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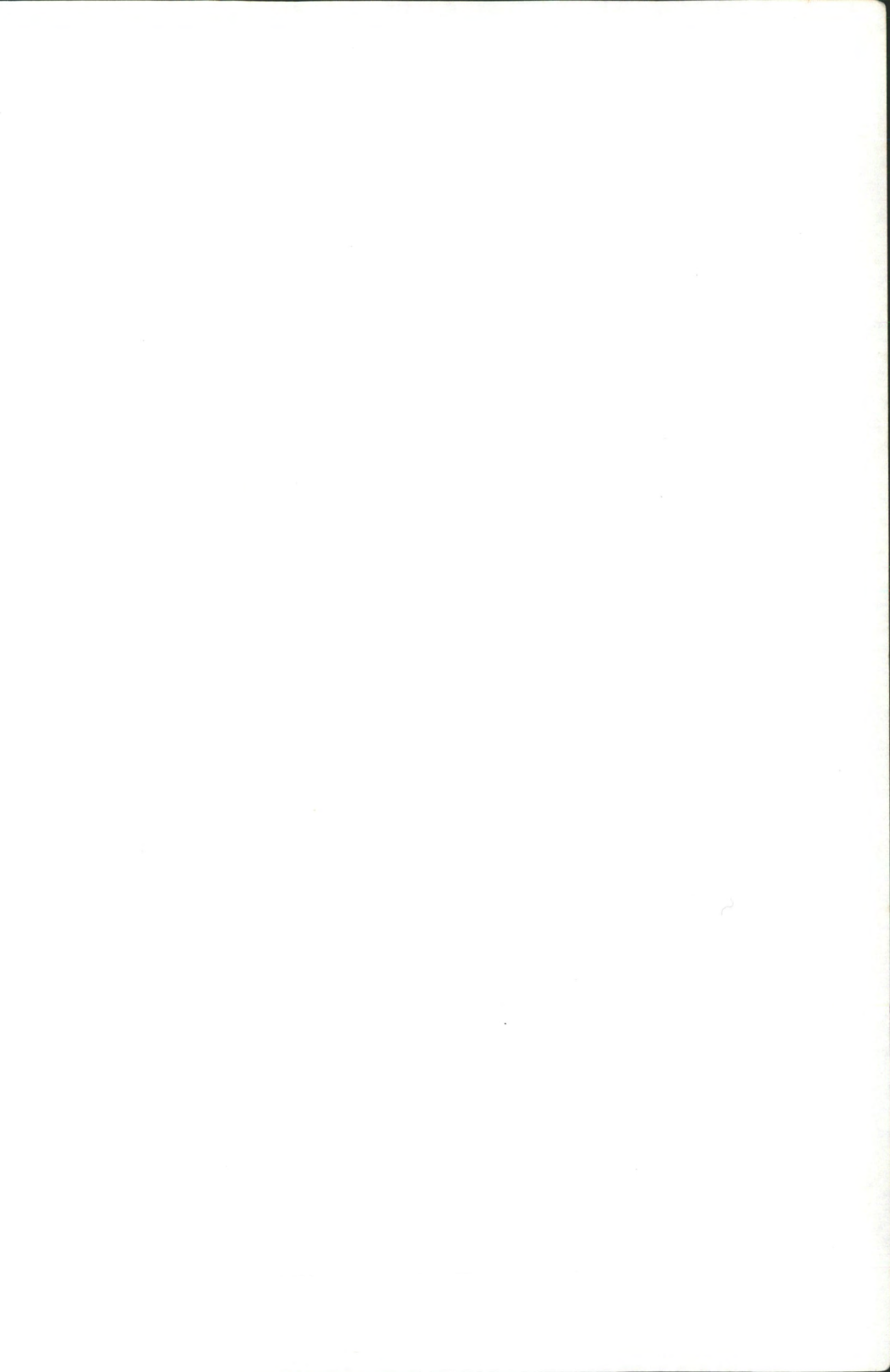
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*Science, Myth and the Adolescent Female:
The Mazengarb Report, the Parker-Hulme Trial,
and the Adoption Act of 1955*

Maureen Molloy

In 1954 New Zealand was rocked by sexual scandals. On 23 and 24 June two sixteen-year-old 'girls', Juliet Hulme and Pauline Parker, were charged with the murder of Parker's mother, Honora Rieper. As the case unfolded to the accompaniment of banner headlines and international press coverage, reports of 'sexual depravity' between the 'girls' became, for many young New Zealanders, the first hint that sexual love between women was even a possibility. In schools close friendships between girls were discouraged and school classes re-organised to separate best friends as the psychiatrist for the prosecution intimated darkly that 'unhealthy friendships' between girls led to murder.¹ In mid-July another scandal hit. In Lower Hutt police picked up a 'child' who had run away from home after an argument with her stepfather. She had spent the weekend in a private home, engaging in sexual 'orgies' with young men. Declaring that she was sick of 'sex, sex, sex', she gave the police names of the young men with whom she had had sexual relations over the past year. As a result of the inquiry which followed, sixty 'children' were charged with offenses ranging from being 'not under proper control', to sexual assault and unlawful sexual connection. On 23 July the government appointed a Special Committee to investigate moral delinquency in the young with Wellington Queen's Counsel Oswald Mazengarb as its chair.

The following year, 1955, without much fanfare, a new Adoption Act was passed. The Act consolidated a number of changes regulating confidentiality or secrecy in the adoption process. As Anne Else has noted, the Act 'was drawn up primarily to deal with ... what most people took the word "adoption" to mean: the

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closed adoption of a young baby by strangers'.² For the next thirty years most adopted children would assume totally new identities, and the rights of parents and children to knowledge of or contact with their biological kin became severely restricted.

These three events are apparently unrelated but they share some common themes. All three are constituted, on a number of levels, by the illegitimacy of adolescent female sexuality. All three in some way problematise motherhood. Finally, all are haunted by a pervasive absence—the absence of men as significant social actors in the constitution of the family and sexuality. Men were indeed present and acting in all these events—as fathers, as lovers, as sexual abusers, as police, as investigators, as researchers, as psychiatrists, doctors, legislators and judges. Yet in the presentation of these events in the press and in legislative investigations men are constructed as absent, tangential, innocent.

This article examines this series of events which took place in New Zealand in the mid-1950s and locates it in the cultural themes and anxieties of the post war period. The cultural anxieties played out in the events of 1954 and 1955 were not the result of an isolated, bizarre and, in hindsight, somewhat embarrassing regression to Victorian values peculiar to New Zealand.³ They were integrally part of the culture of English-speaking countries in the post war era. A Depression, a World War, the threat of nuclear war and unprecedented affluence in the West have been used by American social historians to explain 'the exaggerated domesticity of the 1950s— characterised by a birth rate approximating India's, a declining incidence of divorce, distinct gender divisions, and the determination that marriage and motherhood should define the identity of ... women'.⁴ Exaggerated domesticity was not, of course, confined to America. Helen May has argued that New Zealand's demographic and social patterns were similar to those of America and has linked these patterns to a post-trauma quest for security located in a home life characterised by distinct spheres of activity and influence for men and women.⁵

This 'exaggerated domesticity' was reinforced by a self-confident and newly popularised social science dominated by psychology. John Bowlby, the British psychologist who had made his name studying the effects of wartime evacuation on children, was commissioned by the World Health Organisation after the war

to study the origins of child delinquency. His report, *Maternal Care and Mental Health*, was republished for the popular market in 1953 as *Child Care and the Growth of Love*. These books entrenched 'maternal deprivation theory' — the theory that delinquency and psychiatric problems in children are caused by maternal absence in early childhood.⁶ This was probably the single most influential piece of social research published in the post war period, reprinted six times in the next ten years. Almost as important, and certainly more unsettling at the time, were Alfred Kinsey's best sellers, *Sexual Behaviour in the Human Male* (1948) followed in 1953 by *Sexual Behaviour in the Human Female*. The Kinsey reports chronicled the sexual histories of American men and women married between 1890 and 1945. Despite their dry and technical style (Kinsey was an entomologist) they became instant best-sellers, shocking, informing and titillating their readers with revelations of high incidence of same-sex sexual encounters, abortion and pre-marital sex.

Even as he appeared to support it, Bowlby exposed the contradictions at the heart of 1950s domesticity. The representation of the home as haven was disrupted by a counter-image: it could also be a hothouse for social and personal problems. 'Non-normal families' — those characterised by working mothers, divorce, step-parents, or parents over-indulgent of their own leisure or under-vigilant of their children's — were likely to produce that relatively new social phenomenon and social science industry — the juvenile delinquent. The United Kingdom, the United States, Canada and New South Wales, as well as New Zealand, all had government inquiries into juvenile delinquency and/or indecent publications (including comic books) between 1950 and 1954.

The home as symbol of procreative sexual order also sat uneasily with the sexual variety Kinsey documented. The war had given many young people experience of sex outside marriage including an 'unprecedented opportunity for same-sex erotic choice'.⁷ The post war period reforged and reinforced the link between sexuality and heterosexual marriage. There was a growing emphasis on sexual fulfilment for both partners. Companionate marriage had become the ideal, promulgated by a plethora of advice literature, and a satisfying sex life

for both partners formed its core. The Kinsey reports, with their clinical cataloguing of sexual behaviours and implicit promotion of variety and frequency,⁸ gave scientific credence to the notion that women were capable of profound sexual satisfaction.

However, legitimisation of married women's sexual desires was accompanied by highly ambivalent characterisations of women in the mass media. Gone were the energetic independent women played by the likes of Katherine Hepburn in the 1930s and early 1940s. They were replaced by asexual girls-next-door, such as Doris Day, childish sex kittens, epitomised by Marilyn Monroe, and the destructive and often murderous sexual temptresses of film-noir and Mickey Spillane thrillers. As D'Emilio and Freedman, chroniclers of sexuality in the United States, put it, 'sex appeared as an uncontrollable force that spawned social chaos when its power was let loose'.⁹ Female sexuality, newly legitimated if contained by marriage and motherhood, was simultaneously dangerous outside these boundaries; homosexuality was directly implicated in the communist menace.¹⁰

These themes, although perhaps most fully elaborated in America, were not confined to the big powers. The Moral Rearmament Movement was formed to equip 'the youth of New Zealand and Asia ... with an ideology which will give them a passion and dedication greater than those of Communist China's youth'. The report of MRM's first National University Conference clearly linked sexual standards with national decay:

It is our experience that we become part of the problem of moral confusion and national decadence, of which broken homes and juvenile delinquency are the symptoms, whenever we accept moral standards that are less than absolute.¹¹

Mass media and the popularisation of the social sciences meant that New Zealand was increasingly exposed to the same ideas and cultural problematics as other western nations. The renewed domesticity of the 1950s in New Zealand was reinforced in the popular media by invoking psychology. Popular psychology proliferated. In 1953 and 1954 the *New Zealand Women's Weekly* featured 'The Psychologist's Notebook', a cartoon summary of a case history starting from a problematic relationship with (usually) the mother in childhood, followed by three possible diagnoses.

The *Listener* regularly reviewed books on child rearing by child psychologists. More than that, although there were calls for more attention to be paid to fathering, and regular defenses of working mothers (usually in the form of letters by working mothers) in the media, there is an assumption of the incontrovertible and crucial necessity of mother's constant presence in early childhood. As Jane Lewis has said of Britain 'in the post-war years, Bowlby's ideas seem to have achieved the status of essential truth'.¹²

The Mazengarb Report

These cultural 'problematics' reached a head in New Zealand in mid-1954 when, following the Parker-Hulme murder and the arrest of sixty young people in Lower Hutt, the government set up the Special Committee on Moral Delinquency in Children and Adolescents, known as the Mazengarb Committee. The Special Committee's Order of Reference was:

To inquire into and report upon conditions and influences that tend to undermine standards of sexual morality of children and adolescents in New Zealand, and the extent to which such conditions and influences are operative, and to make recommendations to the Government for positive action by both public and private agencies, or otherwise.¹³

Besides Mazengarb, the Special Committee included Mrs Rhoda Bloodworth, a Justice of the Peace in the Children's Court, Mrs Lucy O'Brien from the Women's Auxiliary to the Inter-Church Council on Public Affairs, Reverend John Somerville, Chairman of the Inter-Church Council on Public Affairs, Mr Francis Stace, the president of the New Zealand Junior Chamber of Commerce, Mr James Leggat, Headmaster of Christchurch Boys High School, and Dr Gordon McLeod, a child psychologist and Director of the Division of Child Hygiene. The report they prepared is 78 pages long and was mailed to every family in New Zealand receiving the family benefit, some 300,000 households. The bulk of the report is devoted to outlining the various causes of sexual delinquency in young people. The Committee certainly could not be accused of narrowness in its determination of causes. It implicates almost all aspects of 'modern life' — from films, comic books, and radio

to new education, self-expression, and materialism. It has been particularly slated for its treatment of women.¹⁴ Working mothers and sexually aggressive 'girls' are singled out as the causes of and instigators of sexual delinquency. One of its more significant outcomes was an amendment to the Police Act prohibiting the selling or giving of information about contraceptives to persons under sixteen years of age.

The Report is particularly notable for the way it was written against the evidence. Presented with statistics which showed that the juvenile delinquency rate in New Zealand had been more or less stable since the end of the war and was thirty percent lower in 1954 than it had been between 1938 and 1946, the Committee concluded, on the basis of no discernable evidence, that the tide of delinquency was only being held back by preventative work done by Child Welfare officers.¹⁵ Despite the fact that the vast majority of young people charged in Lower Hutt were from what one committee member called 'good homes, good surroundings', the Commissioner of Police argued that most delinquents came from 'broken homes'.¹⁶ Halfway through the hearings Mazengarb himself summed up the view which formed the framework of the report:

There would appear to be the old story of the maladjusted girl with possibly a fairly high-grade poor intelligence . . . getting boys, normal boys, emotionally immature, involved; the boys obviously getting fright; the girl responsible for a pocket of boys around her area. Then you have parents going out to golf the whole of Saturday and Sunday, leaving the house completely free . . . I think the explanation probably being the State housing settlement — no older people — the same income group — same type of people — a lot of children all close together?¹⁷

These assumptions framed the pattern of the hearings and pre-empted any conclusions that might have been drawn from the submissions. There are obviously a number of presumptions which might be explored, including ones about class, the impact of state housing and the nature of its inhabitants. However, in this article I want particularly to focus on the construction of adolescent female sexuality, its problematic nature and the assumptions about causality and responsibility which emerge.

The Chain of Corruption I: Seduction

One of the principal struggles within the Committee occurred around the nature of adolescent female sexuality. On one side was Mazengarb, supported in his views by the Senior Sergeant in charge of the Petone police station, who had precipitated the investigation and the publicity, and a number of other officials who made submissions. The scenario presented by these men, solicited from witnesses by Mazengarb, was of 'the girls trapping the boys and being the real offenders'.¹⁸ As one headmaster put it: 'The worst cases we have are girls, and it is quite clear some of them are an absolute menace. They have dragged the boys into this sort of thing'.¹⁹

On the face of it the statistics would support this interpretation of events. Of the sixteen girls charged in Lower Hutt eleven had had multiple sexual partners. Three of these girls, two of whom were just thirteen, had had five to seven sexual partners. In contrast, of the 41 boys charged, 32 had had only one sexual partner while none admitted to having more than three. On some occasions sexual activity took place in private homes when parents were away or under the trees down by the river and involved the girls in sequential sex acts with different young men. The average of the girls' ages was 14.3 years and none had reached sixteen by the time they were charged. The average of the boys' ages was 16.3 years. Half of the 'boys' had left school and were employed in a variety of skilled and unskilled trades.²⁰ The Report pointed specifically to the youth of the offenders and the precocity of the girls as crucial aspects of a new and serious pattern of sexual misbehaviour.²¹

A number of the other committee members attempted to counter Mazengarb's focus on blaming the girl. They were concerned with the issue of previous sexual 'initiation' of the girls. Dr McLeod raised the issue first with C. H. Peek, Superintendent of Child Welfare. He asked Peek:

whether or not these girls who take the initiative with boys have not already themselves been initiated by some much older male? In other words, that a boy of 17 or 18 initiates a girl of around 13 or 14, and that the female psychology being what it is, when once that reserve is broken down in a female she will then go on to where she is the instigator . . .²²

McLeod followed this line of questioning again with Major H. Goffin of the Salvation Army. Major Goffin's response painted a picture of a chain of corruption of innocents:

from what I have heard from our officer in charge of Unmarried Mothers generally I think seduction is from older men rather than young lads in the first instance.

[McLeod] And then when they are seduced by the older men they will go on to corrupting the younger boys?

[Goffin] Very often the initiative comes from girls who have been seduced by the older man.²³

But the particularly problematic interpretation of the chain of corruption came from Miss J. Scotter, principal of the Burwood Girls' Training Centre, an industrial school for delinquent girls:

I would think that a lot of girls have been interfered with in their own homes by their brothers or fathers. I have been surprised at how many coming to us have had that happen to them. It does not even come up before the Courts. The children very rarely tell you. They only tell you as something that is passing. It is not said as something important. They have accepted it as something that does happen.²⁴

A memorandum from a social worker in the Child Welfare Division summarising the case histories of children appearing before the Courts in Auckland over a six-month period as a result of sexual misbehaviour seemed to back up Miss Scotter's observations. Of nine girls charged, four were reported to have been sexually abused by adult men in their own homes over a prolonged period prior to their own offenses.²⁵ A police detective from Auckland reported on a case similar to the Lower Hutt investigation involving a number of young people from an intermediate school in Auckland.²⁶ In this case a number of young girls were found to be engaging in sexual acts with two older men. In a review of cases involving teenage boys charged with sexual offenses in Christchurch over a period of three years, one third involved offenses against girls under the age of ten. The Committee knew that at least one of the girls had been abused. The *Dominion* reported of one of the girls that 'there is no doubt that the trouble really started as a result of her stepfather's conduct towards her when she was younger and that it can all be traced back to him'.²⁷

Despite this pattern, questioning of witnesses to the Committee often took the pattern of Mazengarb querying as to whether it was the witness' experience that it was girls who were the aggressors, leading the boys astray, followed by one of the other committee members asking whether the girls were not more sinned against than sinning. Underlying both positions, however, was a version of female sexuality which saw it as illicit, incipient and dangerous to the girl herself and to society. Even in the case of sexual abuse of young girls by older men the act was described in terms which suggest that harm is done by unleashing female sexuality prematurely rather than in direct harm to the person of the girl. In the hearings there are four terms used repeatedly for what we would now term sexual abuse: initiate; seduce; corrupt; interfere. The last, 'interfere', is surely the most euphemistic, but also, curiously, the only one which suggests a breach of the autonomy of the girl. The other three, 'initiate', 'seduce' and 'corrupt', share a sense of an act which is committed, or is effective, only once. One can only be initiated once, certainly, but in a sense someone can only be corrupted once. Innocence cannot be regained. The corrupted is forever changed. Seduction implicates the seduced as well as the seducer. As Jane Miller argues:

Those who let themselves be led astray ... have only themselves to blame ... The language of seduction spells out the ambiguities within an apparently shared responsibility. The seducer tempts. The one who is seduced yields to temptation.²⁸

None of these terms imply coercion, violence or power. The term used in the report is 'corrupt':

It is unfortunate that in many cases girls, by immodest conduct, have become the leaders in sexual misbehaviour and have in many cases corrupted the boys ... The Committee has not overlooked the fact that the offending girls may themselves have been corrupted by a male in the first place. But the fact remains that four-fifths of the girls involved in the particular cases that prompted this inquiry had an admitted history of prior sexual misconduct.²⁹

Only Mrs Bloodworth, towards the end of the hearings, began to use the language of violence when she argued against blaming the girls because:

the girls themselves were first sinned against and made aware by somebody mistreating them and they then become delinquents, carried on after they had been awakened to their sex instincts. [Had] ... girls ... first of all been in some way assaulted or mistreated in some way by some man, perhaps in their family or home circle?³⁰

However, even this, the most direct assessment of the effects of sexual abuse on young girls, assumes that the damage done is not defined by violence, transgression of the girl's autonomy or abrogation of a trusting relationship, but by the premature awakening of sex instincts.

