnight* (1996), *Stranger Among Us* (1992), *Out of Sight* (1998).

[43] *Cf. Alien* series, *Terminator II* (1991).

[44] *Cf* Wendy Arons '"If Her Stunning Beauty Doesn't Bring You to Your Knees, Her Deadly Drop Kick Will": Violent Women in the Hong Kong Kung Fu Film', in *Reel Knockouts,* above n. 28, pp. 27–51. Most of these films are not Hollywood films but are worth mentioning here because of their marketing and consumption in the West.

[45] Neal King and Martha McCaughey, 'What's a Mean Woman Like You Doing in a Movie Like This?', in *Reel Knockouts*, above n. 28, pp. 1–24, at p. 6.

[46] Ibid.

[47] King & McCaughey, above n. 45, pp. 19–20

[48] Read, above n. 12, ch. 2.

[49] See Read, ibid; see also Neal King and Martha McCaughey, above n. 45, at pp. 4–5.

[50] While I do not have figures for New Zealand or Australia, I suggest that there is a similar trend in both countries, both because of personal observations and because the same (relevant) general cultural trends are evident.

[51] The following thirty-three movies involve violent women avenging a range of (primarily sexual) assault crimes against themselves or other women. *A Time to Kill* (1996), *Angel of Destruction* (1993), *Attack of the 50ft Woman* (1995), *Bad Girls* (1994), *Batman Returns* (1992), *Blonde Justice* (1993), *Blue Steel* (1990), *Body of Evidence* (1992), *Cover Me* (1996), *Dance with Death* (1993), *Dolores Claiborne* (1995), *Eye for an Eye* (1995), *Final Analysis* (1992), *Fried Green Tomatoes* (1991), *Gun Crazy* (1993), *In My Daughter's Name* (1992), *Lapdancing* (1995), *Lapdancer* (1996), *Midnight Tease* (1994), *Midnight Tease II* (1995), *Mortal Thoughts* (1991), *Sexual Intent* (1992), *Showgirls* (1995), *Sleeping with the Enemy* (1991), *Striptease* (1996), *Sunset Strip* (1993), *The Ballad of Little Jo* (1993), *The Handmaid's Tale* (1990), *The Last Seduction* (1993), *The Quick and the Dead* (1995), *The Rape of Dr Willis* (1992), *Thelma and Louise* (1991), *Unforgiven* (1992). It has been agued that *The Silence of the Lambs* (1991) also fits into the avenger category. If you agree, that would make thirty-four Hollywood films. A similar British film is *Dirty Weekend* (1992). I must note that I have seen most but not all of these movies; some have been categorised as such by others' discussions of them, such as those in *Reel Knockouts* (above, n. 28) and by Jacinda Read (above, n. 12). Note that, while *The First Wives Club* (1996) is clearly a feminist revenge narrative, because it was not precipitated by rape, I have not included it in my analysis.

[52] Barbara L Miller, 'The Gun-in-the-Handbag, a Critical Controversy, and a Primal Scene', in *Reel Knockouts*, above n. 28, pp. 200–18, at p. 204 (discussing reactions to *Thelma and Louise*).

[53] Ibid.

[54] Read, above n. 12, at p. 96.

[55] Carol Clover, *Men, Women and Chainsaws: Gender in the Modern Horror Film* (Princeton: Princeton University Press, 1992), p. 17.

[56] *Cf. Accused* (1998), *Without Her Consent* (1989) and *She Said No* (1990). The Australian *Shame* (1988) also fits in here.

[57] For example, *Basic Instinct,* See Read, above n. 12, at pp. 42–3.

[58] Read, above n. 12, p. 52.

[59] Read, above n. 12, p. 53.

[60] Ibid.

[61] On a related topic, Susan Jeffords, in *Hard Bodies: Hollywood Masculinity in the Reagan Era* (New Brunswick: Rutgers University Press, 1994) describes how the movies during the Reagan era, 1981–1989, reinforced and disseminated the era's policies, programmes and beliefs, including images of strength through hard-bodied masculinity.

[62] See Read, above n. 12, pp. 208–33.

[63] Ibid.

[64] Judith Halberstam, 'Imagined Violence/Queer Violence: Representations of Rage and Resistance', in *Reel Knockouts*, above n. 28, pp. 244–66, at p. 247.

[65] Halberstam, above n. 64, p. 251. Halberstam comments: 'Hell is a place on earth and heaven is a place in your head', at p. 259.

[66] Halberstam, above n . 64, p. 251.

[67] Halberstam, above n. 64, p. 259.

[68] *Cf.* Halberstam's comment: 'Imagined violence does not necessarily stop men from raping women, but it might make a man think twice about whether a woman is going to blow him away.' Above n. 64, at p. 263. In *Dirty Weekend* (1992) this is made explicit in the final scene voiceover, as the protagonist, Bella, stares out of a train window, leaving the town where she has killed seven men: 'If you see a woman walking; if she is stepping quietly home; if you see her flowing past you in the dark; if you'd like to break her brittle bones and you want to hear the hopeless pleading and you want to feel the pink flesh bruising, and if you want to taste the taut skin bleeding; if in fact you see her and you want her, think on. Don't touch her; just let her pass you by. Don't put your palm across her mouth and drag her to the ground. For, unknowingly, unthinkingly, unwittingly, you might have laid your heavy hand on Bella, and she's woken up this morning with the knowledge that she's finally had enough.'

[69] For example, in New Zealand, 'female convictions for violent offences rose 136 per cent between 1991 and 2003, compared with a 43 per cent increase for men.' Further, while violence by women was increasing in all age groups, teenage women committed the most severe violence. An explanation given by those working with such youth is that violence is considered to be power and is one result of feminism's emphasis on freedom of choice about who they want to be. Young women are choosing to have the power that men have: the power of violence. 'Alarm over rise in violent crimes by young women,' *Dominion Post*, 10 July 2004, p. A5.

[70] For example, when Asta had successfully fought off four teenagers down by the station.

[71] And I note that if this had been effected by a police officer then it would have

been called torture. If the violence hadn't been used, the suggestion was that the two suspects would have been able to avoid prosecution through a false yet supported alibi.

[72] As mentioned above, this aspect is a necessary element of the plot in the rape-revenge narrative. See text accompanying n. 57.

[73] These gains have been made across the spectrum of public and private law: from property, to employment, to criminal, to human rights laws.

[74] The one – albeit important – exception is *Thelma and Louise*. But this particular storyline relied upon the chase by law enforcement, so it is not as significant an exception as it might at first look.

[75] This is the case whatever the legal reason for such 'sympathy.' For example, whether it would amount to legally justified self-defence or not, with or without the assistance of the controversial battered woman's syndrome.

[76] *Cf.* Naomi Wolf, *Fire With Fire* (London: Vintage, 1994), pp. 222–7.

[77] These are the labels Naomi Wolf uses, above n. 76.

[78] *Cf.* Patricia Mellencamp, *A Fine Romance ... : Five Ages of Film Feminism* (Philadelphia: Temple University Press, 1995), Age Five, pp. 281–90. Mel lencamp argues that feminist film critics should move their focus of argument away from the body and the 'gaze' to women's economic independence.

[79] Read, above n. 12, at p. 254.

[80] Read, above n. 12, at p. 245.

[81] While there is a similarity of the home invasion in *Panic Room* (2002) with the sexual assault of the rape-revenge narrative this is a variation of the nar rative.

[82] See reviews for Enough (2002) posted on www.imdb.com. These are popular reactions, not formal analysis; formal reviews have been negative. An example of a popular review, from Sweetpea, Normal, Illinois (3 Nov., 2002): 'I felt that this movie was one of the best that I've seen in a long time ... J-Lo made me feel that any woman can stand up for herself under any circumstance. It may be a movie more heartfelt by women, but can definitely show men that women are strong too. All in all, it was a great movie that can be watched by all!!' Other women reviewers stated that they were motivated to take the self-defence classes that the main character took (to transform). Most of the male viewers hated it completely. While this was stated to be for plot and realism reasons, I suspect that the revenge violence against the man was partly to blame.

[83] Suspicion and/or denigration of the law and legal system are a separate theme found in Hollywood films in the 1980s and 1990s. For example: corruption and/or suppression of evidence is portrayed in *The Big Easy* (1987), *Suspect* (1988), *Physical Evidence* (1988), *Music Box* (1989), *Class Action* (1991), *Defenseless* (1991). It is also involved (as part of the background) in *Jagged Edge* (1985). Even *Erin Brokovich* (2000) rejects the law courts as too slow and opts for alternative dispute resolution.

[84] Mellencamp, above n. 78, at p. 290.

Mana Wahine me Te Raweke Ira: Maori Feminist Thought and Genetic Modification

JESSICA HUTCHINGS

> Nga Wahine Tiaki o te Ao maintain that Aotearoa is Maori land, and therefore any organism grown from it is subject to tikanga Maori which provides a collective basis from which to properly care for the environment and distribute resources. Anything created in Aotearoa will be subject to Maori claims for ownership as kaitiaki. Furthermore we will continue to exercise our rights as Maori and prevent the introduction of GM and GMO experimentation in Aotearoa. We expressly do not give permission for our intellectual property to be used for the purposes of GM and GMO experimentation.[1]

Introduction

In terms of science and genetic modification (GM) there is a small but growing mana wahine critique. Maori women such as Dr Leonie Pihama, Dr Cheryl Smith, Donna Gardiner, Angline Greensill, Glenis Phillip-Barbara, Mere Takoko and Annette Sykes are some of the active voices within Maori communities speaking out and informing others on the issues with regard to GM. The work of Nga Wahine Tiaki o te Ao is an example of a mana wahine roopu (Maori women's group) that has formed in response to GM and to protect the kaitiaki (guardianship) role Maori women uphold within Te Ao Maori (The Maori World).

Within the academy, however, there is not a visible mana wahine discourse discussing GM despite the fact that Maori women have been discussing issues pertaining to GM for the last fifteen years and are very concerned about the impacts of it. It is current neo-colonial patriarchal ideologies and hegemonies within the GM debates that largely continue to make invisible (and discredit) the voices of Maori women with regard to GM. Aroha Mead[2] discusses the impacts of intellectual property rights and the threat to indigenous knowledge that biotechnology and the life sciences pose. Aroha has also written about Maori women and leadership and the importance of Maori

development models to account for Maori women's views. I have also contributed to this field[3] discussing issues of representation, participation and objections to GM.

In light of the current GM debate internationally and nationally, and the call by Maori feminist writers[4] for Maori women to define and analyse issues of importance for themselves, this article presents a mana wahine perspective on GM. I begin by backgrounding key themes of a mana wahine discourse to provide a context for a later discussion. Following this, I explore the relationship between traditional ecological knowledge and gender which then leads into a discussion on mana wahine and Maori knowledge. Through this discussion I argue that mana wahine concerns vary from those of mainstream Maori concerns to GM, which have been colonised by colonial and patriarchal ideologies. I then discuss Maori participation in the recent debate of the Royal Commission on Genetic Modification (RCGM) that took place in Aotearoa in 2001. Within this debate the RCGM were required in regard to Maori to investigate and receive representation upon:

- The Crown's responsibilities under The Treaty of Waitangi in relation to GM and
- Key strategic issues drawing on ethical, cultural, environmental, social and economic risks and benefits arising from the use of GM.

I focus on the disregard of the Commission to Maori views, but do not examine in detail the Commission's process or their recommendations as they pertain to Maori. In particular I highlight the disregard of a mana wahine perspective. Finally I explore the obligation of Maori women to uphold the role of kaitiaki. Within this discussion I present a charter that aims to highlight kaitiaki concerns with regard to science. It is my hope that this Charter be picked up and used by diverse groups to help stop this genetic wave of colonisation.

Mana wahine

Maori feminist discourse, also known as mana wahine, is about intellect, the way we define ourselves, and the boundaries we impose on that definition. Mana wahine is derived from kaupapa Maori (Maori theory). It is the definition and application of kaupapa (a set of Maori ideas) to situations and analysis by Maori women and challenges current colonial patriarchal ideologies and hegemonies. Mana wahine writers

such as Linda Tuhiwai Smith believe that:

> Maori women belong to the group of women in the world who have been historically constructed as 'Other' by white patriarchies and white feminisms. As women, we have been defined in terms of our differences to men. As Maori, we have been defined in terms of our differences to our colonisers. As both, we have been defined by our differences to Maori men, Pakeha [non Maori] men and Pakeha women. The socio-economic class in which most Maori women are located makes the category of 'Other' even more complex.[5]

Linda's analysis highlights the importance for Maori women to define reality for themselves and not to allow outsider definitions to be placed upon cultural ways of knowing and seeing.

Within Aotearoa I believe that Maori women have and continue to be constructed from the outside by colonial and patriarchal ideologies. Te Kawehou Hoskins states that mana wahine writers such as:

> Linda Smith, Leonie Pihama, Patrica Johnson, Kathie Irwin and others, have written comprehensively about the marginalisation of Maori women through the destruction of our spheres and sites of power and the imposition of colonial and Western ideologies of gender and race.[6]

Leonie Pihama and Patricia Johnson[7] articulate that the construction of Maori women from the outside has allowed Maori women to be defined through a colonial gaze, which has located Maori women within racist and sexist ideologies, simultaneously as savages and sexual objects.

Mana wahine and tino rangatiratanga movements

The concerns of Maori women relating to the loss of land, culture and aspirations for children to grow strong in Te Ao Maori (The Maori World) contributed to the establishment of the tino rangatiratanga (Maori sovereignty) movement of the 1970s and 1980s. Over the past twenty years it has been Maori women who have focused attention on issues of importance for Maori people. For example, the Land March of 1975 led by the late Dame Whina Cooper highlighted, at a national level, issues relating to the confiscation of Maori land. The establishment of kohanga reo (Maori early childcare centres) was a response by Maori women to the plight of Maori education and the potential loss of te reo Maori. The protest movement of the 1970s and 1980s gave new life and direction to Maori women and strongly embedded sovereignty as an issue of Maori protest.

It is the active involvement of Maori women in the revival of culture, decolonisation and the placement of mana wahine within a Maori worldview that makes mana wahine different from traditional 'white'[8] feminisms. Traditional gender debates become problematic as their construction, location and definition of Maori women occurs from non-Maori cultural values and understandings that disadvantage Maori women and the mana wahine movement. This problem is highlighted by Linda Tuhiwai Smith:

> White feminisms have thrown into relief the complexities of our oppressions but have at the same time, come dangerously close to smothering us in various metaphors and to reconstructing our reality in 'their' metaphors ... in attempting to theorise our own lives we have frequently been caught using their concepts as a means of understanding our own. While white feminisms may help to gain insight into 'Otherness' at one level, at another level these forms of feminism may perpetuate otherness further. This tension has made it extremely difficult to reconcile the realities of Maori women's lives with existing feminist theories.[9]

Linda Tuhiwai Smith goes on to validate the importance of Maori women constructing and taking control of the interpretation of our struggles. She says that this does not mean rejecting other feminisms but that the first task of any theory is to make sense of the reality of the women who live within its framework. The second task is to ensure that the framework contributes to the emancipation of women from racism, sexism, poverty and other oppressions.