This view of female sexuality as uncontrollable once awakened was expressed by a range of people. Dr McLeod's views have been quoted above. The Senior Sergeant at Petone defended charging a young man with sexual assault because he had put his hand on his girlfriend's breast outside her clothing:

Although it might appear a bit harsh, the fact remains we consider, or I consider, that it is the commencement of arousing sex passions or emotions of a girl that we want to avoid ... That alone would awaken sex passion which may have a disastrous effect on the girl's conduct from that night onward.³¹

A number of girls, the Committee was told, 'had become masturbators as the result of this unhappy experience'.³²

Two types of girls were seen as particularly at risk from premature awakening of their sexual passions. These were the 'high-grade feeble minded' and the 'mal-adjusted' girl. The former was seen as 'an easy mark for any Johnnie with a motorcycle' and was considered as most at risk of ending up a prostitute. There was much questioning of witnesses as to the intelligence of the girls involved and assessments of the intelligence of both parents and children appear in the police case notes.

Adolescent male sexual activity was conceived of in very different terms. Although there was concern on the part of some committee members and witnesses about boys engaging in sexual activity, including a long discussion on the use of condoms as a focus of bragging and/or arousal, the focus was on the immorality of the behaviour rather than the depravity of the persons involved. Sexual activity was seen to be a normal pursuit for adolescent

males. As the Commissioner of Police put it: 'Of course we all realise the sex urge in boys is probably greater at 16 than at any other stage in their lives. There would be a possibility of their looking for an outlet somewhere'.³³ Mr O'Connor from the Christchurch Psychological Society elaborated on the distinction between girls' and boys' sexuality. Girls' delinquency [for which read sexuality], he informed the committee, was the result of insecurity. On being asked whether this was also the case with boys he responded:

Boys of that age have been inclined to be rather experimenting and satisfying curiosity . . . At some stage or other, even boys that are brought up in a family where there are sisters, where they have an opportunity of looking at their sisters, they will be curious about it and will want to experiment. They will want to find out about them. It does not mean anything in itself from a moral point of view or anything but it is a question of gradually learning the thing about themselves, their bodies, their feelings, and the girls — their bodies and feeling too.³⁴

One committee member equated boys masturbating with girls learning how to put on girdles or 'diapers'. These were normal things which the opposite sex just wouldn't be interested in knowing about.³⁵ Even learned social scientists in speaking about the sexual practices of other cultures used examples involving young men. C. E. Beeby, the Director of Education, used Greek homosexuality and young French boys being initiated by friends of their mothers as examples of sexual practices of which 'we would not approve' but which were or are normal elsewhere.³⁶

This is not to say that the Committee or witnesses, with one or two exceptions, approved of young unmarried males exercising their sexuality. The 'milk-bar cowboys' and 'motorcycle Johnnies' were often rough, insolent, and unrepentant. They 'preyed' on the maladjusted girls and had too much money. Adolescent male sexuality might be normal, but it had to be kept under control or it would lead to a breakdown of the family and the undermining of society. However, sexual acts by young men were not seen, *ipso facto*, as perverse or as a sign of psychological problems. Young boys were apt to be characterised as immature, especially if they repented or showed shame. Those

who did not were apt to be characterised as insolent, arrogant, defiant and surly, rather than maladjusted. Delinquent boys were categorised more by their attitudes than by their behaviour, in particular by their willingness to challenge authority. One of the main complaints made against the young men was that they had too much money (thus independence) and the possibility of compulsory savings plans for people under twenty-one was mooted.

Despite the wealth of material on male sexuality published in the first Kinsey report, adult male sexuality is not discussed in the submissions to the Mazengarb Committee. There is only limited discussion of adult males who have sex with young girls. These men are referred to first as 'perverts' and then as 'unfortunate people' and 'elderly men with a mania for intercourse with young girls' (emphasis mine).³⁷ Evidence from Miss Scotter and the social workers involved in Juvenile Courts that abusers tended to be family or family friends was never explored.

The Chain of Corruption II: Maternal Deprivation

The Committee focused on a much different chain of corruption than that suggested by Miss Scotter—that of the negligent mother. Mothers appear in many guises in the submissions to the Committee—as working mothers, as mothers of broken homes, as mothers who play too much golf or attend too many meetings, who don't educate their children in matters of sex or religion, who don't breast-feed and who are just plain bad, in the same way that their daughters are referred to throughout the hearings as 'these bad girls'. Although unsatisfactory family life or negligent parents are often cited as the cause of delinquency, it is clear that 'parents' often means 'mother'. In a number of instances the elision of terms is explicit, as when Mrs O'Brien asked whether 'In regard to instruction would you say that the parent provided the mother was educated enough is the right one to give sex instruction?'³⁸ In a discussion of the proper audience for sex education films, Dr McLeod offered the opinion that 'One can see the danger in mother and daughter coming along, different educational standards, and the daughter might think "Oh, you knew nothing

about this" to her mother, so it would be better parents on their own'.³⁹ In this context 'parents' referred to mothers only.

In other instances it is just assumed that mothers are the ones responsible and interested in their children's behaviour. 'Mothers want to know the worst' so they have their daughters subjected to examination to see if they are still virgins; one 'mother never had any suspicion' that her daughter was engaging in intercourse on her way home from school. A witness was asked 'Was the mother amazed?' when informed that her daughter was sexually active. Mothers are also held responsible for refusing to prosecute men who interfered with their daughters.

Bowlby's influence was explicit. *Child Care and the Growth of Love* had just been published and was cited far more than any other work by professionals making submissions. The representatives of the Christchurch Psychological Association proposed that emotional maladjustment leading to sexual delinquency derived from lack of breast-feeding.⁴⁰ The Professor of Social Science at the University of Victoria explained Bowlby's findings to the Committee.

[It] comes back over and over again [to] the importance of the early relationship between the children and their mother — father is important too but at the early stages the mother. In the analysis of psychiatric patients — they largely come from homes where one or other parents are missing but the highest percentage comes from the home where the mother was missing.⁴¹

The definition of a 'normal' family with which the Committee worked was set out right at the beginning of the hearings: 'the ordinary mother and father — the father worked and the mother stayed at home'.⁴² In a full employment economy it was hard for a father to fail at his role. It would not be fair, however, to say that fathers are entirely absent from the Mazengarb hearings or report. They do appear and are at times even held accountable for their children's misbehaviour. The role of fathers is specifically addressed in a suggestion that mothers and daughters and fathers and sons could attend sex education lectures. The father's right (authority) to deal himself with his children was also recognised by the police. In two cases, one involving a girl and one a boy, fathers refused to allow their children to be questioned, and proceedings were dropped. The only area in which fathers, specifically, were

posited as delinquent, and this was raised by only one researcher, was with regard to the lack of community spirit and infrastructure in the newly created suburbs:

You get the type arriving home at 6.30 at night—if he had more time he would willingly go out and do a bit of community work, and you get the type who are only too happy to sit back and let the other man do it, and more prevalent I would think in those areas.⁴³

Even those who were most concerned about the fact that young girls were being abused continued to construe delinquency as predicated on maternal inadequacy. When Miss Scotter told the Committee about the high proportion of her charges who had been abused by fathers and brothers she reported that the girls 'are unanimous that the main cause of them being there today is the mothers had far too many meetings to go to and they were not home often enough and long enough to look after their children'.⁴⁴ She added: 'Gradually they come to an acceptance of what their families are. Quite often they know their mothers are bad, but they come to an acceptance of what their mothers are because of what has happened to them in the past'.⁴⁵ The chain of corruption links mother and daughter through maternal absence. There is, of course, a dreadful irony in all this. Most of these girls were molested by friends of the family or relatives. Absent mothers were unable to protect their daughter from abuse in their own homes. 'My uncle/father/brother molested me' is articulated as 'my mother wasn't home'.

The Chain of Corruption III: Maternal Sexuality

The Parker-Hulme murder case was referred to repeatedly during the course of the Mazengarb hearings, and in fact, the Mazengarb hearings occurred at the same time as the trial. It is likely that Sergeant LeFort's decision to publicise the Lower Hutt cases and the decision to set up the Special Committee, despite a recommendation against this course of action by a magistrate asked to report on its advisability, were influenced by the Parker-Hulme case.⁴⁶ The focus on motherhood, and the complementary absence of fathers as significant social actors in the constitution of

the family and sexuality, was evident in the publicity surrounding the Parker-Hulme murder case.⁴⁷ Juliet Hulme had been sent away from home to live with family friends in warm climates as a young child because of her poor health. Similarly Pauline Parker had been hospitalised for osteomyelitis for prolonged periods as a child. Both girls had thus been 'maternally deprived'.

This pattern of maternal deprivation could be linked to the transgressive sexuality of the girls' mothers. Hulme's mother, a marriage counsellor and vice-president of the New Zealand Marriage Guidance Council, was having an affair with one of her former clients who had moved into the Hulme household. Honora Reiper, the murdered woman, had been living in a de facto relationship with Pauline's father for close to twenty years. These women, especially Hilda Hulme whose cross-examination about her extra-marital relationship was widely reported in the press, provided ample evidence of the perils of maternal inadequacy for a public steeped in maternal deprivation theory.⁴⁸ Like their daughters, they transgressed the values which proscribed the expression of female sexuality outside monogamous heterosexual marriage. They could be understood as enacting a moral tale of the chain of corruption which resulted when female sexuality was unleashed from its proper sphere, confirming a connection between maternal absence, uncontrolled sexuality in mother and daughter, and juvenile delinquency.⁴⁹

This link between uncontrolled female sexuality and maternal deprivation also throws some light on the progressive introduction of closed stranger adoption consolidated in the Adoption Act (1955). The Act made the birth parent(s)' consent to adoption irrevocable, introduced a minimum ten-day period before consent could be given and closed access to adoption records. The justification for the irrevocability clause was that unmarried mothers were apt to come looking for their children later 'although not prepared to accept any responsibility for the child in providing shelter and bringing it up'.⁵⁰ The ten-day minimum was adopted, rather than a six-week one, because 'unmarried mothers often get away from the nursing home as soon as they can, and disappear altogether'.⁵¹ The post-partum unwed mother was referred to by one M.P. as a 'nuisance' from which the adoptive parents and the baby were to be protected.

In post-war studies in America and Britain there was an increasing emphasis on the psychopathology of unmarried mothers.⁵² Bowlby himself proposed that 'with many girls, becoming an unwed mother is neurotic and not just accidental. In other cases the girls are chronically maladjusted or defective'.⁵³ Closed stranger adoption provided a break in the chain of corruption for the child and the possibility of wiping out the past for the mother. The mother was returned to a state of innocence: she was to be enabled to 'wipe the slate clean', as if nothing had happened. The child was removed from the influence of a sexually wanton 'girl' and provided with a stable home, a permanently present mother and a supporting father. Women who chose to keep this sign of their unregulated sexuality were characterised as immature or 'maladjusted' girls who put their own emotional needs above their child's best interests. The only way a single mother could 'prove' that she was a good mother was to give her baby to someone else to raise.⁵⁴

The irony is that it was not a mother that the illegitimate child was lacking, but a father. The Adoption Act (1947) had made it no longer necessary to seek authorisation of an unmarried father for adoption of a child. Unwed fathers are not even mentioned in the 1955 Parliamentary debate. The 'putative' father was not present in the literature on illegitimacy and many parents and welfare organisations made sure that he was not advised or involved in the pregnancy or birth.⁵⁵ It is true that many men made themselves absent, breaking off relationships when young women informed them of their pregnancies or refusing to acknowledge paternity. But others were threatened with legal action and forbidden to see either the mother or the child. Anne Else quotes the aphorism 'a stiff prick has no conscience' to argue that the post war sexual script for men 'was built around the idea of the naturally predatory male, always on the lookout for a sexual encounter, regardless of love, affection or any other emotion'.⁵⁶ Although the 'stiff prick' apparently had an autonomous will, it had no body. The male person was effectively absent from the sexual act.

Absent fathers provoked little comment. Before Juliet Hulme went on trial her father Henry left the country, taking with him Juliet's brother. Unlike his wife he was not subpoenaed to appear at the trial and was therefore free to leave the country. He is reported

as saying 'The world will just have to think of me as an unnatural father'.⁵⁷ Yet it could be argued that Henry's absence was a natural, if extreme, example of a social construction of fatherhood which underlay discourses on families in the 1950s.

Conclusion

Fathers were presumed to have little or no impact on the psychic development of the child in the theories popularised in the 1940s and 1950s. Denise Riley has noted that 'the absent father was not an issue in the call for studies of wartime nurseries by Anna Freud, Bowlby and others'.⁵⁸ Melanie Klein was especially influential in dismembering the Freudian triangle of mother-child-father, with its emphasis on resolution of the conflict with the father, and replacing it with the ever-fraught duo of the mother and the child.⁵⁹ Klein argued that the child is perpetually caught in a nexus of greed, anger and guilt which the mother cannot resolve. While Klein herself saw little hope of amelioration of the child's anxieties by maternal activity, the next generation of male theorists, especially Bowlby and Winnicott, emphasised minimising negative consequences for the child by maximising mothering. Denise Riley has argued convincingly that Bowlby-ism was not a plot by the British government, and/or men, to force women back into the home after the war.⁶⁰ Yet it became a hegemonic discourse, defining and confining women in most western English-speaking countries in the early 1950s. If it was not a conscious plot, the question is how can it be understood?

During the two decades from the mid-1940s to the mid-1960s maternal deprivation theory formed the core of a central organising myth in English-speaking countries. Like all myths it 'worked' because it encapsulated both deeply-held beliefs and deeply felt anxieties. Central to the myth were beliefs about the importance of mothers to child-rearing and thence to the future of the nation, and the disruptive nature of female sexuality. Among the anxieties were concerns for a future threatened by the bomb, communism, affluence and materialism—and the disruptive nature of female sexuality. And holding these beliefs and anxieties in a determinate relation to each other was the new

positive social science, epitomised by psychology, which posed itself as the solution.

Belief in the disruptive nature of female sexuality has been convincingly catalogued by feminists as critical to the development of Enlightenment thought.⁶¹ The disembodiment of the male citizen, valuer, knower has been a central theme of feminist critiques of enlightenment theories.⁶² Feminists have argued that in western societies over the last three hundred years elite men have constituted themselves as universal, rational, objective, value-free and not affected by their own bodily being. Women have complementarily been constituted as particularistic, emotional, subjective, and limited by their bodily form and functions. Much of this critique has come out of feminist political theory and philosophy and has focused on how the disembodiment and universalisation of men and the embodiment and sexualisation of women were developed by the 'fathers' of the enlightenment — especially Locke, Hegel and Rousseau.

Riley has argued that the emphasis in social thought on the 'mother-in-the-home' developed towards the end of the nineteenth century as a recuperation of 'women' from their disreputable sexualisation:

If the legacy of the eighteenth century had been an intensification of a naturalised femininity placed firmly in the family, then it's *as if* these very ascriptions were taken on in the nineteenth century, to be wielded as the weapons of women's elevation.⁶³

If we understand the 1950s version of woman as 'mother-in-the-home' as in some sense the zenith of that recuperation, the tension and contradiction between female sexuality and motherhood can be read not as accidental, or specific to the 1950s, but as originary.

The belief that the mother was both central to and principally responsible for child-rearing was not, of course, new. What was new was its authorisation by science and the aggressive popularisation of that science by its practitioners through the media. The scientificity of the theories was precisely what made them so enormously influential and able to be popularised at this time. During the post war period popular media exuded a sentiment, which vacillated between wish and belief, that saw the social sciences, and especially psychology which was deemed to be the

fundamental social science, as providing solutions to the ills of modern society. The Truth of Science was an essential part of the myth. As a psychologist explained in the *New Zealand Women's Weekly*:

psychology, including sociology and anthropology, has three great objectives: (1) to teach people how to learn, which means reading, writing and arithmetic. (2) To teach people to understand themselves better. (3) To teach people through understanding themselves to understand and appreciate others. Thus, I think psychology is the chief hope of the world—the only hope of removing the cause of all conflicts and wars.⁶⁴

Other aspects of the myth merit exploration. The most common interpretation of maternal deprivation theory is that it acted against women by mandating their confinement to the home in the interests of their children. Mothers, especially those who worked outside the home, were therefore the targets of blame for what was seen as a rising tide of juvenile delinquency. Focus on women's maternal obligations also justified keeping women's wages low (so as not to encourage women into the workforce) and exclusion of women from many jobs (on the grounds that they would just leave to have children or would not be able to devote their full attention to the job). Maternal deprivation theory thus bolstered women's economic dependence on men while holding them responsible for many social and psychological problems. It also, as has been demonstrated in this paper, deflected attention away from men's involvement in child sexual abuse and pre-nuptial births.

It is not my contention that this analysis is incorrect. There is certainly overwhelming evidence to suggest that maternal deprivation theory worked against women in precisely these ways. However, like most myths, maternal deprivation theory is multi-layered and lends itself to a number of different interpretations and effects. It is important to recognise that maternal deprivation theory was seen very positively by many women. It conferred on women an importance both in the home and in relation to society that they had seldom been accorded previously. As Elsie Locke put it in an article for the *Listener*: 'In the light of these teachings . . . Mother goes up in the social scale. She puts her shoulders back, lifts her head and looks the experts in the eye'.⁶⁵ Furthermore

it did this by reaffirming the mother's 'natural', 'instinctual' or 'innate' ability to know what was right for her child, an affirmation which stood in marked contrast to previous experts' insistence on strict regimes of feeding and child care: 'All the things we wanted in our hearts to do turn out to be the right thing. That dreadful feeling of having been robbed that overcame us as Nurse bore our babe from the ward after twenty minutes feeding time was right'.⁶⁶ And, as many commentators pointed out, the vast majority of adolescents were not delinquents, thus most mothers could take personal credit for producing healthy, well-balanced citizens.

On the other hand maternal deprivation theory displaced fathers from any significant role in the home. This has been seen as allowing men to avoid responsibility for care of children and undoubtedly that was one of its effects. But it can also be seen as threatening the very basis of male authority and citizenship—that is, the man's ability to govern the members—children and women—of his household. This displacement is even more critical if one accepts Carole Pateman's argument that the control of women's sexuality is fundamental to the founding myths of male democratic citizenship.⁶⁷ The 1950s can be interpreted as an era when the status publicly accorded women in their familial roles reached unprecedented heights. As wives they were seen as capable of and entitled to sexual satisfaction. As mothers they were crucial to the mental health of their children. The father's role, he was told repeatedly by the experts, was to support this relationship, not to interfere in it. More was being demanded of men as husbands while their authority in the home was simultaneously undermined.