Given that much of the mana wahine movement is working towards goals of tino rangatiratanga and decolonisation, I suggest that the wero (challenge) for 'white' feminism and white women is to work towards decolonisation as this will determine if 'white' feminism is a viable force or another mono-cultural tool of oppression.

Mana wahine discourse in the last ten years has predominantly 'focused upon education, the construction of mana wahine theory, the representation of Maori women[10] and the tino rangatiratanga movement'[11]. It is important to note that while mana wahine issues are woven with the tino rangatiratanga movement, the difference between mana wahine issues and those of mainstream Maori society is that they challenge colonial and patriarchal ideologies and hegemony and make visible issues and analysis pertinent to Maori women.

Indigenous ecological knowledge and gender

Indigenous women over the world have traditionally played a key role in biodiversity management.[12] Some indigenous women hold important roles in the preservation of biodiversity and of the knowledge pertaining to biodiversity.

Traditionally, in many indigenous cultures, it is the women who hold the knowledge about seeds and their selection, and vegetation propagation. Some women's deep concern for the environment, their concern for maintaining diversity and their holistic desire to raise healthy children is an intimate part of most indigenous women's lives[13]. These concerns are embedded in their daily lives, experiences, interactions and perception of reality[14]. These experiences are what Jiggins[15] calls 'distinctive knowledge'. A key feature of 'distinctive knowledge' is that it is holistic. Quiroz discusses Jiggins concept of distinctive knowledge and states:

> Women's relation with and perception of their environment tends to be comprehensive and multi-dimensional, whereas men's knowledge (notably that of males involved in 'western' profit-oriented agricultural production) tends to be one-dimensional, focusing on narrow areas such as cultivation of a certain kind of high-yield, commercially profitable crop. This means that in the context of biodiversity, there are also differences with respect to the decisions taken. For example, when deciding which seed characteristics and varieties to preserve and what new combinations to search for, women tend to weigh a great many different complementary interrelated advantages (e.g., flavour and cooking time). On the other hand, male farmers who employ 'modern methods' and agricultural research scientists in general usually look for the 'ideal' genetic material for a more limited range of purposes, such as high yield and a good market price.[16]

Although researchers have referred to the gendered nature of ecological and environmental science in most cultures, efforts to include indigenous peoples in development and environment movements have not typically been gender sensitive[17]. 'Half or more of indigenous ecological science has been obscured by the prevailing invisibility of women, their work, their interests and especially their knowledge'[18]. The marginalisation of indigenous women's roles in environmental issues is directly related to their lack of authority within their own societies. This means that the invisibility of women's skills, needs and knowledge is a key concern or a focal issue within mainstream environment issues or sustainable development.[19]

Clearly, there is no one universal gendered indigenous knowledge system, as knowledge of indigenous men and women varies according to time and place. The erosion of biological diversity is linked to that of IK, particularly knowledge held by indigenous women. Indigenous women's knowledge is a key factor in decisions regarding technologies that impact upon biological and cultural diversity. Within this article I argue that Maori women's knowledge is of particular importance when assessing the impact of new technologies such as GM.

Mana wahine and Maori knowledge

It is often assumed that Maori knowledge and leadership was primarily the domain of men and that men expressed power over Maori women through practices of tikanga Maori. However, Annie Mikaere[20] presents evidence to refute the notion that traditional Maori society attached a greater significance to male roles than to female roles, and affirms the role of mana wahine knowledge and desire for Maori women to be involved in decision making. She describes the over-arching principle of balance and the whanaungatanga (interrelationship) between all living things, in particular discussing Maori men and Maori women as essential parts to the collective whole. 'Both formed part of the whakapapa that linked Maori people back to the beginning of the world, and women in particular played a key role in linking the past with the present and the future'.[21]

The role and knowledge of Maori women was impacted upon by the missionaries and early settlers' arrival in Aotearoa. Kuni Jenkins[22] describes this conflict in values and the British reaction as follows:

> Western civilization when it arrived on Aotearoa's shore, did not allow its womenfolk any power at all – they were merely chattels in some cases less worthy than the men's horses. What the colonizer found was a land of noble savages narrating ... stories of the wonder of women. Their myths and beliefs had to be reshaped and retold. The missionaries were hell-bent (heaven-bent) in destroying their pagan ways. Hence, in the re-telling of our myths, by Maori male informants to Pakeha male writers who lacked the understanding and significance of Maori cultural beliefs, Maori women find their mana wahine destroyed.

This re-telling of Maori cosmology led to a shift in emphasis away from powerful female influences to male characters. The female figures within Maori cosmology were a 'target for missionary zeal and

redefinition at the hands of the settlers'.[23] This paternalism negated the generational knowledge of mana wahine and redefined space for the assimilation of Maori women. Linda Tuhiwai Smith notes:

> Maori women were perceived either in family terms as wives and children, or in sexual terms as easy partners. Women who had 'chiefly' roles were considered the exception to the rule, not the norm ... Maori women were considered attractive in the absence of a pool of white women. Their autonomy was interpreted as immorality and lack of discipline. Christianity reinforced these notions by spelling out rules of decorum and defining spaces (the home) for the carrying out of appropriate female activities.[24]

Perhaps one of the harshest legacies of colonisation for Maori women is the effect it has on the perceptions of ourselves. Pre-colonisation, Maori women held numerous leadership roles. Api Mahuika specifically discusses Maori women and leadership, challenging the assumptions that Maori women did not hold leadership roles pre-colonisation. He highlights that within his own iwi, Ngati Porou, these assumptions are inaccurate. Annie Mikaere also supports this view:

> Iwi histories [herstories] that have been handed down orally from generation to generation present a picture of a society where women and men featured in all aspects of life, and fulfilled all manner of roles. It is clear from such histories that Maori women occupied very important leadership positions in traditional society, positions of military, spiritual and political significance.[25]

Female leadership roles did not end with colonisation. Mana wahine have been at the forefront of movements of change and taken the lead in difficult times. Denise Henare[26] points out that, 'if you look at the work over the last twenty years in terms of the contention for the treaty, language and social issues, Maori women have been at the forefront.'

According to Denese Henare[27], 'Maori women [have seen] that injustice and said to each other ... There's something wrong with the way the Crown continues to perpetuate this attitude of no value in Maori women.' This dismissiveness on the part of both the Crown and Maori society has not reaffirmed Maori women nor valued their knowledge. Current efforts to make visible mana wahine knowledge in ecological and environment concerns are also failing. The neo-co-

lonial agencies managing natural resources call for Maori knowledge-based perspectives to assist in the management of natural resources. However, within this neo-colonial hegemony mana wahine knowledge remains invisible and unaccounted for. I know of many Maori women who, despite their knowledge and role as kaitiaki, are being ignored by these neo-colonial agencies. Despite this, these women persist with their kaitiaki obligations and agitate these agencies to meet their kaitiaki expectation. For example, it is Maori women I see as activists in the GM debate working at various levels speaking out and trying to make visible their concerns pertaining to GM. Aroha Mead[28] made the following observation:

> [t]he sexism which has occurred in Maori society originates more from colonisation than heritage, and it is a problem as common in international indigenous societies as is alienation of lands and resources. Maori leadership has got to work this through and de-programme all that does not rightfully belong within our Iwi histories. Maori women, as we all know, are the backbone of Maori society and that isn't only because of our ability to bear children. It is unfair, soul destroying and a tragic waste of much needed skill, energy and commitment, to continue to deny Maori women their rightful place in Iwi/Maori decision making.

Furthermore Annie Mikaere asserts that the challenge for Maori women is to:

> rediscover and reassert tikanga Maori within our own whanau, and to understand that an existence where men have power and authority over women and children is not in accordance with tikanga Maori.[29]

Therefore, to make visible mana wahine knowledge pertaining to the environment rejects the colonial traditions that have devalued mana wahine knowledge. I argue an impact of colonisation has been to gender Maori knowledge, resulting in unequal power relationships.

The imposition of unequal power relations from colonisation upon Maori knowledge and Maori cosmologies has devalued, marginalised and rendered atua wahine (female gods) and female energies invisible, worthless and subservient to colonial and patriarchal ideologies and hegemonies. I believe it is important to decolonise and reclaim epistemologies, knowledge bases and research agendas that value atua wahine and female energies within Maori cosmologies. Through retelling these cosmological stories and reclaiming the

female elements a knowledge base different from that of knowledge otherwise constructed through colonial-based knowledge and cosmologies emerges.

However, colonisation is not a finite process but continues to inform our recent past. For myself, colonisation is my present. Within this reality, Maori women remain largely absent from both Maori and Crown decision-making bodies and processes. The invisible treatment of Maori women and their knowledge, and the decision of the Crown and Maori bodies to negotiate with Maori men was the motivation of the mana wahine claim lodged against the Crown before the Waitangi Tribunal. Lodged in July 1992, the Claim alleges that,

> the Crown's actions and policies have been inconsistent with its obligation under the Treaty of Waitangi to protect and ensure the rangatiratanga of Maori women as individuals and members and leaders of tribes and families. These actions and policies have resulted in an undermining of Maori women's status as rangatira [chiefs] and has been expropriated due to the Crown's failure to accord Maori women status and power with the political, social and economic structures it has created (Para. [h]).

Within discussions relating to biodiversity, environment and even GM it is the voice of Maori men that is valued over the voice of Maori women. There is often little recognition of diverse views within Te Ao Maori particularly between Maori women and Maori men. It is important for me, as a Maori woman, to assert a differing reality, to speak for myself, and to make visible the concerns of some Maori women with regard to GM. One of those concerns are issues associated with Papatuanuku.

Papatuanuku

Papatuanuku is a fundamental aspect of mana wahine for it is where we as Maori women earth our mana wahine. It is through this relationship defined through whakapapa that Maori women are seen as land. From whakapapa we establish our identity as being land, not merely people of the land, as in the general translation of the word tangata whenua. In essence we are Papatuanuku, we are land and therefore this analysis of GM as it pertains to Papatuanuku also talks about us as Maori women.

Our cosmologies demonstrate the unique place of Maori women. For example, Te Po, the darkness, is personified as female because

it was in her womb that Papatuanuku was conceived. Papatuanuku personifies the Earth mother, and is regarded as 'earthness, the nuturing one'. Papatuanuku is therefore the nurturer of life and from her humankind is born, and like her Maori women also nurture life.[30] Within our cosmologies, human rights to utilise the earth's natural resources are based on Maori principles and lore of sustainability. The cosmologies of Hine-ahu-one and Hine-titama reaffirm Maori women's close spiritual connection to the earth as is evident in the following whakatauaki; Mai te timatanga ko Papatuanuku te whaea whenua. Ko Hine-Ahu-One te ira tangata tuatahi, he wahine (From the beginning of time was Papatuanuku the Earth Mother, then came Hine-ahu-one, the first human created, a woman).

When discussing Papatuanuku we are also discussing whenua. Hine-ahu-one links women to the land, as she is physically formed of the earth. Hine-titama was the mother of humankind and from her, all human life originates. When we die we are returned to the earth, where we are met by our great ancestor, Hine-nui-te-po. Hence the saying, from land we have come and to the land we shall return.

GM tramples on Papatuanuku, her mana and mauri. Regardless if GM experiments are in containment or in the field, GM in relation to Papatuanuku is a form of cultural pollution. Papatuanuku is our Earth Mother. Without her we do not exist: it is by nature of being Maori and being a Maori woman that we seek to protect and enhance her growth and nurturing abilities from any form of degradation. Within her life-giving capacity she offers sustenance to survive and the wisdom of life from past generations to be passed to future generations. It is the wisdom of life and stories abound in cosmology that provides the knowledge about what is correct practice and what is not correct practice. For example, the formation of Hine-ahu-one being of earth and linking us to the land, teaches us to be intolerant of the degrading of land. This, I believe, provides us with the moral traits of respect for the land, to see our role as one of caretakers of the land, not owners of her, and to do no harm to the land or another being. Vital to the protection of the land is to guard her from spiritual pollution. This includes protecting her from any form of containment outside of the natural order of whakapapa. This is a difficult task with all forms of pollution on the global increase.

In Aotearoa, the cultural pollution upon Papatuanuku caused by GM has not been well-articulated or taken seriously within the GM debate and

these concerns have been relegated by colonial patriarchal hegemonic institutions such as the RCGM and the Environmental Risk Management Agency (ERMA), to those of spiritual concerns. The redefining of Papatuanuku concerns as spiritual, results in their marginalisation as they fall outside of the consideration of relevant risks when assessing GM as they are not considered hard core science concerns. What is missed within this flawed analysis is that these concerns are a part of the total Maori world of knowledge that has developed over many centuries of living in close association with the land. Moana Jackson discusses how the desire to be politically correct and incorporate Maori views denies the right to view Maori concerns as a cultural reality:

> There is also concern that even the best-intention interest in the Maori world is framed in terms of 'cultural sensitivity' rather than cultural reality. These genuine efforts may be made by some to pronounce Maori names correctly, but there is little recognition that the Maori world is anything other than a cultural object noted for its spirituality and its music. In this view, everything from our notions of political authority to an understanding of genetics is marginalised as 'cultural' rather than scientific or intellectual.[31]

I also believe that when looking at Papatuanuku and assessing the risks of GM in relation to her, the practice of interrelationship becomes apparent. Maori views with regard to the environment and the interrelationship of these views with whakapapa are paramount. It is this interrelationship that I believe poses unreasonable risk of creating harm simply by transferring genes between species whose interrelationship is based on their difference. To alter or interfere with that difference damages the interrelationship; this is unacceptable.

It is evident that the concerns of Maori women with regard to GM and Papatuanuku are misunderstood and therefore misinterpreted as spiritual rather than recognised as being part of the Maori intellectual tradition. As a result, they remain invisible to institutions such as ERMA and RCGM.

Maori and the RCGM

My engagement, as a member of Nga Wahine Tikai o Te Ao, with the RCGM process led me to the conclusion that Maori views are a token aspect or an afterthought. I believe Maori views were obtained only to meet the legal requirements of Maori consultation, thereby leaving

our views as irrelevant to the 'real' scientific issues of GM. This has resulted in the silencing of Maori and in particular Maori women's voices.