These two shifts in women's familial expectations may account for the public preoccupation with adolescent female sexuality in the 1950s. Within popular culture successful child-rearing was linked not only to maternal presence but to sexual containment of women. Child and mother were mutually essential. Women unconstrained by motherhood and children unconstrained by mothering were threats to social order. The sexually active adolescent female was the epitome of both these threats. As a woman she pursued her sexuality outside of patriarchal control. As a child she challenged patriarchal authority. In a period

preoccupied with certainty and security she was a potent symbol of disorder.

* * *

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* * *

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Notes

1. See Julie Glamuzina and Alison J. Laurie, *Parker & Hulme: a Lesbian View* (Bridget Williams Books, Wellington, 1991) for an analytic account of these events and their contemporary interpretations.
2. Anne Else, *A Question of Adoption* (Bridget Williams Books, Wellington, 1991) p. viii.
3. There are three Masters dissertations on the Mazengarb report, all of which analyse it as a moral panic. These are Susan Glazebrook, 'The Mazengarb Report, 1954: Impotent Victorianism', research essay, University of Auckland, 1978; Janet Soler, 'Drifting Towards Moral Chaos: The 1954 Mazengarb Report—a Moral Panic over "Juvenile Delinquency"', MPhil dissertation, Massey University, 1988; and Bernadette Lavelle, '"Youth Without Purpose"? Juvenile Delinquency in New Zealand in the 1950s', MA thesis, University of Otago, 1990. See also Soler's 'That Incredible Document Known as the Mazengarb Report', *Sites*, 19 (1989) pp. 22–32. While this interpretation may be apt, it is important to recognise these events

- as part of an international trend and as representative of their particular time and place.
4. Geoffrey S. Smith, 'Sex, Gender, and the Family in Cold War America', paper presented at the Conference on Marriage and the Family in Western Societies, Carleton University, Ottawa, 1992, p. 1. See also Smith's 'National Security and Personal Isolation: Sex, Gender and Disease in Cold War United States', *International History Review*, 14 (1992) pp. 307–37, and Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (Basic Books, New York, 1988).
 5. Helen May, *Minding Children, Managing Men: Conflict and Compromise in the Lives of Postwar Pakeha Women* (Bridget Williams Books, Wellington, 1992) p. 339.
 6. Bowlby did not invent deprivation theory in these books. He proposed it in an earlier piece, *Forty Juvenile Thieves: Their Character and Home Life*. These ideas developed during the war and were first popularised by Bowlby's colleague Donald Winnicott, a student of Melanie Klein.
 7. Smith, 'Sex, Gender and the Cold War', p. 14.
 8. John D'Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* (Harper & Row, New York, 1986) pp. 270–71.
 9. D'Emilio and Freedman, p. 284.
 10. Smith, 'Sex, Gender and the Cold War', pp. 9–10.
 11. Report from the first National University Conference for Moral Re-Armament, Dunedin, 4–6 February 1954. Papers of the Select Committee on Juvenile Delinquency, LE 1/1955/6 1120a, Folder 1. See Smith, 'National Security and Personal Isolation' for an analysis of the development of these themes in post war America.
 12. Jane Lewis, 'Anxieties About the Family and the Relationships between Parents, Children and the State in Twentieth-Century England', in Martin Richards and Paul Light (eds.), *Children of Social Worlds* (Harvard University Press, Cambridge, Mass., 1986) pp. 31–54.
 13. Report of the Special Committee on Moral Delinquency in Children and Adolescents, *Appendices to the Journals of the House of Representatives* H–47 (1954) p. 10.
 14. Glazebrook; Soler, 'That Incredible Document'.
 15. Report of the Special Committee, p. 16. It is, of course, true that official statistics do not necessarily represent the real rate of juvenile offending. The point here is that the statistics were accepted as 'factual' and an interpretation developed which suited the Committee's alarmist position.

16. New Zealand Special Committee on Moral Delinquency Among Children and Adolescents, Ms Papers 2348, Alexander Turnbull Library, Wellington, Folder 1, p. B4.
17. *ibid.*, Folder 2, p. 4W3.
18. *ibid.*, Folder 1, p. C5.
19. Report of the Special Committee, p. 18.
20. Papers of the Special Committee, Folder 9, police notes.
21. Report of the Special Committee, p. 47.
22. Papers of the Special Committee, Folder 1, p. H1.
23. *ibid.*, Folder 3, pp. 6E1 – 6E2.
24. *ibid.*, Folder 3, p. 6Q5.
25. *ibid.*, Folder 9, memorandum from G. C. Smith.
26. *ibid.*, Folder 9, police case notes.
27. *Dominion*, 15 July 1954. At this time girls could not be prosecuted for engaging in sexual acts while under the age of consent. Their parents could be charged with failure to control and the girl could then be removed from home. All cases involving persons under sixteen years of age were heard in Family Court and details of the cases and names were suppressed. This account comes from a trial of two young men over the age of sixteen. The girl was a witness for the prosecution.
28. Jane Miller, *Seductions: Studies in Reading and Culture* (Virago, London, 1990) p. 23.
29. Report of the Special Committee, p. 18.
30. Papers of the Special Committee, Folder 3, p. 7N1.
31. *ibid.*, Folder 1, p. 3A2.
32. *ibid.*, Folder 1, p. 2Z2.
33. *ibid.*, Folder 1, p. B6.
34. *ibid.*, Folder 3, p. 5U5.
35. *ibid.*, Folder 2, p. 3W2.
36. *ibid.*, Folder 1, p. 2A2. The Greeks, in fact, got a lot of press, as did the Samoans. Professor Minn, the Professor of Social Science at Victoria University, was perturbed by the degree of organisation: '[I]t does seem so terribly organised. It seems to be almost something like a Samoan Youth Club ... it does not fit in with our particular culture. I am not criticising the Samoan. They grow up. It is a different way of living and in the end it turns out all right. But our own particular culture has not been built up in that way. Our cultures have been built up on the fact that by and large people avoid too much sex play too early and that is our particular pattern'. Folder 2, p. 4V4.
37. Papers of the Special Committee, Folder 8, p. 5.

38. *ibid.*, Folder 1, p. 2E1.
39. *ibid.*, Folder 1, p. 2D1.
40. *ibid.*, Folder 3, p. 5V1.
41. *ibid.*, Folder 2, p. 4V3.
42. *ibid.*, Folder 1, p. V2.
43. *ibid.*, Folder 1, p. T2.
44. *ibid.*, Folder 3, p. 6Q2.
45. *ibid.*, Folder 3, p. 6R3.
46. This is speculation on my part based on the sequence of events, the constant referrals to the trial in the Mazengarb hearings and the fact that 'outbreaks of juvenile immorality' were not a new form of juvenile misbehaviour but had featured regularly in the press since at least 1932.
47. Information on the Parker-Hulme murder is drawn from Glamuzina and Laurie, *Parker & Hulme*.
48. Glamuzina and Laurie emphasise the difficult relationship which both girls had with their mothers. They are uncritical of the assumptions that these relationships, and especially Juliet Hulme's separations from her family, were at the root of the girls' problems.
49. Cf. Glamuzina and Laurie.
50. New Zealand Parliamentary Debates Vol. 307 (1955) p. 3355.
51. *ibid.*, p. 3352.
52. Martine Spensky, 'Producers of Legitimacy: Homes for Unmarried Mothers in the 1950s', in Carol Smart (ed.), *Regulating Motherhood: Historical Essays on Marriage, Motherhood and Sexuality* (Routledge, London and New York, 1992) pp. 100–118.
53. Bowlby, cited in Spensky, p. 108.
54. Else, pp. 26–8.
55. *ibid.*, pp. 14–22.
56. *ibid.*, p. 15.
57. Glamuzina and Laurie, p. 86.
58. Denise Riley, *War in the Nursery: Theories of the Child and Mother* (Virago, London, 1983) p. 114.
59. For a review of the lives and theories of these mothers of psychoanalysis see J. Sayers, *Mothering Psychoanalysis* (Hamish Hamilton, London, 1991). For the impact of their work see Denise Riley, *War in the Nursery*.
60. Riley, *War in the Nursery*.
61. Carole Pateman, *The Disorder of Women: Democracy, Feminism and Political Theory* (Cambridge, Polity Press, 1988); *The Sexual Contract*, (Stanford University Press, Stanford, 1988); Denise Riley, *Am I That*

- Name? Feminism and the Category of 'Women' in History* (MacMillan, London, 1988).
62. For a review of these ideas see Seyla Benhabib and Drucilla Cornell (eds.), *Feminism as Critique* (Polity Press, Cambridge, 1987).
 63. Riley, *Am I That Name?*, p. 46.
 64. Albert Edward Wiggam, DSc., 'Let's Read Your Mind', *New Zealand Women's Weekly*, 26 August 1954. This was a regular feature, replacing 'The Psychologist's Notebook', in which four questions about the human psyche were posed and then answered.
 65. Elsie Locke, 'Mother Steps Down', *Listener*, 11 September 1953.
 66. *ibid.*
 67. Pateman, *The Sexual Contract*.

*'Unlearning Our Privilege As Our Loss':
Postcolonial Writing and Textual Production*

Lynne Alice

I began this paper after editing a book of feminist responses to religion in Aotearoa. The book included some short pieces by a Maori woman I met at the 1990 Women's Studies Association Conference at Rotorua. Nanny Noa Nicholson's presence and her stories prompted me to ponder my editing assumptions.¹ This paper is an account of a sojourn into postcolonial writing and criticism in order to clarify the cultural politics of the text I had guided to publication.

Through 1991 I edited Nanny's stories. She and Bim Ngaire, another contributor who interviewed her, insisted that I choose the stories to be included.² The complex symbolic structures of Nanny's Maori-English taught me about the subtleties of developing cultural sensitivity and a lot about how the concept of 'meaning' is itself Eurocentric. The warmth of the stories with their crisply wise edges offered another way of seeing, and defied my usual preoccupations with accurate grammar and transparent meanings. Their orality defied the familiar contests over meaning in European literary conventions, between writer, reader and language. Nanny's stories exemplified the tendency of oral storytelling to mirror social context in ways that enable both 'writer' and 'reader' to participate in piecing together a range of possible meanings. Salman Rushdie has described this as like listening to a street story teller:

An oral narrative does not go from the beginning to the middle to the end of the story. It goes in great swoops, it goes in spirals or in loops, it every so often reiterates something that happened earlier to remind you, and then takes you off again, sometimes summarises itself, it frequently digresses

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off into something that the story teller appears just to have thought of, then it comes back to the main thrust of the narrative.³

Nanny told stories about growing up speaking Maori and of not going to 'Pakeha school' very often. She talked about paddling in the leaky waka with her aunties to net eels, protected by daily karakia. She told stories about raising children who wanted to live in more Pakeha ways. Her stories reflected the complexity of her life. She offered a karakia about women's spiritual identity originating with the archetypal earth mother, and talked about teaching Maori to her mokopuna and her peers — 'I am Te Reo Maori', she told me, with a laugh. I would sit for hours poised over a few of Nanny's lines that defied my Pakeha imagination and sense of grammar. Eventually I learned to sit back and allow images extra to Nanny's words to ease me into her meanings. Often they intersected images from my childhood, Maori friends, the contrasts of our parenting and some of the ways in which we were treated differently at school.

As I read Bim Ngairé's transcripts of Nanny's stories I thought about my working-class mother, and the lives of other Pakeha women recounted in the book, who were growing up at that time also. Their lives paralleled Nanny's, but remained culturally separate. Shared cultural heritages offer no guarantee that the differences upon which 'biculturalism' or 'multiculturalism' rest, will be valued. As well as respecting difference it is necessary for Pakeha to recognise that it is the hegemony of Pakeha culture that has constructed these ideals of ethnic pluralism. An appreciation of cultural difference has to be also a recognition of Pakeha privilege, and in this sense Spivak's claim that we need to 'unlearn our privilege as our loss' resonated powerfully.⁴ I understand Spivak's words to suggest that in privilege is loss, or lack, and the richness of the stories told by Nanny and Bim exemplified this. The inclusion of Maori women's voices and their contemporary focus on women's roles as nurturers and wisdom figures seemed at once obvious and important, but to simply 'add in' Nanny's stories would just authorise the book as culturally sensitive whilst leaving its frameworks unassailed.

For a time several Maori women had expressed interest in contributing. In the end three Maori women wrote seven of the

dozen contributions. Early on I asked myself why Nanny seemed so important to the book. Was I using her contribution, as an older, wiser, culturally different voice to legitimate the diversity of stories? I wanted a selection that reflected what I saw as the complex cultural identities of feminists in Aotearoa. In part, this grew out of my feminist politics which, from the seventies onwards, focused on growing into a cultural awareness in which relations of race and gender are central. Alongside this was a personal understanding of the contradictions of my own subject position.

My family connections with Maori mediate how I participate in Pakeha feminist politics, when the challenge to honour the Treaty and acknowledge Maori as tangata whenua remains an issue. Debbie Jones has written about the difficult development of Pakeha feminist anti-racism awareness into wider analyses of colonialism and the right of tino rangatiratanga.⁵ Working in Australia my understanding of 'difference' has been fostered by the immense cultural gaps between Aotearoa and its nearest neighbour, and more by the curious tendency amongst Euro-Australian feminists to ignore the writings and orality of Aboriginal women about cultural difference in favour of 'academic' postcolonial criticism by 'third world women' — Trinh Minh-Ha, Chandra Mohanty and Gayatri Spivak in particular. The editing of *Beginning With Ourselves* foregrounded Maori women as tangata whenua and the chapters were ordered to give prominence to the Maori contributors. I have since asked myself to what extent these authorial decisions might be described as postcolonial practice and whether postcolonial theory is at all useful to elucidate the tensions in the book, given that the term 'postcolonialism' can be taken too glibly to assert the end of imperialism and the heralding of a new order of relations between the previously colonised and colonising. It is not an accident that 'postcolonialism' lacks currency in Aboriginal activism and there is no equivalent word in Maori; the situation of these indigenous peoples differs greatly from that of diasporic intellectuals living in the West.

The concept of postcolonialism as it has developed in literary theory sits uneasily with prevailing concerns in the sociology of race and ethnicity. These focus on the unequal power relations surrounding identity and self determination in countries with ongoing immigration practices. It is unclear whether and how

the ideal of postcolonial identities accomplished by the 'formerly' colonised and colonisers together can be achieved in multicultural or bicultural societies.⁶ In the light of the fact that three-quarters of the world's population continues to experience the political economies of colonialism and their encodings in culture, it is important to clarify what is meant by 'postcolonialism'.

Generally 'postcolonial' is understood to refer to the period following the departure of colonisers or the relinquishing of imperial rule. 'Postcolonial' typically refers to the experience of colonised and colonisers from the time of initial impact to the present and asserts that there is not necessarily an easy continuity between pre- and post-contact periods. A relationship is assumed between the imperialist politics of previous centuries and the ways culture and society have been subsequently constituted. Postcolonial writing foregrounds a tension between imperialist cultural hegemony and the experience of colonised, indigenous peoples. This tension masks a necessary relationship between colonised and settlers and it is argued, problematically as I will show, that after initial impact each group can only achieve identity in relation to the other. Postcolonial theory, authored by colonisers, has been slow to see that this is an erasure of any chance of self determination by indigenous peoples.

Beyond geographic differences and regional variations, the dynamic movement between margin and centre which is the focus of postcolonial writing, is used to argue the possibility of 'indigenising' postcolonial cultures. In Aotearoa some Pakeha writers, activists and academics of these later generations have incorporated in their works indigenous themes, both as identity markers and as distinctive areas of inquiry.⁷ However, where indigenous people have not yet been able to realise their own visions of self determination, indigenisation seems more like cultural appropriation than an attempt to actualise one's forebears' dreams of escaping from poverty to a 'new world'. For many postcolonial critics, the ennui of 'not being able to go home' alongside a recognition of indigenous peoples as *tangata whenua* culminates in wanting to articulate the estrangement of continuing to benefit from an imperial history.

There can be no denying the ongoing cultural hegemony of Pakeha colonisation. It has inalterably changed some aspects of

taha Maori, and because of this the concept and political contexts of postcolonialism must be viewed with some caution and made to explicate the power relations that constitute the 'discursive events' that are its texts. This 'extra-textual practice' must be foregrounded in postcolonial theory to forestall its tendency to mask the interests of the very groups it seeks to 'voice', those whose cultures have been most affected by colonialism.

Feminism and postcolonialism

Feminism and postcolonialism meet in the notion that women share with colonised peoples the dilemma of having to articulate experience in the language of their oppressors. Metaphorically colonised and alienated from the imperium, women arguably share with colonised peoples the otherness of being culturally silenced and politically excluded. The insistence in feminist theory that deconstructive strategies be linked in praxis with concepts of subjectivity that ensure 'agency' and are empowering, parallels similar themes in postcolonial writing. Both feminism and postcolonialism focus on the possibility of significant hegemonic shifts in discourse and in society.

Within western feminist theory an insistence upon viewing race, gender and class oppressions as interlocking and inseparable emerged largely in response to the challenges of marginalised women — women of colour, lesbians and working class women. Audre Lorde's 'Open Letter to Mary Daly' criticised the latter's account of 'third world' women as the work of women of colour being ghettoised by a white woman dealing only out of a patriarchal western-European frame of reference.⁸ Her criticism pointed out that although the increasing popularity of 'difference' as a subversion of the patriarchal bases of literary practice has become central to both feminist theory and postcolonial criticism, it often coexists with a reproduction of exclusionary discourses. For Gayatri Spivak the issue is whether it is possible for the muted colonised (or female) subject to have a speaking position at all. Her view is that deconstruction of the Eurocentric nature of meaning will not necessarily defeat exclusionary practices. She argues that after the binary structures of discourse are unsettled, the social and

political institutions of racism and sexism remain and 'there is no space from which the sexed subaltern subject can speak' that is not already mediated by phallogocentrism.⁹ Spivak's rather gloomy conclusion resonated when Nanny responded with a mixture of amusement and horror to my editing her Maori-English into complete, grammatical sentences. Spivak seems not to allow that disruptions such as the use of hybridised English, and indigenous concepts, languages and histories, could make space for the colonised to speak—from a position that retains authenticity of cultural experience while critiquing colonising discourse.¹⁰ Such strategies remain problematic in a text edited by a Pakeha feminist and can be, at best, a preliminary step towards the greater acceptance of English in different voices.

A recent article by Margaret Somerville raises some other pertinent issues about how the editorial role is central to 'the process of constructing a written text'.¹¹ Margaret's 'collaborative methodology' situates her as the writer and Patsy Cohen, the Aboriginal woman with whom she collaborated, as the speaker. Patsy initiated the research because she discovered during her university studies that there was no available information about 'her place or her people'. Margaret was initially reluctant to pursue research into Aboriginal women's lives because she feared she would impose her own cultural presumptions on the women's words. After a negotiating period Margaret writes:

We began with a process of dialogue in which we recorded our early conversations about the research and through a progressive refinement from conversation to conversation I came to an understanding of Patsy's meanings. Once we had recorded each dialogue I could go back and examine the meanings more closely to try to understand Patsy's world from her point of view and then in the next conversation I could clarify my understanding further. For me it involved not taking meanings for granted, making the familiar strange.¹²

Somerville likens her position in the project to listening for 'the sounds of my mother's voice, for a broader female heritage and for the stories the Aboriginal people brought to me'.¹³ Her comment echoes Alice Walker's essay 'In Search of Our Mother's Gardens',¹⁴ but there is also a hint of universalising women's experience. She says that she 'aligned herself with the female voice'

in an auto/biographical¹⁵ writing process that is both a reclaiming of female metaphors and a deconstruction of gender duality. Margaret's concern was to negotiate 'the ideology of essentialist selfhood' and the ways that phallogocentric practices exclude the possibility of an authentic female voice. Following the lead of Sidonie Smith, she asserts that when the indigenous woman is able to speak in her own voice from the margins, she 'resists participation in the fictions at the centre of the culture, including the fictions of man and woman'.¹⁶

Margaret Somerville claims the writing experience she has participated in with Aboriginal women has voiced and made central authentic and different female experiences in ways that may offer 'alternative narratives of resistance to white Australian women'. Patsy Cohen's recounting of stories in *Ingelba and the Five Black Matriarchs* has shown Margaret Somerville that her fear that she would impose Euro-Australian gender categories on the text was unfounded because the Aboriginal women were operating outside that gender framework. For these women 'gender was not a structuring category of thought'. Margaret comments that Patsy Cohen's storytelling simultaneously asserted the importance of the public status and motherhood contributions of Aboriginal women, and moved Patsy from the margins of both text and social position to the central position of naming experience. Although Margaret does not say so, this movement from the margins is an outcome of the transition to a written tradition from the orality of aboriginal culture and one that raises again the problem of the Eurocentric nature of 'meaning'. The editing practices of Margaret Somerville and myself mediate the life experiences of Patsy Cohen and Nanny Nicholson into a 'publishable' form acceptable to educated postcolonial readers. They reshape the spiralling, repetitive and sometimes 'hybrid' English of the oral tradition to conform with the linear forms and semantic conventions of 'publishable' Euro-English. In *Beginning With Ourselves* this mediation remains problematic despite the strength of Nanny's distinctive voice. The collaborative methodology that produced *Ingelba and the Five Black Matriarchs*, allows the stories to overlap, intersecting and amplifying one another, more effectively eluding the hegemony of English.

According to Margaret Somerville, in this textual movement from margin to centre, 'gender loses its discriminatory power'. Her formulation begs the question of the constraining and enabling relationship between discourse and society. When an editorial practice creates new narratives by shifting the speaking position from the margins to the centre, it is both challenging genre conventions and reflecting social change beyond the text.¹⁷ This tension in the extratextual politics of postcolonialism is perhaps nowhere more apparent than in the difficulty of getting ethnic voices published in their own languages, hybridised English and varying narrative forms. While it is important that marginalised women's voices are heard and published, this is only one step towards their recognition and validation outside literary circles. Mudrooroo Narogin argues that Euro-Australian writers who have recounted 'Aboriginal lives' have used European biographical forms that obscure rather than illuminate the complexity of Aboriginal identities.¹⁸ He asserts that there should be as little editorial intervention as possible in recounting Aboriginal lives and where Aboriginal writers are able, they will assume a collective rather than individualistic stance and will inevitably expand traditional European genres by incorporating a political viewpoint. Narogin's claim that textuality and social experiences are foregrounded in indigenous writing as a negotiation of fields of enabling constraints suggests that 'difference' is not simply oppositional but multiple and contradictory.

Versions of difference

Margaret Somerville's analysis moves between these two versions of 'difference'. Her emphasis on the similarities of some aspects of the life stories of women from a culture unlike her own erases the differences between herself as a Euro-Australian and the Aboriginal women in her project. Her reference to Alice Walker's invocation of the commonality of our foremothers' experiences is persuasive but it is also part of her personal project to understand her identity 'in the Australian landscape'. She comments that the harsh desert of the Northern Territory alienated her. After living with Aboriginal women for several years,

she decided that it was in interaction with them that she could find a sense of belonging. Her assumption of a commonality of gendered experiences endorses her research methodology but also universalises women's experience as a range of identifiable commonalities shared by women in different cultures. Although this kind of essentialism can be used strategically, as a notion of 'difference' it ignores the classed and racialised nature of gender in indigenous women's lives and slips into homogenising all women as similarly oppressed and marginalised. Her desire for a sense of belonging contrasts with Canadian Dennis Lee's statement:

Try to speak the words of your home and you will discover — if you are a colonial — that you do not know them ... To speak unreflectingly in a colony then, is to use words that speak only alien space. To reflect is to fall silent, discovering that your authentic space does not have words. And to reflect further is to recognise that you and your people do not in fact have a privileged authentic space just waiting for words; you are among other things, the people who have made an alien inauthenticity their own. You are left chafing at the inarticulacy of a native space which may not exist ...

Lee suggests that the homelessness of postcolonial subjects can be resolved by not trying to 'fake a space of our own and write it up, but rather to find words for our space-lessness'.¹⁹

When I stated that Margaret Somerville has sacrificed difference for an emphasis on the commonality of female experiences, I was afraid that this criticism might seem like drawing the lines of difference so tightly that there is no chance of exchange, of moving between and beyond oppositional positions, which is how I image the idea of 'space-lessness' in Dennis Lee's comments. This is what Margaret and I in our editorial roles, have attempted and probably both believe we have to some extent achieved. Towards the end of Margaret Somerville's paper 'difference' is expanded to incorporate an open-endedness that resists the linear, singular sense of difference that sets the hegemonic centre against an 'Other':

Our two basic speaking positions, that of reclaiming the female and of speaking from outside fixed gender categories,

appear to be in some fundamental sense contradictory. They can however, through the use of multiple voices be located within one text. Once I had abandoned the notion of the creation of an 'other' with myself as ghost writer, the use of multiple voices became a necessity. ... In constructing this text I became the weaver, stitching in my writing voice with Patsy's stories, with all the other speaking voices, with other writings, photographs old and new, into a fabric which brings for a time the multiplicity together. The text itself poses no resolution of a single familiar narrative structure. It offers instead a vision of the possibility of new discourses of the self for both white and black women emerging from the overlaying of multiple ways of being.²⁰

Feminists often fear that 'difference' will lead inevitably to divisiveness and a lack of political will. However, the conflating of differences is a colonising habit that denies the plurality of women's identities and thus obscures the 'irreconcilable contradictions' of the subject of feminism which is produced by the 'master's tools'. When 'difference' is simply constructed as 'difference from' the discursive process of rendering women of colour as 'other' simultaneously constructs the western feminist subject as central. As a result, what we can relate to and value about differences between and in women's lives becomes limited. This construction of 'otherness' is compounded in the 'lie of global sisterhood'²¹ because of the difficulty in mainstreaming the discourses of women of colour.²² It is particularly disturbing that theories of 'women's experience' written by western feminists often fail to refer to accounts 'marginalised' women give of their lives. Audre Lorde's example of how her cultural identity has been constructed conveys a more complex notion of 'difference' than is often seen in the writings of more 'mainstream' feminists:

Being women together was not enough. We were different.
Being gay girls together was not enough. We were different.
Being Black together was not enough. We were different.
Being Black dykes together was not enough ... We were different ... It was awhile before we came to realise that our place was the very house of difference, rather than the security of any one particular difference.²³

On not undermining our own speaking positions

In avoiding the reproduction of colonialist discourse that 'speaks for' and represents life experiences different from our own, we must somehow also avoid undermining our own speaking positions. It is not at all useful to lapse into cultural relativism, where each woman speaks for herself and everyone is authoritative. Donna Haraway has commented that such relativism is to be nowhere while simultaneously claiming to be everywhere, a convenience only when shirking political responsibilities and avoiding the need for critical analyses.²⁴

Recognition of this need to avoid the oppositional move without erasing the differences between self-identified speaking positions raises two issues. Firstly, it is impossible to avoid the construction of any 'other' as autonomous and self-determining while 'difference' assumes a fixed referent that is both authoritative and unitary. Secondly, if 'difference' can be constructed with multiplicity and contradictoriness as its referent then western feminists must interrogate the fixity of our own positions as 'women', 'western' and 'white' continually and with vigilance, both textually and extra-textually in our community involvements. In the words of bell hooks:

Women do not need to eradicate difference to feel solidarity. We do not need to share common oppression to fight equally to end oppression. We do not need anti-male sentiments to bond us together, so great is the wealth of experience, culture, and ideas we have to share with one another. We can be sisters united by shared interests and beliefs, united in our appreciation for diversity, united in our struggle to end sexist oppression, united in political solidarity.²⁵

Refusing to exclude cultural diversity means that colonialism and systematic institutional racism must be acknowledged as mediators of everyday and feminist discourses. A feminist politics must acknowledge the unequal power relations implicit in identity politics. Central to this is a refusal to deny the complexities inherent in individual positions, and an openness to negotiating our identifications. Dorinne Kondo's notion that individuals craft themselves 'in the plural' rather than as unitary selves is useful for a postcolonial textual practice.²⁶ She offers an image of creative

identity, arguing that individual agency is shaped by the continual negotiation of specific power relations. A postcolonial critic might add that an extratextual practice would foreground an openness to learning from the insights of different cultural heritages without appropriating them, as part of the negotiation of identities.

Sometimes when western feminists have accepted the challenge to include examples of difference in our analyses, we often hang around, as Trinh Minh-ha puts it, like 'American tourists looking for a change of scenery'.²⁷ Women of colour are then prevailed upon to supply the examples, deliver culturally correct observations and expound on how they want to be understood. At centre this is an 'add difference and stir' approach, little different from the seventies liberal humanist responses to androcentric discourses. It is an information retrieval exercise in which the consumers remain in control of the use of their 'commodities'. We remain unchanged, our authorial positions unassailed, while the marginalised wait to be fitted into the programme, to be allowed to speak. Trinh Minh-Ha describes this role of 'native informant':

Now, I am not only given permission to open up and talk, I am also encouraged to express my difference. My audience expects and demands it; otherwise people would feel as if they had been cheated: We did not come to hear a Third World member speak about the First(?) World, We came to listen to that voice of difference likely to bring us *what we can't have* and to divert us from the monotony of sameness. . . . No uprooted person is invited to participate in this 'special' wo/man's issue unless she/he 'makes up' her/his mind and paints her/himself thick with authenticity. Eager not to disappoint, i try my best to offer my benefactors and benefactresses what they most anxiously yearn for: the possibility of a difference, yet a difference or an otherness that will not go so far as to question the foundation of their beings and makings.²⁸

The critical issue here is the extent to which feminists with cultural 'privileges' are prepared to move from an acceptance of difference to a self-conscious displacing of our fixedly individual identities, into multiple ways of knowing and identifying. Gayatri Spivak asserts that the process of 'unlearning our privilege as our

loss'²⁹ involves learning 'to stop feeling privileged as a woman'³⁰ in order to de-centre universalist and unitary bases of white western identity construction. The political efficacy of regarding privilege as a 'loss' or lack, is difficult for some feminists. Viewing 'privilege' as a gendered product of a phallogocentric social order has meant that highly achieving feminists are often regarded as standard-bearers rather than having joined the ranks of the oppressors. Yet some women continue to be marginalised by feminists with influence and the indiscriminate replication of hegemonic values in some feminist discourses remains an issue in theorising about cultural identity. For example, the tendency of a conservative 'feminist' morality to surface and align itself with a fundamentalist censorship of sexuality has inhibited the proliferation of lesbian erotica, 'radical heterosexuality'³¹ and the acceptance of safer sex practices as enjoyable. In western feminist theory, rejection of the slogan 'women are everywhere oppressed by men' in favour of recognising differences of experience and cultural identities, sits uneasily with an essentialising move that asserts gender as a more basic and universal social category than 'race'.

Western feminists can learn from historical studies and even popular fiction about Afro-American slave women, not only about how race relations shape class relations but also about how 'race' as a signifier constructs meanings around the construction of gender. Afro-American women experienced slavery differently from their men, but they also experienced being female differently from their white female 'masters'. The struggle of Afro-American women for rights of citizenship and access to goods and services bears the stamp of the specific ways in which gender intersects with race and class. The story is told of Sojourner Truth baring her breasts to an audience who refused to believe, on the basis of what she was saying, that she was a woman. 'Race' both helped construct and fragment the gendered experiences of slaves. Both inside and outside the particular historical context of the United States the racialising of gender remains integrally linked to the construction of identity and social class.³²

The same legal system that sanctioned and protected white women's bodies and reinforced the general idealising of mothering, expropriated black women's bodies and denied them not only rights to their bodies and sexuality but also the children

they gave birth to. For the foremothers of Afro-American feminism, and for their feminist daughters today, gender has an inescapably racialised meaning. The experience of slavery provided the grounding for the social construction of 'race'. This is paralleled by the experiences of colonised indigenous peoples in the Pacific and Melanesia. 'Race' has become the signifier of the master/slave and colonised/coloniser relationship and has become the paradigm of class relations. For Sojourner Truth gender had race meanings—to express her rights as a woman was to express her difference as a black slave.

Complex discursive and social locations

A refusal to essentialise our positions must also be a recognition of our complex discursive and social locations within the dialogic of margin and centre. It was a consciousness of the complex and reflexive relations of social processes and texts that encouraged me to articulate the textual politics of my book. In the introduction to *Beginning with Ourselves* I wrote:

It has to be said that I accepted the responsibility of selecting which of Nanny's stories would be included in the book without initially appreciating either the privilege or the difficulty of the task. Nanny's excellent humour and Bim's compassion has nurtured me throughout and I am grateful for the opportunity I've had, amidst confusion and tears, to understand more of my rich heritage.³³

I took responsibility for the text as an acknowledgment of my power as a Pakeha feminist, academic editor in relation to the marginalised positions of older, Maori educated women for whom English is a second language. Despite the undeniable cultural centrality of my position I wanted to be able to assert, within the book as I do extratextually, that Nanny's contribution was crucial because of how she and the other Maori contributors reflected the complex cultural identities of women in Aotearoa, both Maori and Pakeha.

In *Beginning With Ourselves*, I took up bell hooks' challenge to experiment with culturally different codes, as an invitation to listen and learn from Nanny's life in much the same way

that Margaret Somerville images in the weaving and stitching metaphor. Nanny corrected drafts and added in sections to make the text communicate more clearly and broadly. At the beginning of the project Nanny advised me that I was to select which of her stories were to be included and decide how she would be named in the book. This was an expression of trust and an implicit reminder of the need to think through my relationship to the stories because they situated different understandings of identity within the text. During the editing, my mother died, and this experience heightened the sense of how intricately interwoven were my past and present, race, class and gender locatedness with the women inside and outside the text.³⁴ During a phone-call between Dannevirke and Perth, Nanny affirmed my Maori great grandmother's family as one she knew well. Although my mother's family had quietly resisted incorporating the extended family my great grandfather had remarried, for Nanny they were present as my 'whanau', anyway. Towards the end of the editing, after a series of these kinds of experiences, I felt that my position in the cultural politics of the book was not as singular as before. The textual practices implicit in postcolonial thinking had begun to reshape and enrich a sense of identity made complex by family history, involvement in anti-racism protests and a belief in the legitimacy of tino rangatiratanga.

The image of Keri Hulme, writer of *The Bone People*, kept springing to mind during the editing process. Andrea Stretton is interviewing her on a 1991 edition of the SBS programme, *The Book Show*. Asked why there are so many Maori words in her story when it doesn't seem to be centrally about Maori characters, Keri answers to the effect that most Pakeha know a lot of Maori although they probably cannot speak the language fluently. She says that Maori stands alongside English as an 'official' language and has become—in phrases, place names and some interactive concepts—quite familiar to Pakeha. Watching Andrea's reply, I was reminded of the scant reference to 'Maoris' in *The Empire Writes Back: Theory and Practices in Post-colonial Literatures*.³⁵ Its editors note that the persistence of Maori language usage challenges the hegemony of English in ways similar to other diglossic cultures in Africa and India. They comment that Maori writers of English like Witi Ihimaera and Patricia Grace can potentially 'influence the

discourse of New Zealand literature' in ways that are more effective than for example, Pakeha attempts to incorporate Maori concepts in their writing.³⁶ This comment exemplifies a dominance of the oppositional stance underlying postcolonial theory. It is a reluctance to move beyond the positioning of coloniser and colonised. It fails to acknowledge that some postcolonial writing in Aotearoa indigenises cultural identity as an expression of the 'space-lessness' mentioned earlier. The word 'postcolonial' itself assumes a relationship with imperialism and often perpetuates this in its critique of phallogentrism/ethnocentrism by being highly selective about how it exemplifies an indigenous voice. In my experience of Australia it is common for Euro-Australian feminists to be experts on Aboriginal women's writing and for conference discussion panels on postcolonialism to not include indigenous women and to offer a litany of references to Chandra Mohanty, Trinh Minh-Ha and Gayatri Spivak. The tension was captured by Bobbi Sykes at the recent 'Postcolonial Fictions' Conference in Fremantle:

Postcolonial ..? What!
Did I miss something?
Have they gone?

...

Postcolonial fiction — a colonial fact.³⁷

Keri Hulme's reply to Andrea Stretton contains a sense of the cultural openness that I understand from Spivak's words I have used as my title. 'Unlearning our privilege as our loss' in this context is a valuing of cultural diversity that does not ignore unequal power relations. It also means being able to be culturally respectful in ways that do not appropriate Maori cultural meanings and practices. For example, many Pakeha have a sense of *whenua*, learnt partly from acknowledging that the history of the land precedes them. Respecting and 'learning the language', literally or as different *kaupapa*, also means learning to not exercise colonial privilege in order to appropriate spaces for culturally dominant knowledges. Dennis Lee has suggested that in finding the words to express postcolonial selves without perpetuating 'the words of our absentee masters' or appropriating indigenous cultures, is to speak in ways that politically illumine

the double edge of language, as the tool of hegemony and self-conscious identity. Alongside this he suggests that silence itself can enable indigenising literatures. The silence resulting from not easily being able to capture in words the complexities and nuances of postcolonial identities is a resistance to the too easy naming of 'experience', and 'home'. This struggle for authenticity forces the writer to strive for a naming of the world in which the inevitable inauthenticity of hegemonic language becomes 'its own subject, when writing accepts and enters and names its own condition as it is naming the world'. This 'undermining silence' exposes the privileged status of transparent and immediate meanings.³⁸ As an extratextual strategy this approach entails taking responsibility for allowing different explanations and making sufficient space to ensure that different strategies have a speaking position in Pakeha feminisms.

As strategists we need more than intricate descriptions of the positions of each woman or group of women; we must not simply fragment as individuals with individual identities. It is not enough for us to accept that each woman is at the centre of her own matrix of oppressions/privileges. We have to ask where our paths overlap, so we can work and form our strategies together.³⁹

'Unlearning our privilege as our loss' is the acknowledgment of the potential richness of contributions from the multiplicity of differently located voices. This conscious overlapping and reworking of histories and strategies for change is the extratextual heart of postcolonial writing. If the term 'postcolonial' is to be useful at all as an organising theme for indigenous writing it must also allow for the response of silence. To assume that indigenous writers will necessarily inform our concept of 'home', or indulge our reluctance to learn different protocols or our need for a 'native informant', is also to colonise. Displacing theoretical centrality must entail extratextual practices of forging alliances towards social changes that will enable gender, economic and political self determination.