Within the RCGM debate, Maori concerns were described by Professor David Penny[32] as irrelevant. Professor Penny told the RCGM on 25 January 2001 that: 'ethical, theoretical, spiritual, religious and cultural objections to genetic modification have no firm basis.' Implicit in Professor Penny's assumption is that science is not a cultural construct. I disagree with his claim, as science has been shaped by history and circumstances of culturally defined western civilisation. To deny any cultural influence on science is to claim that it is value-free and neutral, which it is not.

Through my participation in, and engagement with, other Maori women involved in the GM debate, it is clear that science is part of the culture of western civilisation that conquered and colonised indigenous peoples, and pays no regard to the Maori intellectual tradition or what could be called Maori science. I argue that the views of Maori women, with regard to GM, are not to be considered as a mere cultural response based in cosmology but should be considered to be a scientific response in Maori intellectual terms. I have been present at GM forums where it is claimed by scientists that Maori have no idea or understanding of the science involved with GM; this is deeply offensive. It denies our right to exercise our tino rangatiratanga in providing an analysis of GM that is developed by us and for us.

GM is based in the western knowledge of reductionist science that stems from white male thinkers of the Enlightenment. There is an assumption within this science that those who practice it have the right to know all there is to know.

Within this perspective, philosophical and ethical questions usually come after the exploration has occurred and as Moana[33] argues, it means that these questions, 'are therefore constrained by the certainties already established in the totalising an unfettered right to know'. This is evident in Aotearoa, where the RCGM was established in 2001 to examine issues concerned with GM, while there were GM cows with synthetic human DNA being experimented on in the tribal lands of Ngati Wairere by GM research company AGResearch. Therefore, the practice of GM had exceeded the discussion of ethical and philosophical questions relating to this technology. From a mana wahine perspective of GM, this situation is unacceptable. It is essential

that a mana wahine analysis of GM make visible the impact western reductionist science has had upon indigenous peoples and link the origins and technology of GM with this science.

Within the GM debate it is important to recognise that Maori women have distinct concerns that must form part of any analysis of GM in Aotearoa for it to be relevant to us. I challenge and reject colonial patriarchal ideologies and hegemonies that have defined and shaped a narrow Maori perspective on GM resulting in the marginalisation of mana wahine voices. What is ignored is that Maori women have a specific role to play in regards to kaitaki and this perspective that is an important issue to Maori women with regard to GM.

Mana wahine, kaitiaki and GM

It is impossible to separate traditional Maori values from environmental values. Pre-colonisation, Maori were entirely dependent on the environment, which in turn shaped and reaffirmed cultural ways of being, beliefs and cosmologies. Although Maori relationships with land varied from tribe to tribe, according to tribal herstories, protocols and geographic tribal boundaries, the concept of guarding the land and resources for secular and non-secular use was predominant. Our kaitiaki role as Maori sustains and nurtures both tribal nations and our environments and is an obligation handed down to us from the Atua. My aspiration in discussing Maori environmental relationships is not to generalise Maori perspectives but rather to provide a framework for understanding the diverse nature of Maori relationships with the environment. I acknowledge that Maori relationships differ among iwi (tribes) and hapu (sub-tribes) and that colonisation has removed many Maori from experiencing these environmental relationships. I acknowledge that Maori and indigenous views and relationships with the environment are often romanticised; this is also not my intention.

It is from our origins and passed-down cultural practices that objections to GM arise. In addition to protecting lands and waters from the desecration since colonisation, the kaitiaki role is now weaving to a new level. This is a molecular level which requires us to protect the greatest and creative whole of all, the genome. Maori women such as those in Nga Wahine Tiaki o Te Ao have clearly stated that our role as kaitiaki is an obligation, not a choice. They explain that this role comes with being a Maori woman and is to be taken very seriously. This is articulated through our submission to the Royal Commission on Genetic

Modification (RCGM) where we stated:

> Within tikanga Maori Maori women hold key roles in the protection of whakapapa, mauri, ira, tapu, and act as kaitiaki in relationship to all things.[34]

Within our role as kaitiaki we pose certain boundaries that guide the limits of what is acceptable within our tikanga. We affirmed this to the RCGM and stated:

> It is within the main principles of mauri, mana and w'akapapa that Maori raise their absolute disagreement regarding genetic engineering and modification. If these principles are damaged or tampered with in any way, thus upsetting the holistic world balance so too will be the mauri, mana and w'akapapa of Maori and following generations[35].

The practice of kaitiakitanga is an integrated and holistic approach to environmental management, which therefore gives rise to a holistic analysis. The kaitiaki approach to analysing GM differs from the typical approach of western science to assessing this technology, where the nature of the genetic experiment is critiqued in regard to the scientific method or the results of the experiment. This analysis excludes the voices of Maori women and places legitimacy with those trained in western science. I believe that this narrow analysis is building a public distrust of science with regard to science providing for the public good. There is also a particular distrust of western science from indigenous communities, specifically in regard to issues of intellectual property rights and loss of cultural and biological diversity.

Within Western science and the area of genetics, I believe there is also growing concern among scientists over the pressure for results and, particularly, the drive to commercialise the products of science. This pressure has damaged scientists' ability to carry out their core work, reducing the free flow of information, such as mana wahine concerns with regard to GM, and has undermined public confidence in independent scientific advice. In this context of widespread unease about science, those scientists on the margins have become the ultimate guardians of 'scientific integrity'. This is not acceptable for Maori women exercising their kaitiaki role in regard to science, for we too have a role in guarding the boundaries of science.

The controversy of GM, internationally and within Aotearoa, has given science a poor image, despite its many achievements. This contro-

versy is expressed in the continued public distrust of new technologies and of official experts. The difficulties and mistrust from indigenous peoples with regard to GM requires urgent attention by scientific communities, government, and businesses funding science research. Through the information gathered as part of my PhD on a mana wahine analysis of GM, and the obligation we have as Maori women to uphold kaitiakitanga, I have developed a charter (see next page) that analyses scientific roles and the environments that science must consider. This charter aims to highlight kaitiaki concerns in regard to science.

The requirements of the Charter are relevant and urgent from a mana wahine perspective in fulfilling our obligation as kaitiaki. The following actions are needed now, by the whole science community, governments and businesses interfacing with science.

It is clear that a mana wahine analysis of GM defines GM as unacceptable. The management of the natural environment is concerned with maintaining the dynamic balance of interconnected beings. There is an urgency and deep commitment to maintain this balance and to protect our Maori lands from cultural pollution caused by GM.

Current Action Needed Within The Science Community

- Support and maintain Maori knowledge systems remaining with Maori communities
- Accept the knowledge of Maori women as valid and include them in policy-related science and the ethical assessments of science projects
- Use diverse and multiple sources of expertise and knowledge when formulating science policy
- Uphold the voices of Maori women and communities to protect their cultural and biological diversity
- End the theft of cultural and intellectual property of Maori women
- Establish structures that legitimise and protect those people who raise valid ethical concerns
- Encourage new forums for public participation enabling deeper and more critical analysis of science projects. Include Maori women within these forums
- Develop a responsible and critical independent media
- Reform the science system in schools to include the mana wahine voices and analyses

Kaitiaki Charter for Science

- Basic research is devoted to the creation of knowledge without immediate usefulness and is abundant and accessible in all diverse sectors of life. Knowledge must not be recreated by science through the theft of indigenous knowledge or the knowledge of others. Without the basic rights of indigenous and other communities of people being upheld, science will continue to be a tool that continues to colonise indigenous peoples.
- Scientists need to consider the wider implications of their discoveries, inventions and ask who does this technology disempower and is this technology destructive to nature? This requires scientists to stand in integrity and to resist pressures to provide results tailored to the desires of managers and vested interests.
- Science policy relates to issues of societal control of innovations. It is imperative that non-scientific aspects of inquiry are not separate from scientific aspects. Indigenous peoples, particularly those voices on the margins within indigenous groups, such as women, must be included in the development of science policy. Inclusiveness should guide policy, encouraging participation in processes at all levels.
- Science is occurring at the expense of our Earth Mother's well-being. It is imperative that the Earth's well being is cared for holistically through scientific practice and that this is a benchmark for measuring scientific progress. Indigenous peoples, in particular, indigenous women, must be involved in measuring the impact of science upon our Earth Mother.

This charter seeks the support for these four requirements: protection of indigenous knowledge in science, integrity for science, inclusion of indigenous women in policy-related science and respect through actions for our Earth Mother.

Conclusion

In concluding, I wish to come back to tikanga Maori and Maori environmental values. I believe these values provide a strong framework in moving towards a form of science that considers diversity, recognises indigenous peoples, and is not driven by the vested interests of transnational corporations. It is clear within tikanga Maori that Maori women have an obligation to uphold the kaitaki role. Our role as kaitiaki calls us to work to maintain an integrated and holistic approach to environmental management. The kaitiaki charter for science is a tool for all peoples engaging with science. It can be used as an ethical framework to develop many diverse forms of science that begin to rebuild public and, in particular, indigenous communities trust in science. The kaitiaki charter for science values many forms of knowing and highlights our mana wahine kaitiaki concerns in regard to science.

We must begin to debate and discuss at all levels of politics and life the role science plays in our community. I believe if the Maori community was asked what areas could science make contributions towards in regard to Maori development Maori would not have said GM. They would have discussed developing science with scientists so that the bounds of tikanga are not desecrated. In the meantime, ongoing discussion and debate by Maori of the impacts and benefits of science for us as a people continues. The kaitiaki role assumes an inter-generational responsibility to ensure that the environment is passed on in balance to future generations. The negative impact of GM on tikanga and our ability to uphold our role as kaitiaki leads me to state that GM is unacceptable to this mana wahine analysis. While the development of GM continues, our kaitiaki obligation also persists and we as Maori women will continue to fight to protect our tikanga from this genetic wave of colonisation.

JESSICA HUTCHINGS *is wahine takatapui from Ngai Tahu, Ngati Huirapa and Gujurat, India. She is the current Resident Scholar at Te Mata o Te Tau, Massey University and is working on publishing a book on Biocolonial activities in the Pacific. Jessica has been lecturing at Victoria University within the Environmental Studies programme for the last seven years, particularly in the area of Maori resource management. She also teaches in the Development Studies program in gender and development. She completed a PhD in the area of Maori mana wahine and genetic modification in 2002.*

Notes

[1] Nga Wahine Tiaki o Te Ao (2001). Submission to the Royal Commission on Genetic Modification, p. 1. (Nga Wahine Tiaki o Te Ao is a group of Maori women that came together out of concern to uphold our kaitiaki role. We formed in response to the marginalisation of mana wahine voices and analysis in the GM debate. We are Maori women diverse in sexuality, experience, age, iwi, hapu and whanau.

[2] See, Aroha Mead, 'Biculturalism and Cultural Sensitivity in Human Gene Therapy and Research and Human Genetic Material: Guidelines for Ethical, Cultural and Scientific Assessment', *Final Report to the Health Research Council* (1995). Aroha Mead, 'Resisting the Gene Raiders', *New Internationalist,* August (1997). Aroha Mead, 'Sacred Balance', *Te Pukenga Korero,* **3**(2), (1998).

[3] Jessica Hutchings, 'Mana Wahine and GM – A Debate in Poverty', *Pacific World,* 60 (2001), pp. 57–8.

[4] See, Linda Smith, 'In Search of a Language and a Sharable Imaginative World: E Kore Taku Moe e Riro I a Koe', in Rosemary Du Plessis and L. Alice (eds), *Feminist Thought in Aotearoa New Zealand: Connections and Differences* (Oxford University Press, New Zealand, 1998) pp. 95–104. Also see, Annette Sykes, 'Constitutional Reform and Mana Wahine', *Te Puea,* **3**(2), (1984) pp. 15–20. Also see, Kathie Irwin, 'Challenges to Maori Feminists', *Broadsheet,* 182 (1990).

[5] Linda Smith, 'Maori Women: Discourses, Projects, and Mana Wahine' in Middleton, S. and Jones, A. (eds), Women and Education in Aotearoa 2 (Bridget Williams Books, Wellington, 1992), pp. 33–52.

[6] Te Kawehau Hoskins, 'In the Interests of Maori Women? Discourses of Reclamation', *Women's Studies Journal,* **13**(2), (1997) pp. 25–44.

[7] Patrica Johnson and Leonie Pihama, 'The Marginalisation of Maori Women', *Hecate: Special,* Aotearoa/New Zealand Issues, **20**(2), (1994) pp. 83–98.

[8] White feminism refers to feminist discourses that are not constructed by indigenous women, women of color and,of particular relevance to this article, by Maori women.

[9] Smith, p. 33.

[10] See writers such as Kathie Irwin, Dame Mira Szassy, Linda Tuhiwai Smith and Leonie Pihama.

[11] See writers such as Ripeka Evans, Tanai Rei and Annette Sykes.

[12] Vandana Shiva and I. Dankelman, 'Women and Biological Diversity:Lessons from the Indian Himalaya' in Cooper, D. Vellve, R. and Hobbelink, H. (eds), *Growing Diversity: Genetic Resources and Local Food Security* (Intermediate Technology Publications, London, 1992), pp. 44–50.

[13] It is important to note that within this discussion of indigenous women it is not my intention to generalise about indigenous women nor homogenise their experiences or reality. I recognise not all indigenous women fulfill the roles discussed, particularly if they are urban based indigenous women living outside of their tribal context. I am stating that some indigenous women hold roles

with regard to biodiversity and environment and that is increasingly important that these roles are protected and made visible.

[14] C Quiroz, 'Biodiversity, Indigenous Knowledge, Gender and Intellectual Property Rights', *Indigenous Knowledge Monitor,* **2**(3), (1997).

[15] J. Jiggins, Changing the Boundaries: Women Centered Perspectives on Population and the Environment (Island Press, Washington DC, 1994).

[16] Quiroz, p. 2.

[17] B. Badri and A. Badri, 'Women and Biodiversity', *Development,* 1(1994), pp. 67–71.

[18] D. Rocheleau, 'Gender, Ecology and the Science of Survival: Stories and Lessons from Kenya', *Agriculture and Human Values.* **8**(l), (1991), pp. 156–65.

[19] See Badri and Badri (1994) and Rocheleau (1991).

[20] Annie Mikaere, 'Patriarchy as the Ultimate Divide and Rule Tactic: The Assault on Tikanga Maori by Pakeha Law', A Paper Presented at 'Mai te Ata Hapara', Conference on the Principles, Influence and Relevance of Tikanga Maori. Te Whare Wananga o Raukawa, 11–13 August (2001).

[21] Mikaere, p. 1.

[22] Jenkins, p. 161.

[23] Mikaere, p. 4.

[24] Smith, p. 42.

[25] Mikaere, p. 3.

[26] Mikaere, p. 12.

[27] Ibid.

[28] Aroha Mead, 'Maori Leadership', *Address to the Hui Whakapumau, Maori Development Conference.* Massey University August (1994), p. 3.

[29] Mikaere, p. 12.

[30] J. Hutchings, 'A Maori Ecofeminist Model for Resource Management Consultation', MA thesis, Victoria University, 1997.

[31] Moana Jackson. An Exquisite Politeness: The Royal Commission on Genetic Modification and the Redefining of the Treaty of Waitangi. Unpublished paper. Retrieved 9 April 2002 from http://kaitiaki.org.nz.

[32] Ibid., p. 2.

[33] Ibid.

[34] Nga Wahine Tiaki o Te Ao. 'Submission to the Royal Commission on Genetic Modification'. Retrieved 2 March 2001 from http://gmcommission.govt.nz

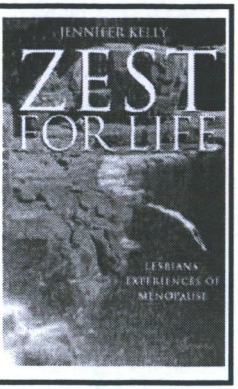
[35] Ibid.

Zest for Life:
Lesbians' Experiences of Menopause
Jennifer Kelly

An important uplifting book both for lesbians and heterosexual women as well as health professionals, which shows that menopause need not be a time of despair.

$34.95

SPINIFEX PRESS

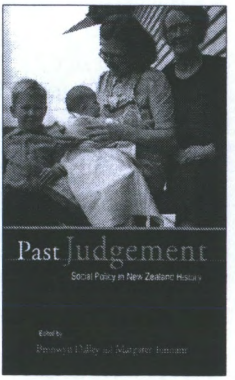


Past Judgement

Social Policy in New Zealand History

Edited by Bronwyn Dalley & Margaret Tennant

Social policy, past and present, is about people and welfare, about social needs and how to deal with them. This book argues that rather than judging past practice by present ideals, we need to take account of time and context, to move beyond simple judgement, to understanding. Chapters explore issues including child abuse, families and the welfare state, Plunket, Maori health research, the voluntary sector and social security. $39.95



Published by University of Otago Press

Health and Biotechnology in Le Vay's *Queer Science*

DR SARA MACBRIDE-STEWART

Abstract

This article is an interrogation of Le Vay's claim that in determining a biological cause of homosexuality, biotechnology offers considerable benefits for strengthening gay and lesbian identity and minimising negative societal attitudes about homosexuals. I argue that Le Vay's position relies on a desire for a determinable and material homosexual, and on the construction of a relationship that links the benefits of 'health' with the benefits of 'biotechnology'. I focus briefly on key assertions made by Le Vay in his book *Queer Science*: that research into homosexuality has been characterised by 'bad science' which can be eliminated by improving scientific methods, and that gene studies (both family and molecular studies) have had the least harmful impact of all research on the cause of homosexuality. In order to make these assertions, I argue that Le Vay constructs science, men and materiality as privileged over social constructionism, women and the social. As a foray into the genre of popular texts, *Queer Science* is unlikely to have had a significant impact on biotechnology debates, however, I argue that Le Vay's construction of a gay positive biotechnology is crucial for understanding the reinvigoration of science in what is generally considered to be a historically pathologising arena of research.

> Technology is integral to the advancement of the world. Fire, the wheel, steam power, electricity, radio transmission, air and space travel, nuclear power, the microchip, DNA: the human race has ever been on the cusp of innovation. Currently, biotechnology is the new frontier. Continuation of research is critical to New Zealand's future. As in the past we should go forward but with care[1].

In New Zealand, the Royal Commission on Genetic Modification sought public and expert opinion on an aspect of biotechnology, that of Genetic Modification[2]. Public opinion has been important to the endeavours of biology and molecular science in constructing claims that regard biotechnology as the new frontier of human innovation.

A contribution to dialogue in the debates surrounding biotechnology includes texts that aim to directly address public opinion on the topic. In this article, I critically interrogate Simon Le Vay's (1996) popular scientific text *Queer Science*, and the positive role he claims for biotechnology in determining a biological basis for homosexuality.

Simon Le Vay's *Queer Science*[3] makes compelling reading. *Queer Science* (*QS*) outlines a history of various and prominent research approaches concerned with determining a basis for homosexuality, including psychoanalysis, behaviourism and genetics. *Queer Science* was published after attention had been drawn to Le Vay and his controversial study claiming differences in the brain structure between gay and heterosexual men. The interest over Le Vay was also because he is gay. In the introduction to *QS* Le Vay suggests that he was naïve to the implications of such findings, having 'conducted that piece of research fairly 'innocently' – that is, without a great deal of knowledge of or interest in its potential social implications'.[4] With this overture, *QS* may be assumed to redress an absence of the social in research querying 'what causes a person to be gay, straight[5], or bisexual?'[6] This question forms one of two stated aims of the book; the second aim asks, 'who cares?'.[7] Similar to Le Vay, I glance over these aims and question an important theme of *QS*; by potentially determining a biological cause of homosexuality, biotechnology offers considerable benefits for strengthening gay and lesbian identity and minimising negative societal attitudes about homosexuals.

Biotechnology refers to the use of technological principles and activities in the identification and analysis of biological materials, often for the stated purpose of improving human life.[8] The discussion in *Queer Science* refers to a definition of biotechnology that is predominately associated with twin and molecular gene studies that attempt to identify, locate and associate genes with homosexuality in humans. Le Vay discusses the possible 'modification' of genes through evolutionary processes in addition to other research technology interested in locating a biological basis for homosexuality, such as brain studies and endocrinology. The biotechnologies highlighted in *QS*, however, do not encompass genetic modification or genetic engineering (GE), an aspect usually included in the scope of biotechnology. The Royal Commission on Genetic Engineering extends the activities, as discussed by Le Vay, of 'finding' and 'separating out' genes that control particular characteristics to include intervention

in the deletion, change, or moving of genes within an organism; the 'transfer' of genes between organisms and, or other modification or construction of new genes. Le Vay does refer to the destruction of whole organisms or abortion in *QS*, yet his approach to biotechnology appears to rely on partial interpretation and the absence of the concept of Genetic Engineering.

Le Vay's reach into biotechnology is moderated by his attention to social research and understandings. Le Vay is not unfamiliar with Foucault or social constructionist debates surrounding the aetiology, labelling, and categorisation of homosexuality; he draws on and outlines these debates throughout the text. *Queer Science* features discussions on cultural and historical contexts, including chapters on the social context surrounding the sexological research of Ulrichs and Hirscheld, the labelling and identification of 'homosexuality', and the political activity surrounding its removal from the Diagnostic and Statistical Manual (*DSM*). However, I will argue that Le Vay constructs science, men and materiality[9] as privileged over social constructionism, women and the social in his claim that biotechnology has a positive and crucial role in determining a biological basis for homosexuality.

Le Vay's Assertions

Le Vay proposes that if researchers clearly identified a material[10] biological basis for homosexuality, then the understanding that homosexuality was not a choice must elicit favourable attitudes, and ultimately end oppression against gays. Rather than examine the complexities of this proposal, which Le Vay asserts by reference to attitudinal studies and anecdotal evidence, he concentrates on his concern that research into homosexuality is characterised by 'bad science'. Le Vay also maintains that in the scope of scientific research, gene studies (both family and molecular studies) have had the least harmful impact of research on the cause of homosexuality. His claim is that improving scientific research and valuing the contribution of molecular genetics offers the best prospects for understanding how diverse sexualities arise. However, Le Vay's construction of homosexuality in *QS* is a gendered account which appears to favour men over women in its ability to locate a material basis of homosexuality.

Bad science

> While there is a school of thought that questions the existence of objective phenomenon, I will stay within the commonsense tradition that recognises a world 'out there' – a world that exists independently of our explanation of it, but to which we have access through our senses.[11]

Similar to feminist empiricists, Le Vay characterises much of the scientific research into homosexuality as biased by poor methods.[12] 'Bias' may occur through individuals whose thinking has been shaped by personal experience, or the incomplete way that science has been practiced. Le Vay, for example, refers to the sexuality or 'messianic fervour'[13] of researchers such as Ulrichs and Hirschfeld who therefore fail in being objective and detached observers.

Le Vay's argument also relies on evidence that in the name of research gays have lied about being straight (i.e heterosexual). Debates over participant "bias" appear to inflect responses to research emphasising the constructed nature of sexuality, enduring in such controversies as Margaret Mead's ethnographic study of girlhood in Samoa. Commenting that it has been almost impossible to categorise sexuality, Le Vay asserts that most people are able to decode their sexuality and that it is not desirable for gays to lie about it. His proposition is dubious. Le Vay elaborates on a 'dark episode' in the history of experimentation into homosexuality carried out in Nazi concentration camps where lying about one's conversion to heterosexuality brought about possible discharge from the camp, and occurred in the face of incredible trauma and consequence.[14] Le Vay's decontextualisation of such 'bias' could be regarded as wholly attentive to the particularly local effect of the concentration camps (and prisons and psychiatric hospitals). However, his focus on 'bias' is informed by his deterministic approach, and his restatement that such studies have enabled further research in biological origins of homosexuality.

Le Vay asserts the need to follow scientific norms more rigorously. His bad science argument is focused on applying science more rigorously to research, and on retaining the 'commonsense' and 'tradition' of science by leaving its understandings intact. This emphasis is highlighted in a discussion over the validity of categorising sexual orientation. Le Vay states that 'observation and judgement alone cannot tell us if the "sea/land" classification is the most appropriate way to divide up the world surface'. He concludes 'but, if these definitions

are made sufficiently explicit, we can objectively assess whether and to what degree these categories are based on an objective segregation of the phenomena being considered'.[15] The outcome of certainty in the scientific categorisation of homosexuality relies on a belief in the ability of science to achieve this.

Despite his familiarity with social constructionism, Le Vay does not appear to address critiques of the assumptions and assertions of science, or acknowledge any impossibility in eliminating bias.[16] Le Vay writes instead of 'weak' versus 'strong' social constructionism.[17] 'Strong' social constructionism in his opinion would only be able to claim a capricious sexual orientation. 'Weak' social constructionism is preferable[18] because it accords individuals an 'intrinsic' sexual orientation which is far less important than the 'extrinsic' orientation that people are assigned. I would agree with developing an account of sexuality that critically engages with corporeality.[19] However, Le Vay's view favours a foundationalist convergence between 'weak' social constructionism and biology in its premises, categories and presumptions.[20]

Le Vay's Science

Le Vay consistently emphasises his interest in resolving a biological cause of homosexuality. In his description of Ulrich's theory of the sexual development of the body as concordant with the development of the mind,[21] for example, Le Vay is concerned that Ulrich did not appear interested in *why* this concordance occurred (or did not occur in others). However, the position that Le Vay takes up here is a complex one.

Le Vay gives the appearance of balance in attending the social and the biological. The critiques of social and biological research throughout *QS* suggest that Le Vay is interested in a thorough and even-handed interrogation of all research conducted into the aetiology of homosexuality. As Stephanie Rixecker comments 'Le Vay himself does not see a distinction between the "culture versus nature" arguments attributed to the "origins" of homosexuality'.[22]

A brief look at how Le Vay summarises his controversial brain studies is illuminating. Le Vay devotes a chapter to describing studies attempting to locate sexuality (and gender) differences in the brain structure. This includes describing his own research into the size of structures in the hypothalamus which he regards as correlating with same or opposite sex attraction, in men. The nucleus of the hypothalamus appeared smaller in the brains of gay men compared to brains of straight

men. Le Vay is careful to stress limitations of the study, including that he used autopsied brains from gay men who had died of AIDS, and that the brain area chosen for study was already regarded as sexually dimorphic, i.e. it was constituted as gendered.[23]

Le Vay does not refer to these limitations in the concluding chapter. Rather, he offers the model of a 'package' incorporating varied 'sources' to account for sexual diversity.[24] What is noteworthy is that Le Vay's package includes a synergy of biological effects devoid of any of the reservations that each was subject to in their explication. This is more than concluding optimism. Le Vay does not pay the same courtesy to the other non biological accounts, and elaborates again on their weaknesses. 'Psychodynamic theories, by themselves, are grossly deficient, as explanations of why people become gay, straight, or bisexual' he writes, 'but no one can rule out some role for childhood experiences in the establishment of sexual orientation'.[25] His approach consistently undermines social theories. Le Vay, for example, uses the targetable John Money case[26] to emphasise that biology is important, not social environment. Despite arguing that he regards the notion of all effects as important to homosexuality, he considers it possible to locate the differences between homosexuals, completely in the effects of genes rather than in environmental causes. He acknowledges 'that interactionist theories [...] might have some truth to them, [but] they seem unduly complex for our present state of knowledge'.[27]

Le Vay frequently accounts for both the need and importance of biological studies offering simple answers. In contrast, he argues that social constructionism is ill-equipped to offer such simplicity. I would agree that in the modernist account of knowledge, the critiques offered by social constructionism do appear to complicate. To assume that that is a problem is also to assume that simple solutions provide the best and most real accounts of the interactions and relationships between objects. Le Vay's own work has been subject to interpretations that have reduced it to its simplest level as the 'gay brain' theory emerged in popular thinking from legal briefs, to journalism and plays.[28]

Relativism and genetic 'harm'

> In reality, the genetic approach so far has been the less harmful of the various disciplines that have been brought to bear on the topic [biological approaches to the study of sexual orientation].[29]

Le Vay suggests that genetic research has been the least harmful area of research into homosexuality. This is based on his argument that it has not, yet, led to attempts to convert homosexuals and that it is not considered acceptable to convert homosexuals, particularly if it can be argued that a person is 'born' gay. Psychoanalysis, endocrinology and brain studies are apparently positioned as relatively 'more harmful'. That Le Vay's own research is included with the brain studies, is redolent of a strategy for endorsing biological determinism rather than reifying science as causing damage. In a popular context in which genes are interpreted as 'the buildings blocks' of human development, such claims may be important to make. Le Vay reassures his readers that while screening for gender prior to birth has led to abortions of female foetuses with disability or sickness, such abortions are rare. His libertarian view is that the activity of foetal abortion should not be controlled because it would lead to a restriction of human liberties, and that other actions that might result from live unwanted births would be more unacceptable. His view that genetic research may yet have *future* potential to do harm draws on a similar account which regards individuals rather than biotechnology as responsible for such prospects. Le Vay's problematic removal of biotechnology from any discursive effects of the institutional, language, social or historical contexts enables this position.