* * *

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* * *

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Notes

1. Nanny Noa Nicholson, 'Papatuanuku' and 'Karakia Night and Day' in Lynne Alice, (ed.) *Beginning With Ourselves : Responses to Religion in Aotearoa* (New Women's Press, Auckland, forthcoming).
2. Bim Ngairie visited and interviewed Nanny, transcribed the tapes and contributed two chapters to *Beginning With Ourselves: Responses to Religion in Aotearoa*, one of which recounts the visit to Nanny and Makirikiri Marae.
3. Salman Rushdie, 'Midnight's Children and Shame', *Kunapipi* 7, No. 1 (1985) pp. 1 - 19, p. 7.
4. Gayatri Chakravorty Spivak, 'Criticism, Feminism and the Institution', *Thesis Eleven*, 10/11 (1984) p. 177.
5. Deborah Jones, 'Looking in My Own Back Yard: The Search for White Feminist Theories of Racism for Aotearoa', in Rosemary Du Plessis et al.(eds.), *Feminist Voices: Women's Studies Texts for Aotearoa/New Zealand* (Oxford University Press, Auckland, 1992) pp. 290 - 99.
6. In Aotearoa the concept of 'biculturalism' is commonly used in critical comparison with 'multiculturalism'. The latter concept is seen as ignoring the prior existing rights of tangata whenua above subsequent settlers. In Australia 'multiculturalism' is most optimistically the ideal of the valuing equally of multiple cultural differences. I argue that the institutional practice of incorporating representatives of minority groups into dominant structures does

- not necessarily facilitate self determination of those groups, but often simply gives the institution an 'ethnic' voice.
7. For example, Lynne Star, 'Telerugby, Tele90: Tell it Rightly', *Race, Gender, Class*, 9/10 (1990) pp. 127–38; Deborah Jones in *Feminist Voices*; Lynne Alice, "'Whose Interests? Decolonising 'race' and 'ethnicity'", *Race Gender Class*, 11/12 (March 1991) pp. 64–9; the novels of Keri Hulme; the activism of Women's Refuge and Rape Crisis centres to acknowledge Maori as tangata whenua and to establish equitable funding for Maori and Pacific Island women's groups in this area.
 8. Audre Lorde, 'An Open Letter to Mary Daly', in Gloria Anzaldúa and Cherrie Moraga (eds.), *This Bridge Called My Back: Writings By Radical Women Of Color* (Kitchen Table Press, New York, 1986) p. 69.
 9. Gayatri Chakravorty Spivak, 'Can the subaltern speak?', in Cary Nelson & Lawrence Goldberg (eds.), *Marxism and the Interpretation of Culture* (University of Illinois Press, Urbana, 1988) p. 307.
 10. See Homi Bhabha, 'Of mimicry and man: the ambivalence of colonial discourse', *October*, 28 (1984) pp. 126–7. In contrast to Spivak, Bhabha argues that a colonised voice is possible. When colonised people express their experiences they necessarily parody and mimic colonial discourses of experience (which are inadequate vehicles for their life stories). In so doing the authority of western constructions of meaning are disrupted and the 'subaltern' is effectively claiming a speaking position.
 11. Margaret Somerville, 'Life (Hi)story Writing: The Relationship Between Talk and Text', *Hecate*, Vol. 17, No. 1 (1991) pp. 95–109. In this article Margaret reflects on the collaborative writing which has produced the text: Patsy Cohen, and Margaret Somerville, *Ingelba and the Five Black Matriarchs* (Allen and Unwin, Sydney, 1991).
 12. *ibid.*, p. 99.
 13. *ibid.*, p. 108.
 14. Alice Walker, 'In Search Of Our Mothers' Gardens', in *In Search Of Our Mothers' Gardens* (The Women's Press, London, 1984) pp. 231–243.
 15. 'Auto/biography' is a term coined by Liz Stanley to describe the self-reflexive process of life history (i.e., biographical) writing in which collaborative storytelling involves the editing of a life through more than that person's life experiences.
 16. Sidonie Smith, *A Poetics of Women's Autobiography*, (Indiana University Press, Bloomington, 1987) pp. 17, 108.
 17. *ibid.*, p. 109.

18. Mudrooroo Narogin, *Writing From the Fringe: A Study of Modern Aboriginal Literature* (Hyland House, South Yarra, 1990) pp. 149–153.
19. Dennis Lee, 'Cadence, Country, Silence: Writing in Colonial Space', *Boundary 2*, 3: 1 (1974) p. 163.
20. Somerville, p. 109.
21. Gayatri Chakravorty Spivak, 'Imperialism and Sexual Difference', *Oxford Literary Review*, 8:1–2 (1986) p. 225–240.
22. Lesbians, disabled women, and accounts of other marginalised experiences should also be included here.
23. Audre Lorde, *Zami: A New Spelling of My Name* (The Crossing Press, Freedom, CA, 1982) p. 226.
24. Donna Haraway, *Primate Visions: Gender, Race and Nature in the World of Modern Science* (Routledge, New York, 1989) p. 585.
25. bell hooks, *Feminist Theory: From Margin to Centre* (South End Press, Boston, MA, 1984) p. 65.
26. Dorinne Kondo, *Crafting Selves: Power, Gender and Discourses of Identity in a Japanese Workplace* (University of Chicago Press, Chicago, 1990) p. 43.
27. Trinh T. Minh-Ha, 'Difference: "A Special Third World Women Issue"', in *Woman Native Other: Writing Postcoloniality and Feminism* (Indiana University Press, Indiana, 1989) p. 88.
28. *ibid.*
29. Gayatri Chakravorty Spivak, 'Criticism, Feminism and the Institution', *Thesis Eleven*, 10/11 (1984) p. 177.
30. Gayatri Chakravorty Spivak, 'Three Women's Texts and a Critique of Imperialism', *Critical Inquiry*, 12 (1985) pp. 243–61.
31. Naomi Wolf, *The Beauty Myth* (Vintage Press, London, 1990).
32. This is discussed at length in Evelyn Brooks Higginbotham, 'African-American Women's History and the Metalanguage of Race', *Signs: Journal of Women in Culture and Society*, Vol. 17, No. 2 (1992) pp. 251–74.
33. Lynne Alice (ed.), *Beginning With Ourselves: Responses to Religion in Aotearoa* (New Women's Press, Auckland, Forthcoming).
34. An account of this is included as 'An Interesting and Varied Life', in *Beginning With Ourselves*.
35. Bill Ashcroft, Gareth Griffiths and Helen Tiffin (eds.), *The Empire Writes Back: Theory and Practice in Post-Colonial Literatures* (Routledge, London, 1989).
36. The example given is of writers who formed the Jindyworobak (lit. 'to annex, to join') movement in Australia during the 1930s and 1940s. In Australia this trend of writing is regarded as basically

assimilationist in its assumptions. However, to the extent that it is a recognition of an already existing indigenous culture, in the face of 'terra nullius', it also mooted the possibility of indigenisation of colonial populations—a potentially radical possibility but one that has yet to be taken seriously.

37. Dr Roberta Sykes at the 'Postcolonial Fictions' Conference, Fremantle W.A. Dec. 9–11, 1992.
38. See Dennis Lee; for postcolonial writers the inauthenticity of writing is regarded as not able to be resolved, since language mirrors its political contexts and for marginalised peoples assumes within it the relations of their oppression. I argue in this paper that indigenous languages and hybridised languages potentially offer a way out of this dilemma for those speakers and perhaps also for hybridised non-indigenous subjects.
39. Deborah Jones, p. 297.

*Scenes of the Master's Tools 'Doing It' in the
Master's House?: The (Hu)Man(ity) of Culture
and the Feminist Phallus*

Sarah Williams

The master's tools will never dismantle the master's house', Audre Lorde has famously written. But the history of cultural theory over the past few decades has a different moral: the master's tools will always dismantle the master's house. Just give them enough time.

—Henry Louis Gates Jr, 'Hybridity Happens. Black Brit Bricolage Brings the Noise'

As a response to an invitation that carried with it a quite immediate deadline, this essay is partial, tentative and itself an invitation — an offering of work in progress. I will begin with the title, the end of the title, and work backwards. This working backwards from a highly politicised and imaginative sexual object — the feminist phallus — makes possible, desirable, even necessary the deconstruction of that signifying structure according to which the post-Enlightenment identity, mankind, has meaning. That is, within the Western tradition the symbolic powers of the phallus intersect at right angles, to borrow Michel Foucault's formulation, with the interpretive powers of culture. I'm interested to explore this isomorphism (a perpendicular intersection?) between the discursive powers of the phallus and culture.

My exploration is subversive. My intent is to displace our — yours, mine, 'our' — relationships to human identity. Thus, not just any phallus, or any understanding of culture will do. It is the assertion of a *feminist* phallus, the assertion that culture *is* power as tautology, and the isomorphic relationship between these that this paper attempts to make intelligible.¹ I conclude with specific scenes of the master's 'tools' — the phallus and

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culture — at work and play within (and beyond) the profession of anthropology. Thus, to the degree it is successful, my work is a meta-level project: the *humanity* of culture constitutes the engendered and engendering subject *and* object of my cultural analysis. In assuming the relationships between consciousness, cognition, language, and practice that have been worked on, stressed, exploded and imploded in the writings of Michel Foucault, Luce Irigaray, Trinh Minh-ha, Julia Kristeva, and Hélène Cixous among many others, my language, too, is difficult, problematic. The denseness, the packing and layering of extensive quotation, the word play, the putting into conversation of disparate voices — the materialities of language itself — are sites of labour for alternate forms of representation and ways of being. And because my work is concerned most specifically with studying ethnographically the discipline of anthropology (i.e. the culture of those who professionally profess culture), my writing and project can be experienced as inherently alienated and alienating. But then, this is surely but one consequence of using the master's tools in the master's house.

Postmodernity and Feminist Cultural Studies

The fact that the title of this essay suggests more than it realises echoes the dilemma that Judith Butler describes at the beginning of her recent article, 'The Lesbian Phallus and the Morphological Imaginary'. Because I have hybridised her title and feel her project in that article provides a crucial context for understanding my work, I would like to quote her introductory paragraph at length:

After such a promising title, I knew that I could not possibly give a satisfying paper, but perhaps the promise of the Phallus is always dissatisfying in some way. I would like, then, to acknowledge that failure from the start and to work that failure for its uses and to suggest that something more interesting than satisfying the phallic ideal may come of the analysis that I propose. Indeed, perhaps a certain wariness with respect to that allure is a good thing. What I would like to do instead is make a critical return to Freud, to the essay 'On Narcissism: An Introduction', and consider the textual contradictions he produces as he tries to define the

boundaries of erotogenic body parts. It may not seem that the lesbian Phallus has much to do with much of what you are about to read, but I assure you (promise you?) that it could not have been done without it.²

For Butler the lesbian phallus 'is' the ability (desire) to make imaginable alternate readings and embodiments of Freudian constitutions of human sexuality and, thus, subjectivity.

The context of Butler's project is most decidedly historically specific: it is a 'white', Western and *cultural* intellectual framework. And as such the work is always already sexualised in ways that Butler must both assume *and* subvert. That is, she is working within an intellectual tradition according to which access to the symbolic is articulated through (hetero)sexual difference. This essentialising relationship between access to the symbolic and the enactment of sexual difference is, of course, the foundation of psychoanalysis. And this 'foundation' contains within it the still much-debated matrices of the nature/nurture, culture versus biology controversies that structure the discourse if not the practice of human sciences.³ A considerable feminist scholarship in the social sciences as well as the arts and 'hard' sciences has been concerned with reading and rereading the texts of psychoanalysis and reinterpreting its foundational premises and cultural implications. Given the particular currency of this intellectual tradition, Butler's project, the theorisation of a 'lesbian phallus' — a sexualised but non-diseased 'organ' for theorising/practising a sexual identity — is as impossibly necessary as it is inescapably complicitous.

My hybridisation of Butler's title from 'lesbian phallus' to 'feminist phallus' is not meant to detract from the force created by her work or of her identity. Rather, I use 'feminist phallus' to suggest that the contradictions of Freud's texts are mirrored in culture, in the textuality of cultural representation itself. The contemporary 'white' feminist scholar who engages in critical cultural studies, who realises and embodies the theoretical and cultural premises and specificity of 'her' intellectual tradition, and who continues writing (having survived the *prescribed* narcissism and melancholia of her *illegitimate* desire to create satisfying words not babies) occupies a particular position. She is, in Butler's case, a lesbian. Although Butler's construction of the lesbian through her rereading of Freud is a vast improvement over previous

theorisations of female sexuality, what if I want to resist even this acceptance of the imposition of the phallic and the cultural? What I want is a feminist phallus. I desire a 'tool' for the theorisation and practice of subjectivity that denaturalises the conditions of its own necessity. In order to address the how and why of this desire it is necessary to explore further the ways in which Butler's work is an important product of, and contribution to, the work of feminist cultural studies.

Butler's imagination of a lesbian phallus and thus a legitimate female-identified subjectivity is accomplished through the displacement of psychoanalytic discourse. Since psychoanalytic discourse and practice can legislate our citizenship — our 'human' rights — by judging our morality and our character (Are some of your best friends 'perverts and deviants' or 'real' women or men? Are they fit parents and custodians of 'our' children?), what is at stake in displacing the authority of psychoanalytic representations of 'normalcy' is cultural practice itself. The wording of this sentence *is* intentional. I do want to assign agency to discursive practice because the authority of representation, in this case Freud's textual practice, has become in the postmodern world an explicit site of sexualised political struggle. Butler's lesbian phallus, her theorisation of an alternate subject position using the master's tools within the master's house (a house that had previously excluded her and it), displaces through its very articulation the authority of representative (i.e. heterosexual) authority itself. This postmodernist critique of subjectivity and representational practice is crucial to my work and will be contextualised here further. However, the so-called postmodern condition is not, I think, an endpoint but a place from which to imagine an elsewhere.⁴

In *The Politics of Postmodernism* Linda Hutcheon provides a definition of the postmodern position by quoting Jacques Derrida:

The postmodern position is one articulated best, perhaps, by Derrida when he writes: 'the authority of representation constrains us, imposing itself on our thought through a whole dense, enigmatic and heavily stratified history. It programs us and precedes us'. This does not mean, though, that it cannot be challenged and subverted — but just that the subversion will be from within. The critique will be complicitous.⁵

What defines the postmodern is the crisis of representative authority. And Butler's work can be situated and appreciated by considering that the relationship between representational authority and contemporary cultural politics describes what is at stake in many critical social issues. In the U.S. for example, the intense debate regarding the funding and leadership of the National Endowment for the Arts is a direct response to the NEA's exercise of censorship against artists' explicit and allegedly obscene politicisation of sexual representation. Consider also the charges of political correctness against university professors advocating multicultural and feminist curriculum reform or the debate regarding who is Native American enough to obtain a federal I.D. number to sell 'Native American art'.

To return to Butler's work, her central concern, the theorisation of a lesbian identity, clearly signals a crisis for the authority of Freudian sexual representation. She challenges and subverts that authority by finding the contradictions in his texts. In so doing she demonstrates the crisis of representation in a number of powerful ways for what Butler points out as the textual contradictions of these classic psychoanalytical texts have traditionally been considered to represent, unproblematically, how Freud thought we represent—specularize, project, and symbolise—our bodies and our body's erotogenic parts. Readers unfamiliar with Freud's and Butler's works will undoubtedly find my references to this work frustrating. I encourage readers to work through the original texts not only to corroborate my usages but to explore alternate readings.

To summarise, according to Butler's interpretation, Freud's mapping of the phallus onto the penis (and by extension Lacan's remapping of the phallus onto the symbolic) is contradicted by Freud's own theory. That is, in 'On Narcissism' Freud's analysis of erotogenicity is based on his observations of pain, illness and hypochondria—the phantasmatic nature and culture of erotogenicity. Butler makes the phantasm of Freud's sexuality explicit and then exploits it by arguing that, indeed, the relationship between the imaginary and the material (our's as well as Freud's) is plastic not fixed. According to Butler as well as Freud (in Butler's reading of him), 'plasticity, transferability and expropriability' are what characterise this relationship. The penis need not even be

the origin of signification, but rather the penis as phallus can be for us as it was for Freud 'an incitement to substitution and proliferation'.⁶ In other words, the penis as phallus has been a very creative and wildly prolific origin story for a man of 'Mankind'. It is a story that explains away its own narrative construction. (Freud's unanswered question, unanswerable given his cultural and subjective framework, was, of course, 'What does woman want?')

What I'd like to suggest is that the words of Audre Lorde cited by Gates at the beginning of this paper reiterate the inertia of the Freudian self-perpetuating hegemony of the phallic drive. The master's tools because they are the master's tools can not destroy the master's house. Even when used critically, they will incite its preservation through reproduction, substitution and proliferation. And the use of the tools by someone other than the master only substitutes one oppressor for another. In answer to her own question 'What does it mean when the tools of a racist patriarchy are used to examine the fruits of that same patriarchy?' Lorde writes: 'It means that only the most narrow perimeters of change are possible and allowable'.⁷

Since what Lorde is addressing here is the absence of a lesbian consciousness and the consciousness of Third World women within U.S. feminism in general and, most specifically, at the Second Sex Conference in New York in 1979, why am I applying her question to a text (Butler's) that does make a lesbian consciousness present? I want to postpone a response and instead offer other questions. What kinds of tools are used to what end when we practice, or consider the practices of those engaged in, feminist cultural studies? What are the intellectual politics of this relatively new and rapidly growing academic field of inquiry given that it uses analytical concepts such as sexual difference, identity, subjectivity and culture as much as it disabuses itself of the disciplines of which these tools are the fruits? What kind of change is possible and what kind of political economy is being further capitalised when the tools of psychoanalysis and anthropology are used to examine the 'fruits' of cultural production itself?

Butler, for example, assumes, and then assumes of the reader, a basic understanding and facility with master Freud's (and

Lacan's) tools. And her language, like theirs, is perhaps overly difficult, especially taken out of context. Thus, if, as many of my students and colleagues have argued, Butler's text is inaccessible, if such work disempowers would-be feminist theorists and restricts the development of an applied feminist cultural studies, one is tempted to believe Lorde's words are descriptive of cultural studies: the tools of cultural studies reinforce and cause the proliferation of oppressive structures, whether they be real or imaginary.

But is this the case? In Butler's text only those who can not or will not de-naturalise their imaginations need be caught by this dilemma. I would like to quote from a concluding paragraph of Butler's article that argues this point and then return to it at the conclusion of my own paper.

[T]o speak of the lesbian Phallus as a possible site of desire is not to refer to an *imaginary* identification and/or desire that can be measured against a real one; on the contrary, it is simply to promote an alternative *Imaginary* to a hegemonic Imaginary and to show, through that assertion, the ways in which the hegemonic Imaginary constitutes itself through the naturalisation of an exclusionary heterosexual morphology. In this sense, it is important to note that it is the lesbian Phallus and not the penis that is called for here, for what is needed is not a new body part, as it were, but a displacement of the hegemonic Symbolic of (heterosexist) sexual difference, and the critical release of alternative imaginary schemas for constituting sites of erotogenic pleasure.⁸

What Butler's project calls for is consciousness raising, 'CR' work in the best sense of what it accomplished in earlier days of the feminist movement. We can embody our desires differently by displacing ourselves in relationship to our understanding of how the naturalisation of exclusionary heterosexual morphology constitutes a hegemonic imaginary. We can imagine an elsewhere and in so doing, inhabit it. Although I will return to Butler's conclusion, its message of displacement in this particular location in my text links the identificatory politics of sexuality as subjectivity with the naturalising effect of culture as a signifying structure. It is this link that is explored next.

The (Hu)Man(ity) of Culture

Anthropology as human science is nowadays the foundation of every single discourse pronounced above the native's head. It is, as an African man observed, 'the diary of the white man in mission; the white man commissioned by the historical sovereignty of European thinking and its peculiar vision of man'.

— Trinh Minh-ha, *Woman, Native, Other*

The humanities is the principal social technology that has supported and (re-)produced the individual as autonomous self in modernity. It emerged around the turn of the seventeenth century as an explanatory scheme and scholarly paradigm proposing, and offering to account for, a new social position: (the universal) Man.