Le Vay's perspective that genetic research has been the least harmful area of research into homosexuality is further reflected in the concomitant discourse that biologists are less biased and more 'gay friendly' than social constructivists, psychoanalysts, or behaviourists. The research from the latter, he argues, has led to gross attempts to revert homosexuals to heterosexuals. Le Vay's response to the debates over his own work produces his positionality here. He constructs himself and other biological determinists 'who think that lesbians and gays are "born gay" [as] most likely to support gay rights'.[30]

Le Vay's construction of 'gay friendliness' will be recognisable to those familiar with gay and lesbian studies. Traditionally, 'gay friendliness' is an approach that emphasises the use of 'lay' knowledge (such as colloquialisms, anecdotes or verifications) from gay communities, or sources and publications from gay communities (Advocate). This strategy is evoked partly because of a limited amount of published academic work on gay issues.[31] 'Gay friendliness' could be characterised as constituting an understanding of lived experiences as gay

in terms of language, politics, culture, community, or a combination of these, which is sympathetic to 'gay' subjectivities. Le Vay's 'gay friendliness' appears to be at odds with his science, but it enables Le Vay to promote himself as a concerned researcher with the interests of the gay community at heart.

Le Vay's Gender

In his account of the materiality of homosexuality, Le Vay renders gender almost completely indistinct. That is to say that in his assertion that gene research has been the most favourable to homosexuals he makes the direct claim that 'there have been few if any attempts to prevent gay people from reproducing.' On the contrary, he argues, 'there has been uniform and relentless pressure on them to marry and have children'.[32] Neither the debates about fit parenting, the sanctioning of celibacy for gay men and women are raised here, nor are processes that have directly targeted women such as the historical sterilisation of lesbians and other proscriptions against 'artificial' reproduction or reproductive processes.[33]

However, this is not sufficient to demonstrate Le Vay's reliance on gender in the production of his argument. Le Vay explicitly adopts a sex/gender distinction.[34] Gender, the reader is informed, is a social category of biological sex, in line with contemporary definitions.[35] Sex differences become a key area for discussion in a chapter considering potential differences in 'mental traits' between lesbians and gay men. Le Vay's demonstration of sex differentiated traits (e.g. handedness, aggressiveness, fingerprint patterns) draws on studies that have been heavily critiqued by feminist researchers.[36] Yet Le Vay appears to find it unproblematic that the conflicting evidence and inconclusiveness over sex differentiated traits potentially undermines the ability to determine a material basis for homosexuality without considering it as potentially gendered.

Conceptualising a 'third sex' has enabled queer (and other) theorists to discuss the intersexed body as a material object.[37] But where the intersexed body could be regarded as ambiguously gendered, representations of 'gay' and 'lesbian' more closely reflect a gender binary. Le Vay agrees that there is a possibility that the concept of a third sex could evolve from a 'combination of sex-typical and sex-atypical characteristics'.[38] This is an idea which he attributes to Ulrichs and Hirschfeld. The notion of a third sex and/or third gender

has also been favourable to some queer theorists in conceptualising a gendering of the hetero/homo binary.[39] However, Le Vay dismisses third sex and/or third gender perspectives on the basis that it will be hard to distinguish the 'source' of sex typical or a-typical traits and to ascertain if these are primarily the effects of socialisation, prenatal brain differentiation or both. Nor can it account for the diversity within lesbians and gay men.

I concur that when the idea of a 'material' homosexuality (such as in Le Vay's work) acknowledges gender, the notion of a third sex/gender can be readily critiqued. I suggest that this is because of its amenability to being rejected in a system of categorisation that privileges the 'male', 'material' and 'physical' over the 'female' and 'social'. Discourses from gays and lesbians about the aetiology of homosexuality (and these are reproduced in *QS*) suggest a binary between being born gay or realising in later life. This binary is gendered; women are more often associated with the latter position and men with the former. Drawing on this discourse, Le Vay comments that there is 'very strong evidence that genes play a role in sexual orientation, at least in men'[40] and is of the view that homosexuality, particularly male homosexuality, is inherently biological.

The positioning of 'lesbians' with respect to materiality is helpful to expand on here. In my own research on discourses of lesbian health and sickness (which formed part of a larger, critical poststructural analysis of lesbian health and bodies), I was particularly interested in the construction of a lesbian health discourse, which appeared to refuse a biological or material imperative for locating sickness (as they were understood by the 'self-identified' lesbians that I interviewed). The historical context of lesbian health includes the construction in medicine and psychology of lesbians as sick, unhealthy and deviant, and refers to strategies such as electroshock treatments, hormonal injections and clitoral surgery for conversion to heterosexuality.[41] However, I found that in the context of a 'gay positive' and liberal account of lesbian health, a reclamation of lesbian 'health' occurred through a privileging of the social.[42] Health in lesbian terms is about overcoming the societal oppressions associated with being gay. The dominant construction of lesbian health was one of being healthier (having healthier lifestyles) than heterosexual women, or through having less stress or overcoming stress commonly associated with 'being gay'. Even in a discourse of lesbian sickness, physical health

issues such as sexually transmitted infections, ovarian or breast cancer were attributed to a social rather than a biological difference between heterosexual and gay women.

Constructing a case for the determination of a physical basis for homosexuality through biotechnology, Le Vay appears to negotiate the discourse of the social and the biological in much the same way as the women I interviewed about lesbian health. In my research, lesbian 'health' is constructed through the social, and is wary of biomedical claims. In *QS*, Le Vay argues that gay men particularly will benefit, in health terms, from biotechnology finding the material cause of homosexuality. A gendered and binary relation between these perspectives is obvious here. In a discussion of benefits for gay women and men of biomedicine and biotechnology, men and materiality appear constituted in binary relation to women and the social. Two considerations must be made here. Le Vay implies that the benefits of biotechnology for gay and lesbian identity can only occur when there is certain scientific evidence of a biological basis for homosexuality. He also does not consistently make a distinction between gay and lesbians but, as demonstrated earlier, where the similarities are tenuous his account relies on the association of women with the social.

Attempts to refute the hegemonic construction of homosexuality as a sickness, in my opinion, motivate and underlie research into the causes of homosexuality. *Queer Science* includes a specific chapter on sickness and health. Le Vay is primarily concerned here with his proposal that the removal of homosexuality from the Diagnostic and Statistical Manual in 1973 was motivated by politics and not by scientific evidence over the cause of homosexuality. This stance is not surprising to Le Vay's conception of science because it reflects a key area of debate in biotechnology – that 'lay' voices are positioned in opposition to medical science and these non-experts are devoid of the reason that science brings to a debate. His concern that political debate could have been so effective over science lends him to redrawing a distinction between medicine and science. He conceptualises medicine as requiring interpretation of human experience; a distinction which enables him to distinguish between cancer as a disease, and schizophrenia or homosexuality as not – what they have become is also not clear. Depathologising homosexuality in this way is problematic because although Le Vay is alert to the idea that research into homosexuality is infused with social, cultural and historical meanings, his strategy

for taking account of it is somewhat dubious.

Concluding comments

The Royal Commission on Genetic Modification constructs biotechnology as integral to progress in New Zealand. Such progress proposes health gains through a favouring of reductionism and biological determinism. This perspective is integral to the claims made by Le Vay, that to locate the physical cause of homosexuality would achieve an end to the oppression of gays and lesbians. The desire for health benefits, as constructed by Le Vay in *Queer Science*, presumes that the progress of science is equivalent to its good.

It could be said that debates over the harms of biotechnology inevitably position scientists as necessarily making extravagant claims, yet the 'homosexual' has been an object of study in scientific research and medicine, constructed in the main as pathological, sick, and deviant. Le Vay is mindful of the need to explore the possibilities of biotechnology for gays and lesbians, despite a general shift in gay positive research away from talking about the biological basis of homosexuality. Le Vay's investment in, and apparent desire for, the material queer, is continually reasserted in *Queer Science* in the advantages that he claims for the homosexual (man); 'he' connotes a tangible substance and stability of the category 'gay'. If science could be responsible for a revolution in the removal of stigma from gays and lesbians, in his view this could certainly be progress.

It is tempting, even to this author, to consider what might be the positive consequences of research that proposed a 'gay gene'; a 'gay brain'. Le Vay proposes that it could be possible in the future to inject cells into the brain to change the nature of sexual orientation – that is to convert from homosexuality to heterosexuality. However, Le Vay does not also make the reasonable assertion that it would be entirely possible or preferable to convert from heterosexuality to homosexuality. Yet even this ideal is unrealistic because the scientific and social constructions of the material queer not only inform but are informed by the construction of male/female, gay/lesbian, healthy/unhealthy subjectivities. This epistemology is crucial to understanding current debates on biotechnology in New Zealand.

SARA MACBRIDE-STEWART *is a Research Fellow in the School of Social Sciences, Cardiff University, Wales. She is currently working*

on developing a programme of research into the education of doctors, from the perspective of the critical social sciences. Sara's other research and related publications from New Zealand are in the areas of heteronormativity, cervical screening and safer sex practices; discourses of lesbian health, and biocultural understandings and meanings of chronic pelvic pain.

Notes

[1] Royal Commission on Genetic Modification, *Executive Summary: The Report of the Royal Commission on Genetic Modification* (New Zealand Government, Wellington, 2002) p. 3.

[2] In the Report of the Royal Commission on Genetic Modification (2002) it was noted that '[t]he Commission considers the term "genetic modification" to be equivalent to and interchangeable with "genetic engineering"'. (p. 5)

[3] Simon Le Vay, *Queer Science. The Use and Abuse of Research into Homosexuality*. (Massachusetts Institute of Technology, Massachusetts, 1996).

[4] Op. cit., p. *ix*.

[5] Le Vay assumes that heterosexuality is a given or normal state and does not expand on its 'cause'.

[6] Op. cit., p. 1.

[7] Ibid, p. 1.

[8] New Zealand Biotechnology Association, 'Objectives of the NZBA'. 20 May 2002. Available: http://www.biotech.org.nz/20th May 2002.

[9] 'Materiality' refers here to the matter of the body. This is an essentialising account, distinguished from poststructural analyses that conceptualise the usual divide between body matter and discursive dimensions as impossible to sustain. Corrine Squire, 'AIDS Panic' in Jane Ussher (ed.), *Body Talk: The Material and Discursive Regulation of Sexuality, Madness and Reproduction* (Routledge, London, 1997), pp. 50–69.

[10] Material refers to the physical of the body, and is understood in the context of poststructural analyses that designate a psychic as well as physical reality to the lived body. Corrine Squire, pp. 50-69.

[11] Le Vay, p. 42.

[12] Sandra Harding, 'Conclusion: Epistemological Questions', in Sandra Harding (ed.), *Feminism and Methodology* (Indiana University Press, Bloomingdale, 1987) pp. 181–90.

[13] Le Vay, p. 18.

[14] Op. cit., pp. 113–14.

[15] Op. cit., p. 44.

[16] Liz Stanley and Sue Wise (eds), *Breaking Out Again: Feminist Ontology and*

Epistemology (Routledge, London, 1993).

[17] Le Vay, p. 75.

[18] In Le Vay's opinion, 'weak' social constructionists are also preferable to 'strong' ones because the latter would regard scientific researchers as 'victims of crass literalmindedness' (p. 56)

[19] Corporeality refers to attempts to conceive of the body in ways other than in terms of dualisms such as mind/body, inside/outside, nature/culture. Corporeal approaches tend to deny 'the 'real', material body on one hand, and its various cultural and historical representations on the other ... (and claim) ... that these representations and cultural inscriptions quite literally constitute bodies and help to produce them as such'. Elizabeth Grosz, *Volatile Bodies: Towards a Corporeal Feminism.* (Allen & Unwin, St Leonards, Australia, 1994), p. x.

[20] Joan Scott, 'The evidence of experience' in Sharlene Hesse-Biber, Christina Gilmartin, and Robin Lydenberg (eds), *Feminist Approaches to Theory and Methodology* (Oxford University Press, Oxford, 1999) pp. 79–99.

[21] Le Vay, pp. 12–13.

[22] Stephanie Rixecker, 'Exposing Queer Biotechnology Via Queer Archaeology: The Quest to (Re)construct the Human Body from the Inside Out', *World Archaeology*, **32**(2), (2000) pp. 263–74; p. 267.

[23] Le Vay, pp. 144–5.

[24] Op. cit., p. 278.

[25] Op. cit., p. 279.

[26] Money's assertion was that gender was constructed rather than inherent. This is characterised in his classic account of 'Joan', who was sex reassigned as a girl, following a botched circumcision as a young boy. However, Joan chose to be reassigned as male ('John') in her late teens. This case has been employed in the verification of essentialist and constructionist accounts (Chris Brickell, 'The Persistence of Essentialism', unpublished paper, 2001). The amenability of this case to both positions lies in the construction of a relationship between sexuality and gender. Essentialists like Le Vay argue that 'because John was always attracted to girls and not boys [that] prenatal events specify gender and sexual orientation rigidly enough to prevail when anatomy, postnatal hormones and socialisation all conspire to produce a different result' (Le Vay, 1996, p. 104).

[27] Le Vay, p. 280.

[28] Stephanie Rixecker, 'Genetic Engineering and Queer Biotechnology: The Eugenics of the Twenty-First Century?', *Journal of Genocide Research*, **4**(1), (2002) pp. 109–26.

[29] Le Vay, p. 171.

[30] Le Vay, p. 282.

[31] MacBride-Stewart, S. 2001. Health 'In Queer Street': Constituting sickness sexualities and bodies in the spaces of lesbian health. Unpublished doctoral

thesis, Waikato University, Hamilton, NZ.

[32] Le Vay, p. 171.

[33] Jane Ussher, 'Framing the sexual "Other": The regulation of lesbian and gay sexuality', in Jane Ussher (ed.), *Body Talk: The Material and Discursive Regulation of Sexuality, Madness, and Reproduction* (Routledge, London, 1997), pp. 131–58.

[34] Many feminist researchers have critiqued the sex/gender distinction, including Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (Routledge, New York, 1990).

[35] A recent publication from the Institute of Medicine (2001) endorses this distinction between sex and gender. It suggests that *sex* should refer to classification as male or female according to reproductive organs and functions that derive from the chromosomal complement and *gender* should refer to a persons self-presentation as male or female, in terms of their social identity and role. Institute of Medicine, *Exploring the Biological Contributions to Human Health. Does Sex matter?* (National Academy Press, Washington, 2001).

[36] Janet Sayers, *Biological Politics: Feminist and Anti-Feminist Perspectives* (London: Tavistock, London, 1982); Ruth Bleier, *Science and Gender: A critique of biology and its theories on women.* (Pergamon Press, New York, 1984); Ruth Hubbard, *The Politics of Women's Biology* (Rutgers University Press, New Brunswick, 1990); Carol Tavris, *The Mismeasure of Woman* (Simon and Schuster, New York, 1992).

[37] See also Marjorie Garber, *Vested Interests: Cross-Dressing and Cultural Anxiety.* (Routledge, New York, 1992); Gilbert Herdt, 'Third Genders, third sexes' in Martin Duberman (ed.), *A Queer World: The Centre for Lesbian and Gay Studies Reader* (New York University Press, New York, 1997) pp. 100–107.

[38] Le Vay, p. 161.

[39] Garber, 1992; Herdt, 1997.

[40] Le Vay, p. 274.

[41] Patricia Stevens, 'Lesbian health care research: A review of the literature from 1970 to 1990', in P. Stern (ed.), *Lesbian health: What are the issues?* (Taylor and Francis, Washington, 1993), pp. 1–30.

[42] MacBride-Stewart, 2001.

Review Article: Women and Development

EYE TO EYE: WOMEN PRACTISING DEVELOPMENT ACROSS CULTURES
Susan Perry and Celeste Schenk (eds)
London: Zed, 2001
ISBN 1-85649-846-8

POWER POLITICS
Arundhati Roy
Cambridge, MA: South End Press, 2001
ISBN 0-89608-668-2

WATER WARS: PRIVATIZATION, POLLUTION, AND PROFIT
Vandana Shiva
Cambridge, MA: South End Press, 2002
ISBN 0-89608-650-X

As I watched the coverage of the devastation wreaked by the tsunami in the Indian Ocean, I was struck by its parallels with the ongoing crisis in Iraq and West Asia. In both cases, large numbers of lives have been lost, cities and villages have been destroyed, and human misery has plummeted to new depths. Things we take for granted – basic infrastructure, food, medical care, and social support systems – have disappeared. One obvious difference, of course, remains – the tsunami was nature's work, the war and West Asian crisis are human-made. Yet, one similarity that has received little media attention in either of these events is the differential impacts on women and men. Women's traditional roles in caring for family and the sick, as well as the grim reality of being targets of sexual abuse and rape, have increased women's vulnerability in ways that are rarely acknowledged in the media or by governments.[1] The overwhelming consequences of natural disasters and human actions make it easy to be cynical about 'development'. What can it possibly mean when lives are torn apart with such ease and with so little recourse to challenge?

To make sense of the profound failure of development in the Third World – increasingly evident in the international context of economic globalisation accompanied by turmoil and war in many parts

of the world – a focus on the centrality of culture, and on women's significance to the development process is key. Each of these terms – women, culture, and development – are at the centre of ongoing, often contentious feminist debates. The efforts to grapple with the complexities of these terms, their interconnections, and the ways in which their overlapping realities shape the development project are reflected in the provocative, readable and incisive nature of some of the current feminist scholarship.

Eye to Eye: Women Practising Development Across Cultures by Susan Perry and Celeste Schenk is an exciting, energising and absorbing work that revisits some core issues and assumptions in the area of gender and development. The editors state in the introduction that their intent was to see the book 'as a development project, one that would enable us to rethink traditional development theory and foreground innovative development practices across the globe' (p. 1). The book succeeds brilliantly in showcasing development praxis – the chapters are powerful, eloquent, and often poignant essays on what issues of gender, equity and justice mean in practice across differing cultural, national, and other contexts. The other two works reviewed here comprise essays on development by two prominent Third World writers, and offer in different ways an indictment of economic globalisation and the resulting privatisation of resources that are wreaking a painful destruction of the subsistence economies of rural India. Arundhati Roy, Booker Prize-winning author of *The God of Small Things,* offers us *Power Politics*, a brilliantly penned, often polemical, collection of essays, which explores the complex, messy contradictions and realities of India in the first three pieces. The remaining two essays, first published in the British *Guardian* newspaper, are a powerful indictment of the United States' foreign policy in the wake of the attacks of 11 September 2001 and the later war on Afghanistan. Vandana Shiva, a well-known activist and eco-feminist, sets out to illustrate in *Water Wars* the clash of two cultures, the culture of 'commodification' at war with 'diverse cultures of sharing, of receiving and giving water as a free gift' (p. x). Together these three works explore cross-cultural ideas and practices on women's empowerment, the power of dialogue and discourse, and peace activism, within a larger framework of economic globalisation and neo-imperialism.

Development as Empowerment

If a fundamental concern of feminism has been women's empowerment (itself a term that has generated considerable feminist analysis), then all of these books deal with the multiple ways in which it can be put into practice. One way of *doing* women and development has been through international development agencies and *Eye to Eye* offers two chapters on the World Bank and the United Nations Development Fund for Women (UNIFEM). Sophie Bessis's chapter on the World Bank discusses the Bank's 'discovery' of women and the gender agenda in terms of 'instrumental feminism', where women's rights, women's education, and women's employment are actively encouraged, not to further the goals of social justice but as tools to further economic development and modernisation. Bessis poses the question that confront all movements at some point – how to collaborate with mainstream organisations and institutions without being 'duped' or co-opted. It is unfortunate that Bessis doesn't link her otherwise robust analysis with the abundant literature on the Bank that deals with precisely the questions and issues she raises (see, for example, Razavi and Miller, 1995; Razavi, 1997). A companion chapter by Aster Zaoudé and Joanne Sandler, on practitioners working with United Nations agencies, explores the ways in which the use of gender mainstreaming, the human rights 'machinery' and the coming together of women, inside and outside development institutions, have worked to promote women's empowerment. For those who believe in change from within, this analysis of the transformative potential of the 'gender agenda' of aid agencies is a heartening one.

But both chapters need to be read against the larger context of economic globalisation that is actively abetted by the World Bank, World Trade Organisation (WTO) and, ultimately, the UN. Can we talk about women's empowerment through the gender agendas of aid agencies whose primary goal is economic growth at any cost? Shiva and Roy analyse the increasing trend towards privatisation of resources globally. Water, as Shiva points out, is a billion-dollar industry, involving big players such as Monsanto and Coca Cola, who have the blessings of the international development agencies. Like Shiva, Roy dismisses the possibility of empowerment of rural people as long as the state remains complicit in fostering the wellbeing of private corporations at the expense of everything else. Her essay, 'Power Politics: The Reincarnation of Rumpelstiltskin', brings together a range of issues

that demonstrate the onslaught by private corporations – Indian and multinational – on several hundred million rural people whose lives depend on their access to natural resources. She comments, 'To snatch these away and sell them as stock to private companies is a process of barbaric dispossession on a scale that has no parallel in history' (p. 43). She shows how forces of economic globalisation led to the sanction of the first private, large-scale dam on the Narmada River in India, and the horrific extent of the scandal of the now collapsed US corporation Enron's electricity-generating venture in India. Her essay reinforces for us the fundamental contradictions so often embodied in international organisations between their rhetoric of women's empowerment and the practice of economic, cultural, social and political exploitation.

Women's empowerment is also the focus of different kinds of non-governmental organisations (NGOs) that flourish in the Third World. Many are amazing examples of activism and resistance, and offer an avenue for rural and urban women to develop their own sense of agency. *Eye to Eye* offers us three chapters focusing on women's NGOs in Asia. Elora Shehabuddin charts the ways in which poor women negotiate between the differing agendas of secularists and Islamists, modernisers and traditionalists, and material and cultural challenges to create a space for their own vision of development in Bangladesh. Jael Silliman offers a snapshot of the resistance in the Narmada Valley in India to building the gigantic Sardar Sarovar Project, and includes a critique of the Narmada Bachao Andolan (Save the Narmada Movement) for its failure to foreground women's issues in its years of mobilising the people of the Valley against the dam.

Roy, too, discusses the SSP in her three essays on India, focusing on how her criticism of the Supreme Court's 1999 judgement allowing the Narmada project to proceed, incurred the wrath of the Court. In 2001, Roy was charged with 'contempt of court' for imputing motives to the Court and the third 'essay' in the book is her affidavit filed in the Court where she accused the Court of harassment and intimidation of those who disagreed with it. She argues that exercising the contempt of power serves to muzzle freedom of expression, so essential in a democracy. It is useful in this context to read Susan Perry's portrayal of women's NGOs in China's one party dictatorship, which demonstrates how they struggle to survive in a context where free public debate is a rarity and any challenge to the state's development or political agenda is still heavily frowned upon. Indeed, Perry's chapter illustrates that democratic

political institutions do matter. The vigorous debate and robust activism that flourish in India – even in the face of an often authoritarian state – is clearly because of the larger democratic context.

Naming the Problem: Discourse and Activism

The power of public debate and dialogue is especially important today when the rhetoric and acts of war escalate in so-called democratic western states. The illegal and immoral war on Iraq, and others around the world, is at least partly a manifestation of not some crude cultural or civilisational differences (*cf.* Huntington, 1998), but quite frequently of more fundamental struggles over control of ecological resources, as Shiva says in her work. She argues, perhaps a little simplistically, that many of the political, ethnic and religious conflicts today, such as the on-going Palestine-Israel struggle, are in essence water wars. There is, undoubtedly, a significant ecological aspect to the conflict in West Asia, but there is much more to it too – reflective of the impulse of colonisation and domination that drives the Israeli state. The overwhelming, relentless nature of the oppression of the Palestinian people by the Israeli state is such that we have to ask whether peace can ever be possible when there is neither the political will nor the institutional framework to allow for it. This is notwithstanding the summit talks in Egypt between new Palestinian President Mohammed Abbas and Israeli Prime Minister Ariel Sharon in February 2005.

At such a time when peace has been a mere fantasy for so long, the extraordinarily inspiring, powerful dialogue between Sumaya Farhat-Naser and Gila Svirsky in *Eye to Eye* serves as a reminder of the risky, courageous work undertaken by Jewish and Palestinian women peace activists. Marginalised by the mainstream in both societies, these women have been part of a process of building dialogues between women from both sides of the divide. As Farhat-Naser comments:

> When we have lived fifty years knowing each other only as enemies, with pain and bitter experience very much alive on the Palestinian side, it is very difficult to say 'Let's sit together and hug.' We can't hug … The aim is not to learn to drink coffee together. Anyone can drink coffee together. The aim is to discuss political issues, very difficult political issues, and to come out of these discussions with a consensus that is good for both sides. This is the aim of the dialogue programme that caters to young women, old women and target groups such as students and policewomen (pp. 137–8).

The section features a moving exchange of letters between the two women that captures their mutual respect and admiration for each other even in the face of their political differences.

Similarly, clashing feminist political perspectives are captured in the riveting section on female genital mutilation (FGM), an issue that has received widespread if problematic international media coverage. Molly Melching, a US-born activist, and director of an NGO, TOSTAN (meaning 'breaking out of an egg' in Wolof) in Senegal, has been part of creating a 'holistic and rights-based educational process' that has seen 174 villages make a public declaration to end the practice of 'female genital cutting' (p. 156). Melching argues that a law against the practice is only effective after people have gone through 'a process of non-directive education, and truly understand the risks involved in the practice' (p. 166). In contrast, Linda Weil-Curiel, a French lawyer who has been part of the efforts in France to eliminate the practice of FGM, sees FGM as a form of child abuse, a violation of human rights that must be fought primarily through the courts. The successful trial and imprisonment of those parents and practitioners supportive of FGM in France, she argues, has succeeded in bringing home to the African community that female genital mutilation in any form is unacceptable.

In contrast to both these authors, Obioma Nnaemeka, a Nigerian scholar and activist based in the US, offers a devastating critique of western feminist imperialism that has served to objectify and degrade African women by the way in which the issue of 'female circumcision' has been dealt with. She comments, 'It is not necessary to violate African women in order to address the violence that was done to them. In effect, African women are doubly victimised: first from within (their culture) and second from without (their "saviours")' (p. 174). Nnaemeka singles out for particular critique the film *Warrior Marks* by Alice Walker and Pratibha Parmar (misspelt in the book as 'Parma'), two western women of colour, whose work epitomised the:

> unequal power relations between the West and the so-called Third World; the reduction of the myriad issues facing African women to female circumcision; the reduction of the complexity and the totality of the African woman to the clitoris; the objectification and silencing of African women; the obsessions, prejudices and deafness of the West (p. 180).

Nnaemeka's trenchant critique certainly resonates with my experience of many western feminists' inability to focus on anything other than

issues that personify an apparently primitive Third World oppression of women – such as 'sati', in the Indian context – that ignores not only how pervasive women's oppression in the west is, but also western women's complicity in international systems of oppression. Recall, for example, the media (and public) obsession in New Zealand a little over two years ago about the need for Miss New Zealand to boycott the Miss World competition in Nigeria where a woman had been sentenced to death by stoning. The absolute absence of any reflexivity in the 'debate' on this issue was astounding. There was *no* acknowledgement, for instance, of the fact that there was not a similar call to boycott the United States, which has one of the highest rate of incarceration of its citizens, most of them black or latino, and one of the highest rate of capital punishment, again disproportionately affecting blacks (see Human Rights Watch, 2002; Mears, 1999). Neither was there a call to boycott the US and Britain for their bombing of Afghanistan (oh, but we were saving the women from the Taliban, weren't we?) and then Iraq. If, as Nnaemeka argues in her chapter, forces of globalisation have too often served to reinforce and justify repressive local traditions, then Roy's incisive analyses of US foreign policy and the bombing of Afghanistan help to remind us that the US (with its allies) has used its political hegemony to actively work against the Third World. As feminists we need not only to condemn the possible 'stoning to death' of a Nigerian woman but also to call our governments to account in our efforts to create a more just world.

Women, Culture and Development: Reflections

Literature is the focus of the final section of *Eye to Eye*, bringing home the fundamental materiality of culture. From the moving analysis by Dierdre Gilfedder of the autobiographical narratives of the Aboriginal children of the 'Stolen Generation' to the insightful discussion by Françoise Lionnet of the life of Shynee Pillay in Mauritian novelist Lyndsay Collen's *There is a Tide*, and Celeste Schenk's readings of Arundhati Roy's *God of Small Things* and Jane Tagaki-Little's *My Year of Meat,* we see that culture and the depiction of development in literature are reflective of the social realities of particular contexts. This book as a whole, and this section in particular, offers a clear argument for the necessity of a new paradigm for feminist development studies – termed 'women, culture, and development' (WCD) in recent scholarly contributions (see Chua, Bhavnani and Foran,

2000; Bhavnani, Foran, and Kurian, 2003).