— Eugene Holland and Vassilias Lambropoulos, *October* 53

[T]oday ... the only possible ethnology is the one which studies the anthropophagous behaviour of the white man.

— Stanislas Adotevi⁹

In her text, Butler's concern is the theorisation of sexual identity. Mine is the theorisation of cultural identity in relationship to sexual identity. Most specifically, my concern is the authority of culture itself as a universalising and hegemonic analytical concept, particularly as it is used to present and represent humanness by culture professionals. In short, I study anthropologists. I study the studier. I study the culture of culture. My project here is to begin to theorise some specific conditions under which anthropology's key concept both represents authority and produces meaning (i.e. authorises the phallus) in a postmodern world.

Qualifiers are needed. Anthropology is not a homogeneous discipline. The fixation with culture is particular in many ways to the practice of cultural anthropology in the United States. One local reader of an earlier version of this paper, a new informant so to speak who identifies as a social anthropologist, wrote this in the margins of the above paragraph: 'Many contemporary anthropologists abandoned culture *long ago*. British anthropology studies *society (emphasis his)*'. The various histories and nationalisms of anthropology make the contemporary development and reception

of 'cultural studies' a fascinating cultural study in its own right. My work is perhaps best understood as a play between anthropology and cultural studies.

Much of what follows was originally presented as a paper titled, 'The (hu)Man(ity) of Culture: A Feminist Cost-Benefit Analysis' for the session 'Sizing Up Men's Stories: Acculturation and Resistance' at the American Anthropological Association annual meeting in Chicago in 1991. The audience was professional anthropologists, many of whom were and are coming to terms, to varying degrees, with the issues postmodernism presents to anthropology. Gone are the days when the anthropology graduate student's rite of passage was discovering a new tribe, analysing a new culture, and writing an ethnography that authoritatively represented her or his village to Western readers. Even if there were still 'lost tribes' to be found, to presume that they were available for studying and then to represent them by writing up their culture, especially without their self-conscious participation, would risk political and theoretical incorrectness. Ethnographies it would seem are no longer factual accounts of scientific inquiry, but personal or collaborative narratives. And these narratives are often viewed as textual representations and subjected to literary critique. Furthermore, repeated and long-term fieldwork has problematised notions of objectivity: different anthropologists in the same village create different representations of that village. Historical, critical perspectives have prompted the realisation that an ethnography may reveal more facts about the ethnographer than about the people and culture it describes. Bones and stones, the data of archaeologists, are being reclaimed by indigenous peoples, 'repatriated', removed as 'cultural artefacts' from museums and laboratories. Feminist archaeologists have demonstrated that even when cultural artefacts *are* 'scientific data', they do not provide objective facts, but rather illustrate our projections regarding the past. Language itself is no longer seen purely as a medium of communication that is a neutral and natural artefact of human evolution.

Yet this belief is retained: just as I know graduate anthropology students still searching for 'lost tribes', my language in this article provides some basis for my communication with you. But there are places where you lose me, where I lose my self, where words leap

and displace us all. Indeed, the by now widespread cultural—naturalised, culturalised?—belief in the shared humanity of culture needs to be countered by something like a feminist deconstruction of *Mankind's* signifying structure. Surely 'our' history, from colonial first contacts to the recent Los Angeles rebellion, tell us, if we could in fact hear and understand, that we are not one. To de-naturalise 'culture' and its presupposition of a universal and universalising 'human' (i.e. always already sexualised) identity is my project.

Although what follows is not a proper cost-benefit analysis, I do want to refer to culture as a producer and authority of the meaning of human subjectivity in a very literal sense. Coincident with the naming of culture as the hallmark of anthropological inquiry, with the practice of cultural study, with the realisation of cultural relativity, is the reification and commodification of culture as a hegemonic representational authority. Cultural study ensures its own technology of interpretation. Put differently, the authority of anthropologists' professions of culture is complicitous with the representational authority of culture, not least of all because culture represents (has come to define) *the* interpretive technology of and for human social life. It is this coincidence—this tautologous relationship—I would like to foreground, to make visible, to make thinkable. Thus, rather than using anthropology to render the alien human, my project is to render the human alien by disrupting the tautologous relationship between power and culture. This is easier said than done. Consider a conclusion of Sharon Traweek's regarding her ethnographic study of high energy physics labs: 'the distinguishing characteristic of scientific culture is that by definition it cannot admit having a culture'.¹⁰ Often, it is for very 'good' scientific reasons that anthropologists—social scientists, practitioners of human science—do not want to politicise their work.

Daniel Cottom makes this argument about the implicit power of culture as an interpretive strategy well in *Text and Culture*. A stunning comparison can be made between Cottom's thesis, 'culture is power as tautology' and two of anthropology's founding fathers' definition of culture. I have emphasised that part of Alfred Kroeber and Clyde Kluckhohn's classic definition that glosses over what Cottom's critical definition politicises: 'Culture consists of

patterns, explicit and implicit, of *and for* behaviour acquired and transmitted by symbols' (emphasis mine).¹¹ Culture is defined as the cause *and* the effect of behaviour. Indeed, when analysed from postmodernist perspectives the culture of anthropology makes implicit—disavows—its own investments in, and of, cultural production.

Because we live in a moment when the wisdom of anthropology gleaned from evolutionary perspective and participatory cross-cultural research is needed more than ever, it is with hesitation, reservation, and great hope for anthropology's future that I offer the following critique of its popular culture.

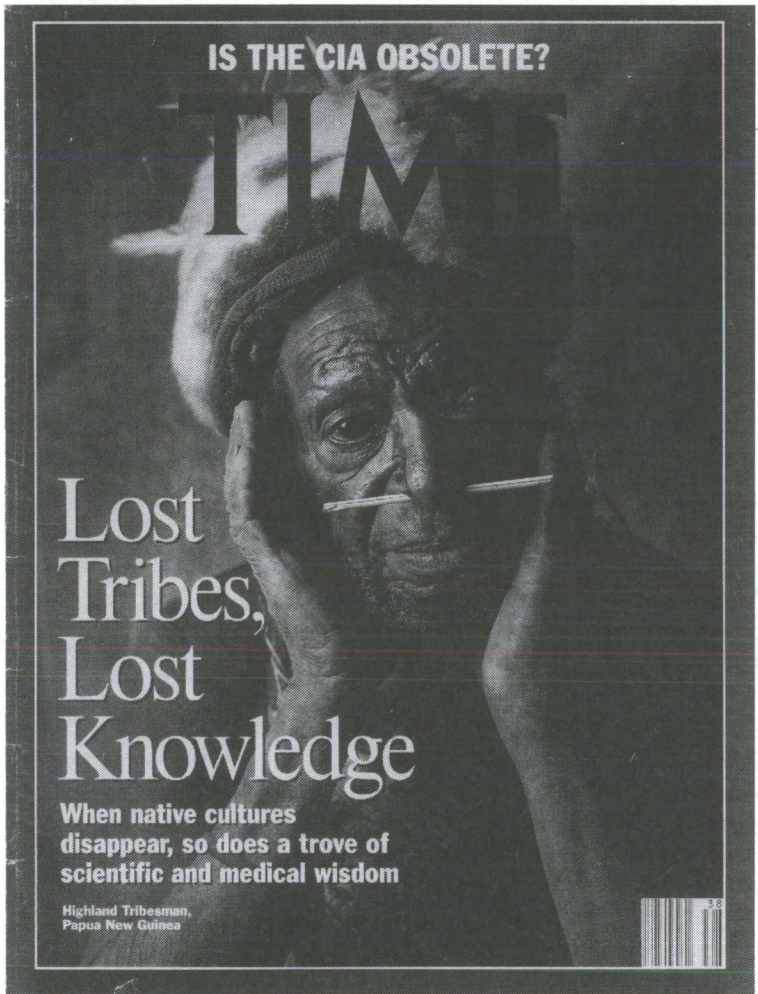
'Our' Lost Future?

'There is nothing so strange in a strange land, as the stranger who comes to visit it.'—from a promotional advertisement for Dennis O'Rourke's *Cannibal Tours*

Because the use of anthropology to study anthropology and the use of culture to study culture are meta-level practices that are perhaps inescapably confusing, if not inherently subversive, my objective here simply is to provide a way to begin to think about my project. The following images, which are themselves studies in confusion and subversion, illustrate the problematic of my research and its object.

This *Time* magazine cover, dated 23 September 1991, reads: 'Lost Tribes, Lost Knowledge. When native cultures disappear, so does a trove of scientific and medical wisdom' (fig. 1).¹² The cover photograph is unusual for *Time*. Full-cover portraits are usually reserved for a distinguished head of state, a celebrated personality, or a newsmaker. The subject of this portrait is nameless. Rather, 'Highland Tribesman, Papua New Guinea' is the only identity *Time* provides. Inside there are thirty-two more photo portraits of individuals who are all similarly identified: 'Aleuts, Unalaska, Alaska', 'Aka Pygmies, Bayanga, Central African Republic', 'Nomadic Penans, Sarawak, Malaysian Borneo', 'Lacandon Indians, Chiapas, Mexico'.

Inside the cover, the photographer, William Coupon, 'poses', we are told, 'in the manner of a Coupon subject'.¹³ True, Coupon,



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Figure 1

like his 'subjects', is (and here I paraphrase *Time*) taken out of his surroundings and photographed against a canvas backdrop. But many things about this comparison are not true. Coupon, unlike his subjects, is named. And, he chooses his surroundings, including the canvas backdrop against which he poses for himself. Furthermore, we know he is being paid for his photo-mechanical reproduction. But, are his subjects? To what degree *does* the camera (still) steal from people's souls? (I have not reproduced Coupon's portrait or those of his thirty-two other subjects. How could I show them to you without being unconscionably complicit with the representational practices that I critique?)

According to *Time's* deputy art director Arthur Hochstein, 'The sameness of the background emphasises the personalities of the people'.¹⁴ 'That is clear', writes publisher Elizabeth Valk, 'in the pictures for this week's cover story; no one who sees them will easily forget Coupon's subjects, even if their cultures vanish forever'.¹⁵ Indeed, it is *not* individuals nor their cultures that can be remembered, but only 'Coupon's subjects'—a Western commercial photographer's images of cultural artefacts rendered as a cultural product, a commodity.

Time does not allow its intended audience/consumer to be concerned with the disappearance of native cultures or subjects per se. What motivates 'us' is the loss of that which has potential for appropriation and commodification. To make *Time's* implicit message explicit: native culture has meaning (i.e. value) as it contributes to our scientific and medical knowledge.

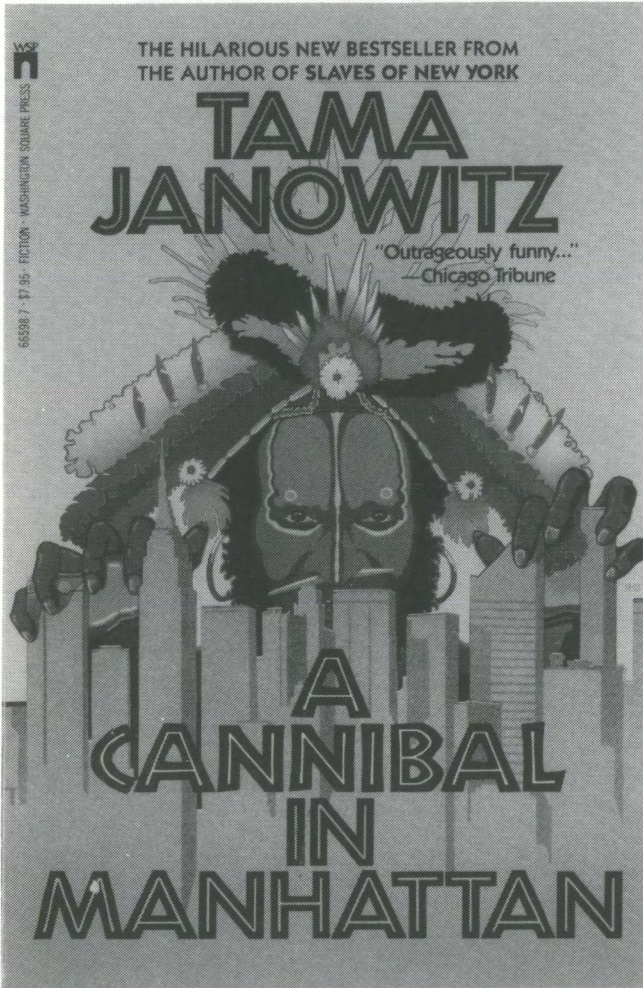
According to the text of senior writer Eugene Lindon's cover story, the concerns of anthropologists complement the caption on another image (not reproduced here), which accompanied *Time's* table of contents page.¹⁶ The image is a close-up of a woman of colour balancing bananas on her head. The caption reads: 'Can mankind survive the loss of native culture?'. Appropriately enough, anthropologists are identified within Lindon's article as economic botanists. In this, a 1991 issue of a popular and mainstream U.S. news magazine, 'Mankind', 'native culture', and 'anthropology' retain, seemingly unproblematically, their colonising and imperialising, their race-, sex-, and class-biased discursive powers. The individuals to whom 'native culture' once 'belonged' and all women, are categorically excluded from the

mankind which ponders the prohibitive and prohibiting costs of 'its' own survival.

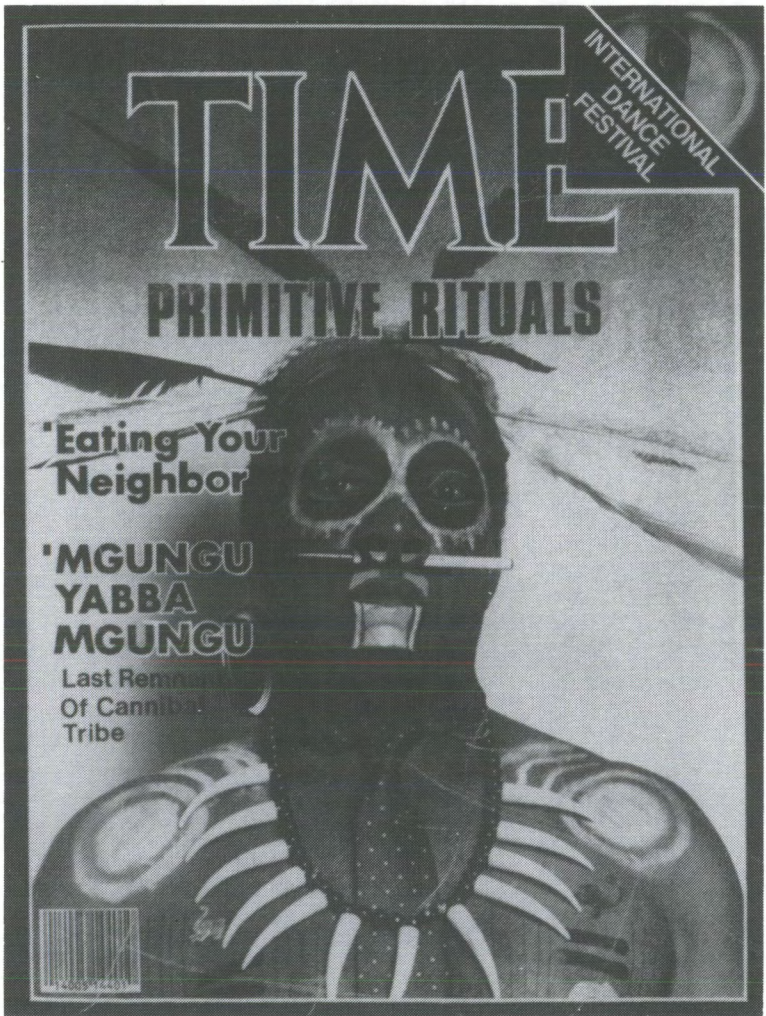
And what of the role of the anthropologist? The anthropologist's role in this all too real *Time* magazine is comparable, in my imagination, to the role of anthropology in the fictitious, yet curiously ethnographic, postmodern novel by Tama Janowitz, *A Cannibal in Manhattan* (fig. 2).¹⁷ Compare the real *Time* cover with the fictional *Time* cover included with a series of documentary photos' in Janowitz's novel (fig. 3). Although just a story, just a witty, sarcastic and ironic novel dedicated to Andy Warhol, praise from *The New York Times Book Review* corroborates my comparison: 'If there's anything Tama Janowitz knows about, it's the sheer savagery of our most chic and ultra-sophisticated social arrangements ... It's all a romp, an art-romp — complete with a section of witty send-up photos'.¹⁸ And if we consider the next image, which was a reproduction of the front page of the October 1991 *Anthropology Newsletter*, what becomes obvious is that it is not just writers of postmodern fiction (or cartoonists such as Gary Larson) who 'send-up' anthropology through their representational practices.

The theme of this issue of *Anthropology Newsletter* is 'Projecting Anthropology to the Public'. The featured article on the front page is titled in large, bold letters: 'Selling Ourselves'. The author is David Givens, anthropologist and editor of the *Anthropology Newsletter*. The epigraph for the article is: 'Bragging for profit. — Anon'. The article contains a photo of a youngish-looking Margaret Mead and a caption that reads: 'Margaret Mead was unquestionably the most visible of modern anthropologists'. Below this is a boxed bit of text headed, 'Meet the Press!'. Anthropologists 'who have, or who seek, ideas for enhancing anthropology's press coverage' are urged to go to a cash bar reception at the Chicago Marriott Downtown Hotel during the aforementioned anthropology meetings and talk with journalists. The American Anthropology Association also announced its plans for a Press Room for anthropologists and journalists to meet in at the Hotel during the Meeting.

While the central character in Janowitz's novel, Mgungu Yabba Mgungu, also serves throughout the novel to send-up anthropology, he is only a fictional cannibal from a fictionalised Papua New Guinea. David Givens is a real anthropologist, the *Anthropology*



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(Reproduced with permission)

Figure 3

Newsletter is a real professional newsletter, and we — the anthropologists at the Meetings — were all in a very real place. The Chicago Marriott had real journalists who met some real anthropologists at a cash bar reception.

Mgungu becomes a celebrated cannibal in Manhattan and he too attends cocktail receptions after being 'discovered' perched in his favourite kapok tree in 'New Burnt Norton'. He is 'discovered' by a Peace Corps worker (alias New York City rich socialite) whose uncle is curator of the Museum of Primitive Cultures. Mgungu becomes a hot commodity in the hands of this curator, anthropologist Parker Junius. And anthropologist Givens, too, is keen on culture's commodification. According to Givens, our future as culture professionals depends on our 'selling ourselves'. In his words, 'Unless we start boasting about anthropology, our public voice may be drowned out by academics and practitioners of *sister* disciplines who have borrowed "culture", "ethnicity" "worldview" and other key concepts from our traditional lexicon'. (Note his use of the word 'sister', which I have emphasised.) In parentheses, Givens warns us that the theme of the 1991 annual meeting of the American Sociological Association was 'The World of Ethnic Relations'.¹⁹

Are sociologists anxious about us now that anthropology has 'lost' the 'native cultures' that distinguished its object from sociology's? Now that the authorising object and subject of culture — Man — and his culture have been objectified themselves by post-coloniality and the practices of multiculturalism and feminism as social and intellectual movements, must the demasculinised discipline of anthropology fight (like) a woman to regain the public's eye? Must 'she' sell herself in order to continue to practise the oldest profession of/about mankind?