The final short story by Nigerian writer Chinyere Grace Okafor, 'Beyond Child Abuse', 'surveys with grim contempt a number of development tactics and theories ... [such as] the imposition of structural adjustment programmes, the targeting of specific scourges (FGM, child abuse) by eradicators from outside the local culture, token appointments – even certain feminist discourses such as those that exclude men from a community of resisters' (p. 257). Certainly this last story has a particular relevance for institutional feminist practices in the west, including New Zealand, where men are often excluded from participating in the creation of a more socially just and equitable world. As Sandra Harding has commented elsewhere, 'I find it paradoxical – and frankly, suspicious – that most of the European American feminists I know ... appear to overestimate their own ability to engage in antiracist thought but to underestimate men's ability to engage in feminist thought' (1993, p. 147). Okafor's vision of women and men collaborating to challenge oppressive practices and institutions gives us hope; it is a vision that is in tune with the politics of many feminists – Third World and other – for whom the process of creating a better society must necessarily include men.

If the focus of Perry and Schenk is on culture, then Roy's is more overtly on politics. Her essays are witty, often insightful, and provocative. Roy writes with a passion on issues many of us care deeply about and she offers a point of view as critical of the west as it is of the Indian state. Yet, despite this, I have some reservations about these essays. In the too easy condemnation of the excesses of the Indian state, in the insistence on painting the institution of the Supreme Court solely in terms of particular judgments or actions she disagreed with, there seems to be a Manichean worldview of absolute rights and wrongs that leaves me troubled. It is certainly the case that there is much that is wrong with the state and its institutions in India (as with any other state). But a more complex analysis would be able to take better account of a state that has remained resolutely democratic when almost no other formerly colonised country has succeeded. It would recognise that there is a difference between the institution of the Supreme Court and the specific judgments that one may disagree with. Reading Roy's essays, no one would guess that the Supreme Court has been pivotal to sustaining the democratic institutions of India over the last fifty-five years (*cf.* Baar, 1990). A more complex analysis would have softened

the sometimes strident edge of the critique of the state and made for more persuasive reading.

In a similar vein, Shiva's *Water Wars*, while an easy read, lacks the rigor that one would expect of good scholarship. The book is an ode to local self-governance, a celebration of traditional systems and practices around water that allowed ingenious, sustainable water conservation and distribution even in drought-prone areas of the world. There are numerous examples, primarily from India, but also a few from other parts of the world, illustrating how communities everywhere historically treated water as a commons, creating institutional rules and structures that put controls over access to and use of water. Yet, there are the occasional sweeping generalisations that left me wanting a more grounded analysis. For instance, in lauding the traditional water conservation practices from India, Shiva fails in any way to recognise that not all these traditions are necessarily good or empowering. Indeed, her discussion of the role of Harijans, the most oppressed caste in the Indian caste hierarchy, as *nirkattis* or water managers, would leave us thinking that we are dealing with an equitable society where there was no institutionalised discrimination against the lower castes. Equally frustrating is the fact that despite her commitment to diversity and democracy, the spiritual traditions she tends to draw on in the Indian context, especially in the last chapter of her book, are overwhelmingly Hindu. India's extraordinary cultural and religious diversity over the last several millennia manifests in practices of many religions – Islam, Buddhism, Jainism, Christianity and animism to name but a few – that have contributed to Indian cultural traditions in ways we do not really hear about here.

Ultimately, with Roy's and Shiva's works, I am left wishing for a more nuanced analysis of some of the vital issues that they touch on – something that goes beyond mere adulation of the traditional and condemnation of the evils of globalisation. Yet, they, as much as Perry and Schenk's work, are valuable because they make us think more seriously about culture, development and women.

PRIYA A. KURIAN
The University of Waikato.

References

Baar, C., (1990). 'Social Action Litigation in India: The Operation and Limitation of the World's Most Active Judiciary', *Policy Studies Journal*, **19**(1), 140–50.

Bhavnani, K-K., Foran, J., and Kurian, P. A. (eds), (2003). *Feminist Futures: Re-imagining Women, Culture and Development*, London: Zed Books.

Chua, P., Bhavnani, K-K., and Foran, J. (2000). 'Women, Culture and Development: A New Paradigm for Development Studies', *Ethnic and Racial Studies,* **23**(5), (September), 820–41.

Harding, S., (1993). 'Reinventing Ourselves as Other: More New Agents of History and Knowledge', in Linda Kauffman (ed.), *American Feminist Thought at Century's End: A Reader*, Cambridge, MA: Blackwell.

Human Rights Watch Press Backgrounder (2002). 'Race and Incarceration in the United States' (27 February 2002). http://www.hrw.org/backgrounder/usa/race/

Huntington, S., (1998). *The Clash of Civilizations and the Remaking of World Order*, Carmichael, CA: Touchstone Books.

Mears, M., (1999). 'The Death Penalty in the United States Continues to Reflect our Nation's Prejudice against African Americans'. http://www.gidc.com/racial%20bias%20act%20article.htm

Razavi, S. and Miller, C., (1995). 'From WID to GAD: Conceptual Shifts in the Women and Development Discourse', *UN Fourth World Conference on Women Occasional Paper No. 1*, Geneva: UN Research Institute for Social Development.

Razavi, S., (1997). 'Fitting Gender into Development Institutions', *World Development*, **25**(7), 1111–25.

Note

[1] http://www.un.org/apps/news/story.asp?NewsID=13039&Cr=tsunami&Cr1=

Book Reviews

NAKED BARBIES, WARRIOR JOES & OTHER FORMS OF VISIBLE GENDER

Jeannie Banks Thomas

Urbana and Chicago: University of Illinois Press, 2003, 216 pages
ISBN 0-252-07135-2

My initial reaction to this book was that much of the content did not relate to a New Zealand cultural context, but I suspected that I could learn much from Jeannie Banks Thomas's folkloric approach. She believes that the particular figures she concentrates on in *Naked Barbies, Warrior Joes & Other Forms of Visible Gender* are the most noticeable sculptural forms that influence American concepts of gender. In this book the sculptural forms are documented in separate chapters and consist of cemetery statues and grave marker images; yard art; and Barbie and GI Joe dolls. I found it hard to imagine that this grouping could be cohesive in assessing attitudes to gender, but through historical research and documentation of folklore, Thomas offers a credible combination that does appear to influence attitudes to gender stereotypes in America.

The two aspects that are least familiar in New Zealand culture are yard art and the term 'folklore' or 'folk tales'. New Zealand yard art consists of butterflies attached to the sides of houses and the odd gnome, and maybe some topiary and a quirky mailbox. As an art form, yard art is rather rare and, although I may vaguely recall seeing a metal sculpture in a rural yard, bricolage is minimal except at the crib or bach, where it is accepted that holiday home-owners 'do their own thing'. There has been a slight upsurge of stone and concrete garden sculpture, but rather than slotting in to the folk art or popular art genres, I suspect it is nudging its way up into the 'high art' aesthetic which Thomas discusses a little further on in her book. However, this New Zealand garden art I speak of is decidedly gendered, for example, a virginal female statue with a dove on her shoulder.

The term 'folklore' is not common fare in New Zealand. We do identify historical stereotypes, for example, 'the good keen man', so perhaps it is just a matter of differing terminology. New Zealanders

would probably refer to the folk legends concerning female cemetery statues, such as the example given by Thomas, as 'stories'. However, these stories would probably be just as gendered as those referenced by Thomas whereby those concerning female statues would involve emotion and those few concerning males would centre on soldiers and violence. Stereotypically, women are sculpted to represent emotion such as mourning and often appear on men's graves, and are often naked or, oppositionally, represent motherhood and/or purity such as an angel or The Virgin Mary. Women's graves depict symbols such as the rose, dove or lamb.

All three sculptural forms – cemetery statuary; yard art; and Barbie and GI Joe are tied in historically to the Industrial Revolution that saw the rise of the individual, new technologies and the eventual move from a producer society to a consumer society. Throughout the text there are black and white photographs of sculptural forms. There is a neat association between private and public in this book, where the Barbie doll ventures into the graveyard as a grave marker, finds herself implicated in yard art in various guises, and of course is represented in the playroom in her myriad roles. In the private/public arena of yard art (private if fenced off, public if open to the passerby) Thomas provides some entertaining history on the 'gnoming of Europe' (gnomes are mainly male) and what she calls the 'goosing of America' (concrete geese who wear bikini tops and bottoms). There are interviews with various collectors of yard art in the United States and their philosophies. I found the bricolage artists of particular interest – those who used a piece of farm equipment as a body part, such as funnels to represent female breasts on a female figure, for instance. This is considered to be humorous, although I have never understood why. I related to the Parker, Colorado shoe fence Thomas includes in yard art not only because I think there is or used to be a shoe fence in Central Otago, but also because she says that the decorated fence is a means of locating a specific place. There is a photograph of part of the Colorado fence on the front cover of the book, which depicts a headless Barbie doll beside a man's work-boot. Her reference to celebrating sports or sexual victory or marking of territory by throwing shoes over electrical wires is not unknown in New Zealand. The shoe fence in Colorado is made up of gendered sections such as women's pumps, men's sports shoes, and so on. The yard art referenced by Thomas focuses on the Midwest and the

West and also includes gendered animals such as the geese in bikinis referred to earlier, and pink plastic flamingos. Other yard art, apart from bricolage, includes little boys in active roles and little girls in passive roles, active men of various nationalities and passive women in the form of angels or the Virgin Mary reflecting gender stereotypes from Victorian times.

In her chapter on Barbie and GI Joe (with brief mention of Ken, Barbie's partner), the author discusses children's folklore and folk behaviours through personal narrated experience as well as through interviews with children. Because this is the last of the three sculptural gendered forms to be discussed in the book, comparisons can be made with cemetery statuary and yard art. For instance, the pink and plastic of 1950s America (flamingos and Barbie) is found in cemeteries and is used as a nostalgic aspect of material culture. On a positive note, Thomas says that because Barbie is owned individually and is small enough to interact with, the folk tales surrounding her reflect the imagination of her owner and she can fulfil less stereotyped roles than those larger more public sculptures in graveyards and back yards. Thomas notes resignedly that GI Joe is interactive too, as is Ken, but warrior Joe has only one role to play, and Ken is overshadowed by his famous girlfriend. So it is up to the off-worlders such as Star Wars figures to offer the possibility of gender deconstruction in a homophobic society, and I note that New Zealand definitely shares this last cultural paradigm with America.

In conclusion, I found the initially disparate sculptural gendered forms to form a cohesive reinforcement of gender stereotypes in America. Some cultural differences caused mild discomfort: ignorance of fence types/designs on my behalf such as check and log, rip-gut and so on, and the earlier mentioned scarcity of yard art within New Zealand. But Thomas's histories, from graveyard statuary to the history of the garden to that of the doll, although concise, were extremely enjoyable and highly valuable for their content. Another gripe was that in the final pages of the book I was introduced to two new matters. The first was the Twin Towers disaster of 11 September 2001 (in reference to violence), which was too brief to do justice to such a life-changing occurrence. The second was the introduction of Susan Bordo and the subject of the male gaze, a vast and complex area. I understand the need to mention both of these violences, each with its own potential, but perhaps a concluding acknowledgement

that they are subjects that require further investigation would have been more appropriate. There was a sense that these two topics – the Twin Towers and the male gaze – were expansive enough to warrant a further publication.

LYNDA CULLEN
Postgraduate Student
Women's Studies
Massey University

NEW WOMAN HYBRIDITIES: FEMININITY, FEMINISM AND INTERNATIONAL CONSUMER CULTURE, 1880–1930

Ann Heilmann and Margaret Beetham (eds)

London and New York: Routledge, 2004, 279 pages
ISBN 0-415-29983-7

The New Woman as she is represented in this edited volume is truly hybrid; that is, her persona consists of multiple identities not only as an individual but also collectively. The fourteen essays are articulated within four key themes yet even within and between these structures, the authors weave threads of recognition that connect various New Women hybridities in the essays. That is, the authors were aware of the specific content of other chapters before publication. I find this type of edited approach extremely refreshing and liberating. The underlying theme is represented in the book's subtitle: 'Femininity, feminism and international consumer culture, 1880–1930'. The four key themes investigate particular aspects of hybridity as connected to the New Woman.

'Hybridities', the first thematic section, concerns Anglo-Welsh hybridity represented in the person and literary work of Bertha Thomas, who was intrigued by this particular hybridity or 'otherness' which is reflected in her experimental writing style and her philosophies. Second, the autobiographical world of Margit Kaffka in early 20th century Hungary is reviewed. Accused of being a 'feminine' writer, her narration shows the complexity and the instability of the New Woman and female modernism. Kaffka dissolves the boundaries

between public and private, and questions patriarchal right as well as the alienation that occurs in war.

The second theme, 'Through the (Periodical) Looking Glass', is concerned with images of the New Woman circulated in the periodical press. Laurel Brake investigates the diversity of women writing for or corresponding in the British press who are concerned with suffrage, either pro or anti at the time of the Women's Suffrage Bill of 1889. New Woman hybridity expresses itself in the multiple identities and identity positions on 'the woman question'. In a similar time frame, Francois le Jeune takes us to Vancouver Island, British Columbia where a hybrid of the 'modern girl' and the New Woman had developed. Travelling back to the British Isles, with the forming of the Irish Free State, the foreign or imported was a threat to Irish cultural identity. Louise Ryan sees the flapper as a hybrid; a young Irish woman blending the imported with the local. I was particularly taken with the concept of the need for surveillance and monitoring of these young women as representatives of the nation but also aware that the flapper had none of this concern. Maryann Gialenella Valiulis offers yet another take on the flapper in Ireland. Gender legislation required public space to be the man's sphere, and the popular and ecclesiastical press produced advice columns offering particular ideologies concerning women's place. Valiulis states that traditional norms and values were reinforced in these media, using the language of modernity to reinforce the status quo.

Next, in our geographical travels, Ingrid Sharp takes the reader to Germany and the Weimar Republic after 1918 and the ambivalence connected to images of the New Woman such as madonna/whore, nurturer/sex addict, or marriage/flapper. There were rapid shifts in female behaviour, mass advertising and consumption, and gender anxiety as, under the new constitution, women were equal before the law and had the right to vote and stand for Parliament. There was class and gender anxiety.