Throughout his article Givens is concerned with anthropology's ability to 'project' itself to the public through the media. He talks about anthropology as a 'no-growth' discipline that is losing its 'slice' of the 'financial cheese'. He warns that smaller anthropology departments 'could become easy prey in the early 1990s as fewer majors prompt money-conscious deans to downsize low-profile programs'. He encourages anthropologists 'to compete with sister disciplines' and be aware of our audience: 'the leaner and meaner' decision makers of the nineties. Indeed, Givens goes so far as to

state that 'hundreds of well-wishers in the "general public" will count less, politically at least, than one well-wishing dean'. Get yourself into the media, anthropologists! Then clip those articles and send them to your dean and other university administrators.²⁰

At the risk of naively 'buying' into that which I critique, it must not go without saying that it is my concern with the issues of indigenous people and their cultures, the fate of anthropology and its disciplinary crisis, and the survival of humankind that motivate my critique of these issues. However, a critical understanding of the political economy of late capitalism makes clear that to engage with these issues as they have been represented in the preceding images and texts does not change, except to reinforce, the symbolic structures that define their crises. Changing the issues and our engagement with them requires a retooling of the master's identity, his tools, his house and ourselves.

First Conclusion

In fact, they [anthropology and psychoanalysis] have only one point in common, but it is an essential and inevitable one: the one at which they intersect at right angles; for the signifying chain by which the unique experience of the individual is constituted is perpendicular to the formal system on the basis of which the significations of a culture are constituted: at any given instant, the structure proper to individual experience finds a certain number of possible choices (and of excluded possibilities) in the systems of the society; inversely, at each of their points of choice the social structures encounter a certain number of possible individuals (and others who are not)—just as the linear structure of language always produces a possible choice between several words or several phonemes at any given moment (but excludes all others).

Whereupon there is formed the theme of a pure theory of language which would provide the ethnology and the psychoanalysis thus conceived with their formal model (*emphasis mine*).

—Michel Foucault, *The Order of Things*

Judith Butler assured us that although the lesbian phallus might not be apparent in her writing, the writing could not have been

done without it. The reader of this, my own text, deserves the same assurance regarding my imagination of a feminist phallus. In Butler's article, regardless of how critical she is of Freudian analyses of lesbian subjectivity/sexuality, she uses Freudian psychoanalytic discourse. And although her rereading of it is subversive, she accepts and re-employs his and his culture's fundamental relationship between sexuality and subjectivity, between nature and culture, between culture and humanity. Thus, the game board stays the same, but different players are imagined. This is not the case for the feminist phallus. The imagination of, and desire for, a feminist phallus is not based on a morphological imaginary. To suggest just what is at stake in naming and giving meaning to this desire, I would like to consider the status of 'whereupon' in the final sentence of Foucault's quoted above. That is, Foucault's 'whereupon', positioned as it is between the first paragraph and the second, proposes the same sort of great leap that is required to get from the lesbian phallus to the feminist phallus.

Reference to this work of Foucault's was made earlier in this essay. In fact, to the degree that poststructuralism offers a method and theory for cultural analysis, the voices of its proponents (for example, Michel Foucault, Jacques Derrida, Gayatri Spivak, Julia Kristeva, Luce Irigaray, Gregory Ulmer, Jean Baudrillard) echo throughout this text. These theorists have broken with the humanist tradition in ways that some critics find monstrous, irrational, nihilistic, paralytic. Indeed, one *can* read such work and get lost in Baudrillard's ecstasy of communication. Thus, it could be tempting to conclude by ignoring the fact that the pure theory of language which Foucault believes would provide anthropology and psychoanalysis with a formal model for mapping their interrelationships does not exist. But this is precisely the point. Imaging such a theory of articulation, creating it, working on it (and it *is* work) by working through the temptations, seductions and devastations of poststructuralist analysis, is *how* we displace 'our' dearest held assurances of selfhood, sexuality, communication, knowledge, identity, difference, culture, and power itself.

In the quotation above Foucault imagines a world we do not (yet) inhabit. We do not (yet) share a formal model, a language that exposes the structuration, the possibilities, the finitude

of human science. If we did (which is *nearly* unimaginable²¹) an appropriate conclusion might be that anthropologists must get on with the work of critical cultural analysis, not cultural commodification. Shouldn't the many critiques of anthropology as colonial practice—as handmaiden of imperialism—have enabled us by now to be very savvy regarding the workings of culture as a modern industry? If anthropologists and their discipline's postmodern counterpart, cultural studies, resisted, rather than embraced and promoted, the role of 'culture broker', would a real contribution be made to the survival of the species?

Let me push this analogy of the bad anthropologist as culture broker further. That is, my anthropology of anthropology—what I have experienced studying the popular culture of anthropologists—provokes me to provoke you. Think with me through the following questions and their implications. Is 'Mankind' a universal and universalising cultural artefact that has taken on a life of its own? And can this 'Mankind' be compared with a multinational corporation that is losing its diversified holdings? Is the discipline of anthropology proper a parent company—a holding company—that now, in the wake of postcolonial social movements, must worry about its corporation and its continued ability to in-corporate? Or, does the current system of human science discourse, with its history so exquisitely excavated in Michel Foucault's archaeologies, render culture itself a weird repository of sorts? Cultures as holding tanks of Mankind's genetic infrastructure, cultures held frozen like sperm and like seeds for the use of those rich would-be parents and petrochemical companies with the resources to control reproduction (with the master's new electronic tools). Indeed, we are living in an age of high-tech reproductive technologies, and cultural reproduction is no exception.

Perhaps this success of anthropology (which is also its timely, if inevitable, failure) is something in which anthropologists can take professional satisfaction: culture has popularised culture. Culture has been commodified. And although anthropologists as culture professionals are scrambling to join the market place, mass culture and the study of it are thriving. Culture, anthropology's

key concept — anthropology's interpretive technology — has popularised culture and produced an international and transnational mass culture. I'm making a collection of images in contemporary journals, magazines, and newspapers that portray — celebrate? — indigenous people in traditional dress operating camcorders, images that show televisions operating outdoors in a remote (global) village.

Perhaps the development of cultural studies signals the need to study culture anew. 'Anew' because it is a hybrid form of culture — technoculture — that I think is most compelling. It is the culture of culture — the culture that has made culture an industry in the late twentieth century — that fascinates me. Much could be said and has been said about the revulsion of this fascination and the fascination of such revulsion. I'm reminded, though, of Margaret Mead who, in considering the future fieldwork possibilities for anthropologists in space colonies, could just as easily have been assessing the current predicament of anthropology. To paraphrase Mead, our business is no longer that of discovering and saving 'native cultures', nor is our business to continue to treat other people's cultures as scientific laboratories.²² Our work is to aid in the imagination of different cultural possibilities, new cultures that may not, and perhaps should not, be recognisable as such.

I would like to conclude this conclusion with a scenario for a future anthropology imagined by science fiction writer Orson Scott Card.²³ In *Speaker for the Dead* Card's cultural scientists are practising their anthropological science after a great war during which the human species destroyed the culture, and then an entire species of alien life, before realising that this enemy was a highly intelligent life form humans simply could not appropriate. After recognising the limitations and dangers of human bias regarding cultural exchange, humans remade anthropology into xenology. Xenology is the study of strangeness. And xenocide is xenology's greatest concern. Humans never again want to annihilate cultural difference. The role of xenologists/anthropologists is to understand and represent culture in ways that make the culture of Mankind as strange to ourselves as the culture of strangers.

Second Conclusion

I speak in favour of imagination as antidote for the crisis. Not in favour of 'power of the imagination', which is the rallying cry of perverts longing for the law. But in favour of saturating powers and counterpowers with imaginay constructions — phantasmatic, daring, violent, critical, demanding, shy. Let them speak, the ET's shall live.

—Julia Kristeva, 'Extraterrestrials Suffering for Want of Love', *Tales of Love*

If the work of cultural studies in its present state is hopelessly complicit with the master's tools, specifically with those human sciences the tools of which cultural studies has done so much to deconstruct, then why have I, like Butler in the paragraph quoted earlier, concluded by advocating the power of the imaginary? Let's return now to the words of Henry Louis Gates Jr. where we began.

The epigraph of this paper contains the opening sentences of his recent piece, 'Hybridity Happens. Black Brit Bricolage Brings the Noise'. Published in the *Voice Literary Supplement*, this article offers a review, so succinct as to be cryptic, of the inception and hybridisation of British cultural studies. The history is complicated and fascinating.

The story begins with Raymond Williams who established cultural studies by using the master's tool — culture — to forge and then master another tool: common culture. Gates tells the history of cultural studies as the remastering of the master's tools and the masterminding of those who construct the master's house. For example, consider the controversies regarding the 'high profile' of Sankofa and Black Audio and their audience as indicated by Gates' questions:

Did black British cinema have a 'real' black constituency at all? Or was its primary audience the internationalists, European film festivals, the dread deracinated intelligentsia? And if it was a black 'cultural product' without a significant black audience, wasn't its very 'blackness' suspect?²⁴

The solution to this problem of complicity with the master's tools and the master's house was a declaration of 'a new politics of representation' by new 'masters', Isaac Julien and Kobena Mercer. In short, this new politics of representation rejects the presumption

superwoman flying through the air in red leotards with blue and yellow capes/academic robes. Cult studs are the intellectual elite.

Although the feminist phallus might not be apparent in this, the latter part of my text, the following questions would not be possible without it. Is theory hybridised when common culture is master? Or, is theory hybridised when common culture is mastered? What tools in whose hands are needed to know the difference? Do cult(ural) stud(ie)s fight *the* power or *for* power? By what craft can feminist cultural studies radically displace sexual difference rather than just hybridise the humanity of culture?

Meantime, a woman I know, a returning student, wants to do Women's Studies courses because she thinks they will help her understand and change her world. She hasn't read Butler, she hasn't read Freud, she hasn't read Lorde, but she has some art/action/theory on her car bumper that illustrates both the theory illuminated by Audre Lorde's 'Master's Tools' essay and Henry Louis Gates' use of it. This woman, 'an American', drives a Japanese Honda with a Nike bumper sticker that says 'Just do it'. Positioned below the words 'Just do it' is another bumper sticker — a pink triangle.

Like the cultural study of anthropology as a culture, these bumper stickers create a scene (out) of the master's tools 'doing it' in the master's house.

* * *

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* * *

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Notes

1. Although this assertion regarding culture has been formulated in various ways by a variety of scholars, I'm borrowing most directly from Daniel Cottom's work in *Text and Culture* (University of Minnesota Press, Minneapolis, MN, 1989).
2. Judith Butler, 'The Lesbian Phallus and the Morphological Imaginary', *differences: a Journal of Feminist Cultural Studies*, 4:1 (1992) p. 133.
3. The Margaret Mead and Derek Freeman controversy is an excellent example of the potency of this structure. It is both rather unbelievable and totally 'rational' that Margaret Mead's sexual orientations and preferences should be figured into the narratives about the 'validity' of her ethnography and the status of her anthropology as social science.
4. For a wondrous analysis of the politics, pleasures and dangers of 'elsewhere', see Donna Haraway's 'The Promises of Monsters: A Regenerative Politics for Inappropriated/d Others', in Lawrence Grossberg, Cary Nelson, Paula Treichler (eds.), *Cultural Studies*, (Routledge, New York, 1992) pp. 295–337.
5. Linda Hutcheon, *The Politics of Postmodernism* (Routledge, New York, 1989) p. 151.
6. *ibid.*, p. 164.
7. *ibid.*, p. 111.
8. *ibid.*, p. 164.
9. The 'remark by an African man' is cited as it is translated by Trinh Minh-ha in *Woman, Native, Other* (Indiana University Press, Bloomington, Indiana, 1989) p. 73.
10. Sharon Traweek, *Beamtimes and Lifetimes: The World of High Energy Physicists* (Harvard University Press, Cambridge, MA, 1988).
11. Alfred Kroeber and Clyde Kluckhohn, *Culture: A Critical Review of Concepts and Definitions*, Papers of the Peabody Museum of American Archaeology and Ethnology, Harvard University, 47:1 (Cambridge, MA, 1952).
12. Eugene Linden, 'Lost Tribes, Lost Knowledge', *Time*, 138:12 (1991) pp. 46–56.
13. Elizabeth Valk, 'From the Publisher', *Time*, 138:12 (1991) p. 2.
14. *ibid.*
15. *ibid.*
16. Several images that were shown as slides in the original presentation of this material will be described rather than reproduced here due to copyright issues.

17. Tama Janowitz, *A Cannibal in Manhattan* (Washington Square Press, New York, 1988).
18. *ibid.*, back cover.
19. David Givens, 'Selling Ourselves', *Anthropology Newsletter*, 32:7 (1991) p. 1, p. 32.
20. There is a final quotation worth pondering from Givens' article: 'Strategic fishermen know where to fish'. Like these good fishermen, Givens argues that contacts anthropologists make with high school administrators 'can pay off with larger student "catches"'. The persistence and potency of this Judeo-Christian myth of the fisher king suggest it would be a rich topic for feminist deconstructive analysis.
21. Science fiction worlds such as those imagined by Marge Piercy in *Woman on the Edge of Time*, Ursula Le Guin in *The Left Hand of Darkness*, John Varley in *The Persistence of Vision*, and Doris Lessing in 'Report from a Threatened City' offer fabulous scenarios for alternate world-making.
22. Cf. Jean Rouch and John Marshall's film, *Margaret Mead: A Portrait by a Friend* (Museum of Natural History, 1978).
23. Orson Scott Card, *Speaker for the Dead* (Tom Doherty Associates, New York, 1986).
24. Henry Louis Gates Jr., 'Hybridity Happens. Black Brit Bricolage Brings the Noise', *Voice Literary Supplement*, (October 1992) pp. 26-7.
25. *ibid.*
26. *ibid.*

*'So That the Scholars Will Not be Angry With Me':
Feminism as Women's Studies¹*

Mary Holmes

In case you are wondering, the title comes from Chaucer. The Wife of Bath is talking about genitals:

Were genitals made for procreation, . . . ?
Surely, they were not made for nothing.
Whoever may say, and say it up and down,
That they were made for the purging
Of urine, and that our private parts
Were also to distinguish a female from a male,
And for no other purpose, — don't you disagree?
Experience shows well that it is not so.
So that the scholars will not be angry with me,
I say this, that they were made for both.

(Chaucer, *The Wife of Bath's Prologue*)

This is an appropriate starting place for a discussion of feminism as Women's Studies because the Wife of Bath expresses the traditional opposition between 'experience' and 'scholarship'. The development of Women's Studies has been significantly shaped by the tension between women's lived experience and scholarly authority. The privileging of 'experience' within the women's movement has become opposed to the desire in Women's Studies to meet high standards of scholarship.

A second central issue in Women's Studies is difference, which increasingly becomes blended with contestations over the meanings of experience and authority. 'Different' women may mean any group of women oppressed on grounds other than gender. It may also refer to women who feel excluded from the 'sisterhood' of second-wave feminist rhetoric. Approaches to difference vary strikingly and most imply certain assumptions about identity.

Women's Studies Journal, 9:1 (March, 1993).

What has arisen in New Zealand is a contestation of meanings of feminism within Women's Studies, clustered around the identities Maori/Pacific Island/Lesbian/Pakeha — usually with a class label attached. Often the 'discipline of origin' of the scholar is also included in the naming. Identity, in this case, is understood in terms of the opposition of these groups to one another. Are these categories a way of avoiding or coping with the conflicts and tensions arising from the discussion of difference? How is this response related to the experience/theory divide, and to the problems surrounding the creation of an indigenous Women's Studies programme?

There are two parts to my argument, one beginning with the emphasis on authority in Women's Studies and the other with the privileging of experience. It will become apparent that this is a false dichotomy but it is useful as a structural device. My focus will be on Women's Studies in New Zealand universities, with some reference to polytechnic programmes. Throughout I refer to 'scholars' as those women at present working in Women's Studies.

These scholars appear as authors and as characters within two recent texts which I use as data. One is *Feminist Voices*, sub-titled 'Women's Studies Texts for Aotearoa/New Zealand' and the other the March 1992 issue of the *Women's Studies Journal*, entitled 'What is Women's Studies?'. Using these as both 'primary' and 'secondary' sources² I will examine, in an introductory fashion, some of the implications of representing feminism as Women's Studies.

Experiencing Authorisation

Definitions of experience and authority are not always forthcoming in the texts I analyse, and my own understanding of these terms is as yet undeveloped. My interest lies in the contestation of meanings; at present I maintain a sense of what I mean by these words through interchanging them with their respective synonyms 'the personal' and 'theory', these being the terms often used in feminist debates on this issue.

In her article for the *Women's Studies Journal*, Anna Yeatman appears to give primacy to scholarly authority (a mixture of traditional male scholarship and ideas of professionalism). In her 'A

Vision for Women's Studies at Waikato University',³ she discusses the contradictions which arise when feminist movement ideals become part of the conservative university system.⁴ Feminism is represented so that it fits the confines of academia. A professional versus non-professional split emerges around knowledge and further tensions develop between the value commitments feminist academics bring from the women's movement and the 'value-neutral' demands of traditional scholarship.⁵

Feminism's entry into the academy has led, though, to the development of a type of scholarly authority which both conforms to and differs from the male tradition. Yeatman indicates how this feminist authorisation process may work. She suggests that a 'good' feminist academic should be able to communicate with women both inside and outside the university. She assumes that language is the key to communication between these created groups, that a bilingualism is required.⁶ It is clear that academic language is not appropriate in a non-academic environment, where it may be perceived as elitist and mystifying, but exactly how would this dialogue work? Yeatman's personal penchant for highly complex academic language and her interpretation of the workings of such a dialogue favours a scholarly 'professionalism' for Women's Studies. Her suggestion is that 'ultimately, knowledge is oriented by some reference to need'.⁷ This appears to construct the 'non-expert' as the 'needy'. However, Yeatman maintains that 'non-expert' does not mean unknowledgeable:

The non-expert knowledge of needy persons is just as much crafted by experience and learning as is expert knowledge. They remain, however, different kinds of knowledge.⁸

Here the meanings of 'experience' and 'learning' become explicitly fluid, shifting between different people and situations. For instance, in terms of the power or status which academia has in political and policy-making decisions,⁹ non-expert women 'need' Women's Studies academics to authorise their experience in order for their voice to be effective in those processes. This is not to say that so-called 'non-expert' women cannot represent themselves, but that in the male-dominated system their experience is not thought to constitute authoritative knowledge, thus the need for authorisation.

I would contend that these outside groups are 'expert' in other fields such as organisation, networking and support, which are often essential to women academics. A 'good' dialogue would be one that ensured that 'laywomen' are active in the authorisation of knowledge and do not just experience authorisation. This is where the politics of difference become important.

Differing Difference: Using the Politics of Difference

In her discussion of difference, Yeatman appears to favour a response she calls a 'politics of voice and representation'. For Women's Studies in the university this relies on the university becoming democratised so that 'differently positioned' women have the chance to enter and represent themselves in 'the halls of knowledge'. In representing themselves women have the opportunity to self-authorise their experiences, which implies an opening up of meanings to wider contestation; it means having to deal with differences between women. Feminism's contestation of the meanings of experience and authority embedded in scholarship has led to a critique of feminism's own forays into universality.

Yeatman talks about how, within theory (and the university), the politics of voice and representation 'creates a space for those who have been "othered" in discourse'.¹⁰ What does this mean however, for those who have traditionally done the othering? In the case of New Zealand Women's Studies, the various responses to difference often reflect the power relations of a colonial past. Some feminist scholars (mainly white and middle-class) are interested in difference as a tool for deconstruction,¹¹ but other scholars are concerned with issues of identity and re/constructing their own body of knowledge.