The third thematic category concerns 'Communities of Women', and Hilary Fawcett engages with romance and glamour in Britain in the 1900s. The New Woman 1918–1920s was engaged in consumption more so than her earlier New Woman sister. For middle and upper class women, having access to sophisticated contraception was, in Fawcett's mind, analogous to the 1960s and the Pill and represented a shift in femininity which was outwardly displayed in fashion. In the

same vein, Angelika Khöler (cartoons in the popular press) suggests that the Gibson girl had the potential to be a New Woman but she was a compromise (and this may be because she was created by a man). Trina Robbins offers the Brinkley Girl as a cartoon New Woman who was feminist and, although sweet and apparently harmless, had undertones of hybridity: she worked, voted, was a flapper – and took off her corsets.

Hungary appears to be a country that encouraged women in education in 1900 as part of a national and cultural improvement but suffrage and the New Woman were seen as foreign and disruptive. Judit Acsády tells us that with the advent of socialism, feminist ideas disappeared. Contemporarily, feminist ideals are again under attack in Hungary. So far as global representations go, the Japanese New Woman had no suffrage and so protested through media such as novels and periodicals. Muta Kazue concentrates on a periodical published by women from 1911 Seitō (Blue Stocking), which contained articles contesting the conventional patriarchal family system and advocated love in marriage. With few career opportunities for women, it was easier for the New Woman to be progressive in her private love life than in public or social life. Because the Seitō women had no political ideology they were more appealing and influential (like rock stars today).

The final theme, 'Race and the New Woman', concerns the USA and Britain. Jill Bergman discusses the Club movement in 1900 in the USA and the rejection of black women's clubs by white American women who used social and racial Darwinism as well as the idea of self-help to excuse themselves. Black women therefore maintained a separatist ideology, creating a kind of black Gibson Girl as the real New Woman and reversed the backlash. Bergman suggests a possible moment for integration had been lost.

On a final note, Angelique Richardson discusses eugenics in Britain and America. The New Woman was unnatural with her hybrid characteristics therefore if she insisted on becoming educated; she should remain celibate so that she would not give birth to inferior children. The assumption here is that the New Woman has alienated herself from her sisters and threatened her biological feminism by taking on masculine ideas and practices.

The editors of this book have created a cohesive text which offers models of the New Woman outside of the white western middle

class stereotype as well as providing some in depth historical fact on the stereotype, for example, the Gibson Girl. I would have liked clarification of the terms 'flapper' and 'New Woman' and whether there was a difference (class) or not and/or whether the New Woman was a more sober version of the flapper.

The New Woman in Japan provides an insight into cultural difference; for example, meanings for 'virgin' differ from that in the West (before the Meiji Era) as well as the necessity for the New Woman to operate in a less political but equally subversive manner. Cultural difference is also celebrated by the fact that some bibliographic references listed in this book are not translated into English, rejecting the 'norm' (white, middle class, western), and the primary concept of hybridity – where two cultures retain their distinct characteristics yet form something new – is extended to include traditional and radically new cultural concepts. Add to this ambivalences such as suffrage versus eugenics, or public active women promoting the fact that women should not have the vote, or suffrage protest versus glamorised feminine commodity, and the enormity of multiple hybrid New Women identities becomes apparent.

Lynda Cullen
Postgraduate student
Women's Studies
Massey University

MOTHER MATTERS: MOTHERHOOD AS DISCOURSE AND PRACTICE

Andrea O'Reilly (ed.)

Toronto, Canada: Association for Research on Mothering, 2004, 257 pages
ISBN 1-55014-436-7

Motherhood, not surprisingly, continues to attract considerable attention within the world of feminist research and scholarship. *Mother matters: Motherhood as discourse and practice* brings to this discussion a diverse range of articles produced by women working both within and outside the disciplinary boundaries of academia. The collection consists of a smorgasbord of selections from the Journal of the Association for Research on Mothering (www.yorku.ca/crm), a bi-annual feminist journal focusing on issues related to mothering and motherhood – each issue exploring a particular theme or topic in the area. This book is being published to celebrate the 10th issue of the journal. Description and critique of normative discourses of motherhood provides the point of focus for most of the contributors brought together in the volume, with particular attention directed towards the representation of mothering within popular culture – from children's stories to science fiction films. The lived reality of mothering receives similar critical exploration, with essays examining motherhood in relation to many other aspects of women's lives including work, sexuality, activism, family and creativity.

The book (edited by Andrea O'Reilly), as its title suggests, aims to explore contemporary motherhood as both lived and theorised/represented – in short, motherhood in practice and discourse. The rationale for the project lies in O'Reilly's observation that the literature surrounding mothering and motherhood tends towards discussion of these in terms of either ideology or experience – thus disguising normative discourses and bracketing these from the lived experience of mothering. Via their re-combination, the editor suggests that the collection, 'in its analysis of normative motherhood and investigation of lived maternity, clarifies the multifaceted relationship between discourse and practice and explicates how the latter may contest and undermine the former' (p. 25).

O'Reilly notes that choice of the terms 'discourse' and 'practice'

– as opposed to ideology and experience, was deliberate, with the first concept designed to bring into central focus the construction, rather than simple reflection of normative ideologies of mothering by various social texts; the second to emphasise that mothering is distinctly and specifically a practice. As she then goes on to note, use of such a conceptual framing assists us to see 'how the messy and muddled realities of motherhood are camouflaged – masked – by the normative discourse of motherhood and how, in turn, practices of mothering – in all of their complexity and diversity – challenge the denial of such difficulty and difference in the normative discourse' (p. 14).

The volume is arranged in two sections, the first devoted to discourses of motherhood, the second to mothering practices. This separation is, however, largely an organisation strategy, with an awareness demonstrated by most contributors of the impossible and entirely artificial nature of such a prising apart. The chapters in the first section examine the construction of good and bad mothers in popular culture. Most notable is the first article, a Foucauldian inspired analysis of the emergence of medical models of childbirth by the collection's editor. Grounding the discussion in her experience of childbirth, Andrea O'Reilly explores normative and alternative women-centred discourses of birth, tracing the way these operate to designate what is seen as natural, universal and real, and how this in turn works to structure/determine the material conditions of women's birthing processes. Following chapters – analysing a diverse range of texts, include examinations of lesbianism in relation to child custody cases, lactation and sexuality, sexual practice and gender roles, Black women's mothering, motherhood and paid work, mothering and personal autonomy, maternal images in children's literature and representations of maternal emotion. All articles – though utilising widely disparate analytical and stylistic strategies, pursue the same agenda as O'Reilly in demonstrating the pervasive influence of popular culture upon contemporary understandings of motherhood.

The articles in the second section are primarily aimed at critique of normative discourses of motherhood via exploration of alternative mothering practices. All are intent on demonstrating the lack of 'fit' between the dominant representation of mother as a 'white, middle-class, able-bodied, thirty-something, heterosexual married woman who raises her biological children in a nuclear family, usually as a stay-at-home mother' (p. 20). As the introduction to this section notes,

these chapters can all be seen as 'talking back' to this discourse via strategies of challenge, resistance and deconstruction.

The section begins with Diane Speier's discussion of the development of contraceptive technologies throughout the 20th century in which she examines the implications these hold for women today. As the author notes, in comments that will resonate with many readers, while these have brought with them at least the potential of greater reproductive control and freedom, they have also made becoming a mother a complicated business. Of particular interest, given the growth in 'blended' families in New Zealand today, is Pamela Downe's contribution drawing upon her experience of step-parenting to demonstrate the potential effects of an emphasis on biological mothering holds for other forms of mothering and the women who do that mothering. Other articles in the section include explorations of sexual assault and healing (using the work of Audre Lord), feminists raising sons, academic mothers, mothering and the peace movement, kinship care, women's writing from a poststructuralist perspective, and an alternative reading of Nancy Chodorow – 'Queering Maternity', by Mielle Chandler.

Overall, *Mother Matters* is a long overdue publication that is, quite literally, sure to offer something of value for most readers. Certainly few mothers will fail to identify at least some aspect of their experience within this collection – although we may not agree entirely with some of the interpretations offered! On a slightly negative note, some of the articles had a slightly dated 'feel' to them – a point difficult to pin down though as original publication dates are not referenced, but which would not surprise if the articles in question were selected from the earliest editions of the journal. That said, this is a minor complaint and does little to detract from the usefulness of this publication. It should appeal to a wide range of audiences and will be particularly helpful to those interested in the historical construction of contemporary discourses of mothering – from a range of feminist standpoints (although with a predominantly poststructural flavour). The works are well organised in a thematic sense, with a strong overall sense of philosophical continuity, but one which manages to encompass a range of different theoretical perspectives – and retains a transparently and explicitly feminist political agenda. As the editor suggests, a primary goal of the publication, and one I feel is well accomplished, is to make the point that motherhood and

mothers remain important feminist concerns – in short motherhood and mothers *do* matter.

Ang Jury
School of Sociology, Social Policy & Social Work
Massey University

WOMEN'S RIGHTS AND ISLAMIC FAMILY LAW

L. Welchman (ed.)

London: Zed, 2004, 200 pages
ISBN 1-84277-094-2

Women's Rights and Islamic Family Law draws together various parts of a research project entitled 'Islamic Family Law: Possibilities of Reform through Internal Initiatives'. It is the second book to have been produced from the 'Islamic Family Law' project, the first being project leader Professor Abdullahi An-Na'im's (2002) *Islamic Law in the World Today: A Resource Book*. The aim of *Women's Rights and Islamic Family Law* is to foster understandings and formulate strategies that will contribute towards the strengthening of Muslim women's human rights around the world.

As the book firmly asserts, the family has long served as an organising system for both social and legal regimes and is the place where legal rules presented as part of the Islamic *shari'a*, or religious laws, are most widely applied in the Muslim world. This is an edited book containing case studies of three countries where religio-politico and religio-cultural arrangements differ vastly. The countries the book profiles are: Egypt, the most populous Arab state, with a constitutional clause on 'principles of the sharia' as the principal source of legislation; the West Bank and Gaza, also with a majority Muslim population where family law is a contested site between different visions of national identity in the process of trying to build a Palestinian state; and the United States of America, where some in the minority Muslim communities seek to regulate their family rela-

tions in accordance with 'principles of the sharia' within the context of a non-Muslim state applying civil law requirements to all family matters. Picking up on a theme that is evident throughout the case studies, the link between divorce law and domestic violence, the book concludes with a comparative analysis of violence against women in Muslim societies in the Middle East, Africa and Asia.

Women's Rights and Islamic Family Law is a part of a body of literature designed to contribute to the recognition and prohibition of domestic violence, a problem that the book identifies as global in scope and harmful to all women. At the centre of feminist analysis of Islamic family law is the issue of women's rights under legal systems that require women to concede to male authority. This conundrum is addressed within all four of the papers presented in this book. Male supremacy within the domestic hierarchy is a religiously justified ideology common to Islamic nations and communities around the world. This principle is culturally validated in a multitude of different ways and the exact form the relationship of dominance and submission takes is as various as the communities within which Muslim people exist. In Malaysia, a country not covered in the book but one with which I am familiar, women talk of *gender complimentarity*, one gender complimenting rather than dominating another. The rhetoric of obedience, punishment, power, control, and violence feature much more strongly for those countries analysed in the book.

When laws institutionalise male superiority, contravene international human rights conventions, and seemingly condone domestic violence, it is difficult to see Islamic law as anything other than the instrument of a repressive regime. In 1990 Islamic resistance to human rights law, in particular the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), found the Organisation of Islamic States, to which all Muslim countries belong, issuing a statement that all human rights are subject to Islamic law. In cases where there is a contradiction between international law and *shari'a* then the later takes precedence. In practice this often means that if a woman "misbehaves" then her husband has the right to punish her using physical force if deemed necessary. However, as the book asserts, Muslim women are not uniquely vulnerable to domestic violence, nor are masculine prerogatives to discipline and punish women uniquely Islamic. What is particular to the situation of Muslim women are rationalisations deriving from *shari'a*. However, the argument made

by many scholars of Islam, including many cited in this volume is that *shari'a* does not sanction any form of violence against women and that applications that sanction and tolerate violence derive from mistaken social perceptions and enduring customs that run counter to the fundamental principles of Islam.

Reading *Women's Rights and Islamic Family Law* stimulated me to think again about the meaning of religious classifications of nation states and the impact this has on the process of law-making and women's everyday lives. I recall glancing through the Readers Digest Atlas as a child and seeing the world divided up according to religion. Looking again at the same 1962 Atlas I see that Christianity dominates and that Islam is also popular. While both Christianity and Islam have profoundly influenced the process of nation-building, the relationship between religion and policy-making in Islamic and Christian States differs markedly today. In New Zealand the recent furore sparked by the secular Civil Union Act 2004 reminds us that Christianity does feature in our law-making process. In the Islamic countries analysed in *Women's Rights and Islamic Family Law,* the link between religion, politics and social policy is more pronounced. Islam determines the policy landscape albeit amid fierce theological debates about correct interpretation of the *Qur'an.*

Outside of Islamic nation states *sharia'a* shapes the lives of Muslim women. The juxtaposition of case studies of an Islamic nation, a country with a Muslim majority, and one in which they are a minority, provides a nuanced picture of the wide ranging and diverse influence of Islamic family law. A major strength of this book is, that in the context of a complex body of literature that tends to be highly theoretical and discipline specific, it does not lose sight of the everyday realities of women's lives and remains accessible to readers without technical expertise. Books on women and Islam also tend to be country or region specific. It is therefore significant that this book enables cross-cultural comparisons of women's rights within a wide range of different countries whilst locating itself firmly within a global policy framework.

The papers in this volume are written by researchers from a variety social science disciplines engaged at different levels with the contexts and in some cases movements and initiatives about which they write. It is to be expected that the case studies, and the thematic review of domestic violence, differ from one another in form and style. If you

like research reports and are interested in the policy-making process you will not be disappointed.

The 1962 version of the Readers Digest Atlas describes Islam as 'one of the most active proselytising faiths in the history of religion'. In the present global technological moment in which the intimate link between the terrorism and the media is manifest as a popularisation of Osama bin Laden's one dimensional interpretation of Islam, it is unlikely that Islam is attracting many new converts. The media backdrop of terrorism and religious fundamentalism presents Muslim women as the oppressed and vulnerable *Other* solidifying western understandings of Islam as a repressive regime. In such a context *Women's Rights and Islamic Family Law* serves the doubly important function of presenting the voices of women in Islam as active, expert participants in the struggle to remove all forms of discrimination against women.

Michelle Lunn
Sociology, Social Policy and Social Work
Massey University
Wellington

Contents

Cover image
River Stones (2005). Photo by Lesley Patterson

University of Otago Press

ISBN 1-877372-11-0

9 781877 372117