Often those concerned with identity are those who have been othered. Having finally been given 'a space in discourse', the first task for some is to find the boundaries of that space (i.e. identity). Roma Potiki in writing about Maori theatre says:

The central questions for some of the writers are 'Who am I?', 'Where do I come from?', 'Where do I belong?' Questions

not only of identity, but also of place are still a very legitimate source of struggle for many of us.¹²

Here identity means finding a 'sameness' within a group defined by its difference from the dominant group. Individual Maori are concerned to explore the nature of that group and exactly how they themselves 'differ'. Lesbians, like Maori, have been defined as different and much lesbian inquiry has also centred around the 'problem' of identity. Alison Laurie relates the importance of identity politics in the opening paragraph of her article on teaching lesbian studies in New Zealand.¹³ She goes on to say, however, that defining lesbianism is not as important as just naming the name. The priority, as she sees it, is 'to make visible the unseen'.¹⁴ This, however, assumes an identity which can be made visible, at the same time as its meanings are being contested amongst lesbians themselves.

These approaches to difference agree in suggesting the centrality of identity. They seem to use 'identity' to refer to the factors that draw a group of women together but do not always agree on what identity may mean. In 'Towards Theories of Maori Feminisms', Kathie Irwin uses the notion of difference in a positive constructionist/reconstructionist sense. Her concern is with the reconstruction of the culture, language, history and customs which form the identity of Maori women.¹⁵ She states the necessity of elucidating the difference not just *from* Pakeha women and Maori men, but *between* Maori women. Irwin is cautious about some of the consequences of focusing on identity:

A number of factors influence Maori women's development ... These factors must be taken into account when our women's stories are being researched, and they must be accepted without judgement. There is still destructive debate taking place [among Maori] in some quarters over who are 'real' and, heaven forbid, 'acceptable' Maori women.¹⁶

The same caution does not appear in Sue Middleton's 'Towards an Indigenous University Women's Studies for Aotearoa: A Pakeha Educationist's Perspective'. What appears here is an inclusion/exclusion construction where identity is not openly contested but assumed. It is put beyond contestation by collapsing the notion of an indigenous Women's Studies into a personal

location which evades criticism. Middleton presumes to 'know' herself.¹⁷ She says of the schoolgirl paintings which she presents as her 'native imagery', that they 'are of interest not merely as personal memorabilia, but as examples of the impact, on one New Zealand schoolgirl, of the grand narratives and historical events' of her time and place.¹⁸

For Middleton the concept of identity moves between references to 'one New Zealand schoolgirl' and a vague 'we' which presumably forms the sense of the community upon which an indigenous Women's Studies could be based. This second usage is particularly problematic as shown in Middleton's interpretation of colonialism:

At primary school we never questioned the 'rightness' of colonialism. However, during our secondary schooling, our glorious Empire was to collapse. These momentous changes led many of my generation to question ideas, previously taken for granted, about the nature of 'races' and the legitimacy of Pakeha domination.¹⁹

Middleton fails to explain who 'we' are, and the globalising effect of phrases like 'my generation' blur the differences within that generation. She assimilates difference in a way that actually ignores it. The power relations she appears to be criticising are perpetuated by the way in which she addresses herself essentially to an audience like herself—the 'we', the rulers of the 'glorious Empire'. The 'native imagery' that Middleton uses as discourse is constructed, in her case, from these colonial power relations and therefore continues to 'other' the different and multiple identities of the colonised. In constructing this discourse as 'personal' (through her paintings), however, she makes it difficult to contest because the meanings are presented as her own, and yet also as an outcome of her 'identity'. But these meanings come from, reflect and enter into other discourses, to which she bears different relationships and they cannot be critiqued in isolation. The implication of concern in Middleton's article is that those who are excluded from the identity she constructs will have difficulty participating in the creation of the indigenous Women's Studies envisaged.²⁰

This project of creating an indigenous Women's Studies is problematic because it can imply a universal indigenous identity to which Women's Studies must orientate itself. Trying to fuse the fragmented and contested meanings of feminism and Women's

Studies in New Zealand into a 'native' academic programme can lead to the assimilationist trap into which Middleton falls. *Feminist Voices* consciously aligns itself with the indigenous project, and although the editors seem aware of the assimilationist dangers, there are still assumptions made about a community of women:

We need feminist analyses which are specific to Aotearoa/New Zealand, that start with our experiences. But we also want to be open to ideas and information that come from other sources and to evaluate their relevance for the dynamics of our own context. In a society that has often valued action over critical reflection, we need to assert our right to theorise.²¹

This passage demonstrates the confusion involved in trying to assume an 'identity' or sameness between women in New Zealand ('our experiences') while at the same time claiming to recognise 'ideas from other sources'. (Who are 'other'?) Difference can become reduced to a discussion of the exclusion of certain groups from dominant discourse. For those groups stuck at the edge of the indigenous collage created, this makes it difficult to focus on their own identities and what draws them together as a distinct group. Indigenous Women's Studies seems particularly weak at the margins.

The Privileging of Experience

The other common response to the tensions between experience and authority is a deliberate privileging of experience. I say 'privileging' because this approach is not atheoretical, but emphasises experience over theory. In this response what happens is that the authorisation process involved in academic writing is 'hidden' so that lived experience is foregrounded. Shaista Shameem provides an interesting example of this in her article on Indo-Fijian women migrants.²² She interviews four Indo-Fijian women, one of whom is a 'black feminist networker'.²³ The other three speak their personal experience but the woman labelled as feminist acts as an authorising voice. She does not refer directly to herself but locates each issue in a wider social context and analyses it from a feminist viewpoint. For example, two of the other women talk

about their own marriages, one about why she is not married, but Usha (the feminist) says:

Sometimes I fear that poverty in Fiji encourages families there to practically sacrifice their daughters in order to improve the lot of all the members of the clan.²⁴

Usha's voice is a 'theoretical' view, but she is also one of the women interviewed; she speaks from within their experience and also, we assume, out of her own.

Shameem lets the women in her study represent their own experiences, but also recognises a need to contextualise and authorise these experiences, saying that she has 'organised their responses in various categories to suit certain topics that [she] wished to cover'.²⁵ She makes explicit her organisation (contextualisation), and the voice of the black feminist networker is used as a strategy to link experience and theory in a way which emphasises experience.

The problem is how can women represent their knowledge effectively within the confines of male-dominated academia where women and their experiences have been the objects, the represented? In New Zealand the privileging of women's personal experience as a solution has led, according to Alison Jones and Camille Guy, to a continued undervaluing of theory:

In its seeming avoidance of theoretical critique, local forms of feminism often appear to reflect the wider cultural tendencies in New Zealand of anti-intellectualism, a mistrust of 'theory', and — ironically — a moralistic dislike of those who challenge accepted beliefs.²⁶

Jones and Guy mention the use of the phrase 'gut' experience,²⁷ which reinforces the centrality of an experience based in the body and not in the mind. The 'personal' is constructed as lived experience, 'felt' experience, rather than analysed experience. The danger is that without some self-analysis women's experiences become objects to be represented and analysed by others. Does the privileging of experience by some feminists show a distrust of scholarly authority because of its location within male frameworks, where 'mind' has traditionally been divorced from experiential 'reality'?²⁸ Is there doubt whether feminist scholars will represent other women as they may wish to be represented or give their own experiences a centrality which denies, ignores, or oppresses other women?

Jan Jordan discusses some of these difficulties in her article, 'Feminism and Sex Work: Connections and Contradictions'.²⁹ The practice in much feminist methodology of 'letting the women speak for themselves' is one way of trying to allow women to authorise (with a little help) their own experience. As Jordan says: 'If the woman herself says this is how she chooses to work and claims to receive various benefits from doing so, then who has the right to dispute that?'.³⁰ However, Jordan maintains that this can lead to:

theoretical paralysis, with non sex workers dismissing their own insights and perceptions as unqualified and inappropriate when placed alongside the voice of experience.³¹

Alison Jones and Camille Guy have equated some forms of this response with radical feminism in New Zealand, which they claim has problems dealing with difference. Jones and Guy attribute this to the 'hierarchy of binaries' produced by radical feminism, which fails as a solution 'because of the rigid and simplistic notion of power which underlies it'.³² Power takes on a meaning prescribed for any situation by the ranking of oppressions and therefore becomes more difficult to contest in a complex manner.

Other examples of privileging experience manage to avoid this reductionism. In her contribution to *Feminist Voices*, Pania McARDell says:

I do not depend completely upon my experiences, pain and happiness for the main substance of this chapter. ... I also write to clarify things for other people.³³

Her structure sometimes moves a little too rapidly from her personal history to wider analysis (there is a 'fenced off' section on the Treaty of Waitangi, for instance) but generally her insights are clearly connected to her life data. In Maori culture, whakapapa is a form of knowledge which authorises personal histories through their connections with ancestral histories. Does this traditional form of knowledge give Maori women a basis for representing themselves as subjects within their own knowledge system? I cannot answer this question without a better understanding of Maori knowledge systems and of how Maori women see themselves as subjects.

Perhaps the problem for Maori women working in Pakeha-dominated Women's Studies is how important is it for their experience to be authorised within the white tradition? Women's Studies' roots are in a social movement largely dominated by a white western, middle-class world view. For Maori women involved in the development of Women's Studies in New Zealand, the project has been not only to become 'authors of authoritative knowledge', but to challenge the authorisation process itself. It is important for Maori women to authorise their own experience and not to have it 'rubber stamped' as 'acceptable' to Pakeha-determined standards of Women's Studies. Jill Chrisp discusses this in describing the Mana Wahine programmes at Waiariki Polytechnic for the *Women's Studies Journal*:

The development of a political and social awareness of the contemporary position of women in society from personal experience was difficult when those experiences were worlds apart. It was important for Maori women, especially, to have a chance to talk about their own issues, to develop their own theories and to share their own visions.³⁴

Many Maori feminists are wary of the consequences of being 'assimilated' into Pakeha Women's Studies.³⁵ Although there is a desire to share knowledge, there are doubts about the purposes of a dialogue. Hinematau McNeill, for example, explains her reticence in writing for a white-dominated *Women's Studies Journal*:

On the other hand, I entertained the idea that such a vehicle could be useful for exposing some of the work that is being developed by Maori women, for Maori women in tertiary institutions in this country. But I am mindful of Fanon's caution: 'You will never make colonialism blush for shame by putting our little known treasures under their eyes.'³⁶

McNeill's use of the Fanon quotation demonstrates a scepticism about the extent to which Maori women's 'treasures' will be recognised by white academics. Certainly, the assimilationist orientation of the colonial past has demonstrated scant regard for these treasures. For the present then, a separatist approach is favoured by many to ensure preservation of the knowledge of Maori women and the appreciation and self-authorisation of their experiences.³⁷

Again the issues surrounding experience and authority in Women's Studies begin to overlap with the debates over difference.

Another response to difference has been to 'box together' and rank oppressions into a hierarchy. In the New Zealand situation, these boxes are formed around identities traditionally thought to have definite boundaries, for example, Maori, Pakeha, Lesbian and so on. Therefore they return to that 'hierarchy of binaries' which does not effectively cope with the complexities of difference. Alison Jones and Camille Guy document a case where identity politics seems to become a mechanism for control:

Each participant was given several biscuits, representing 'privileges'. As she identified her own particular privileges she took biscuits from women who lacked those privileges. One white, heterosexual, middle-class, tertiary educated, able-bodied, professionally employed woman ended up with more biscuits than anybody else. She felt confused.³⁸

Used in this fashion hierarchies of meanings or identities can be seen as an attempt to classify and control difference, seemingly so that a universalised view of women can be maintained for 'political' purposes. The constructed reversal of the othering process (upholding the moral right of the 'most oppressed' to speak) does not automatically topple this universalised view, and it does not foster an open discussion of difference.

Jones and Guy's article has offended some women involved in the conferences they focus on. In some ways this demonstrates the point. Issues of difference involve fragmentation and conflict and trying to make that less politically debilitating by focusing on similarities makes sense. For Women's Studies, however, constructing these similarities in terms of sets of identities can limit discussion of issues which do not fit these sets. Differences need to be discussed so that women in all their differing and interrelated positions can represent their priorities and agendas. This cannot be done without disagreements, or without sometimes causing offence, and attempts to avoid anger (outside the set 'terms') are often frustrating and paralysing (intellectually and politically) for the women involved.

When categorising identities becomes a mechanism of control and a tactic for avoiding conflict, Women's Studies loses its critical edge. Recognising the subjectivity of texts is part of the feminist endeavour, but to slot the meanings of a text under pre-decided labels does not recognise a complex subjectivity. The practice

of authors stating their 'perspective' (usually in terms of these boxed identities) must fail to recognise other motivations which the author may take into the text. This attempts to force a passivity upon the reader which is contradictory to the feminist endeavour of making women participants in authorising knowledge. It tells women readers on what basis they must judge the text and thus makes the reader's 'subjective' criticisms difficult to incorporate.

One of the prescriptions for femininity in white western society is the repression of anger. A 'good' woman should have an angelic temper. Feminism is partly about contesting such things as prescriptions of femininity, and this includes asserting women's right to be angry. This does not mean being violent or destructive, but is rather a constructive resistance to violence and destruction. It is about contesting oppression, and the recognition of differences between women extends that contestation to feminist meanings, which involves asserting women's right to be angry with one another.

I do not have the solution which will enable a productive fusion of experience, scholarly authority and difference within Women's Studies. The 'potpourri'³⁹ of texts which *Feminist Voices* puts together in an attempt to make an indigenous Women's Studies does not seem an adequate solution. It is like the Wife of Bath combining her experience of the purpose of genitals with the authoritative view and saying that they were made for both. Her preference is obviously for experience and she only comes to this compromise 'so that the scholars will not be angry' with her.

The scholars, in her case, were men and she is aware of danger in disagreeing with them. As Women's Studies scholars we need to avoid making it dangerous to disagree. One way to do that, perhaps, is to stop 'taking sides' on the false dichotomy between experience and authority. There are places in between where thinking and acting can become connected. For instance, how do individual women negotiate, or theorise about the conflicting meanings attached to different types of women's bodies? How can a feminist academic theorise about being pregnant? Questions like these have remained largely untouched because they supposedly sit between the 'theoretical' and the 'experiential' and can only be answered by combining the two. Anger, in the form of continual critical challenges to ideas *and* categories, can be used to dismantle

the either/or of experience and authority in Women's Studies. Women (not just women scholars) shift between different groups and identity bases (class, age, country etc.); their experiences and what they make of them continually change according to these locations. The strength of Women's Studies can be in offering a *flexible* framework within which these experiences and theories can be connected and the connections endlessly challenged.

* * *

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Notes

1. This article was presented as a paper to the New Zealand Women's Studies Association's Regional Conference in Auckland, 29 August 1992.
2. Foucault says that the role of the distinction between primary and secondary sources is to 'permit us to create new discourses ad infinitum' but also 'to say finally what has silently been articulated *deep down*'. See Michel Foucault, *The Archaeology of Knowledge and The Discourse Language* (Pantheon, New York, 1992) p. 221. By blurring the distinction I hope not just to expose hidden meanings, but to emphasise the construction of meanings within the texts.
3. Anna Yeatman, 'A Vision for Women's Studies at Waikato University', *Women's Studies Journal*, 8:1 (1992) pp. 30-46.
4. *ibid.*, p. 30.
5. *ibid.*
6. *ibid.*, pp. 42-3.
7. *ibid.*, p. 43.
8. *ibid.*
9. Yeatman, for instance, mentions the commissioning of academic research to provide information for policy formation particularly in a 'conventionalist' state. 'State and Community', in Winter Lecture Series, University of Auckland, 4 August 1992.
10. Yeatman, p. 37.
11. See Yeatman and also Anna Smith, 'Women in the Beehive', *Women's Studies Journal*, 8:1 (1992) pp. 77-94.

12. Roma Potiki, 'Confirming Identity and Telling the Stories: A Woman's Perspective on Maori Theatre', in Rosemary Du Plessis et al. (eds.), *Feminist Voices Women's Studies Texts for Aotearoa/New Zealand* (Oxford University Press, Auckland, 1992) p. 154.
13. Alison J. Laurie, 'Speaking the Unspeakable: A Background to Teaching Lesbian Studies In Aotearoa/New Zealand', in *Feminist Voices*, p. 45.
14. Laurie, p. 46.
15. Kathie Irwin, 'Towards Theories of Maori Feminisms', in *Feminist Voices*, pp. 6–7.
16. Irwin, pp. 2–3.
17. See Lorraine Code, *What Can She Know? Feminist Theory and the Construction of Knowledge* (Cornell University Press, Ithaca, 1991). Also see Joan Scott, 'The Evidence of Experience', *Critical Inquiry*, 17 (1991) pp. 773–97. Scott argues that a person's own account of their experiences should not necessarily be privileged over the accounts of others.
18. Sue Middleton, 'Towards an Indigenous University Women's Studies for Aotearoa: A Pakeha Educationist's Perspective', in *Feminist Voices*, p. 23.
19. Middleton, p. 25.
20. Maureen Molloy helped me to clarify this point.
21. Du Plessis et al., 'Preface', in *Feminist Voices*, p. xi.
22. Shaista Shameem, 'Post Coup Exodus: Indo-Fijian Women Migrants in New Zealand', in *Feminist Voices*, pp. 91–110.
23. See Shameem, p. 102.
24. Shameem, p. 106.
25. Shameem, p. 102.
26. Alison Jones and Camille Guy, 'Radical Feminism in New Zealand: From Piha to Newtown', in *Feminist Voices*, p. 301.
27. Katie Boanas makes frequent reference to her 'gut' in talking to Zohl de Ishtar about 'Women and the Peace Movement in Aotearoa', in *Feminist Voices*, p. 329.
28. See Susan Bordo, 'The Cartesian Masculinization of Thought', in Sandra Harding (ed.), *Sex and Scientific Inquiry* (University of Chicago Press, Chicago, 1987) pp. 247–64.
29. Jan Jordan, 'Feminism and Sex Work: Connections and Contradictions' in *Feminist Voices*, pp. 180–96.
30. Jordan, p. 187.
31. *ibid.*
32. Jones and Guy, p. 309.
33. Pania McArdell, 'Whānaupani', in *Feminist Voices*, p. 75.

34. Jill Chrisp, 'Women's Studies: Kitchen Sink or Lecture Theatre?', *Women's Studies Journal*, 8:1 (1992) p. 61.
35. Ngahuia Te Awekotuku outlines plans for a bicultural Women's Studies in a forthcoming article for *Te Pua*.
36. Hinematau McNeill, 'The Mana Wahine Uni-Tech Programme', *Women's Studies Journal*, 8:1 (1992) p. 67.
37. See for example Chrisp, Irwin and McNeill cited above.
38. Jones and Guy, p. 307.
39. Du Plessis et al., 'Preface', in *Feminist Voices*, p. xi.

A Jury of Her Silent Peers

Elisabeth McDonald¹

Introduction: Fear of the Difference

Criminal lawyers, anxious to employ any device which promises a verdict victory, subscribe to the advice of practised colleagues and sociologists who claim the ability to predict case outcome on the basis of jurors' race, religion, nationality, age, education or sex. The greatest number of trial performance stereotypes concern women. In fact, in the late nineteenth century, when it became a serious possibility in the United States that women would be entitled to serve on juries, many arguments were made against such a move. These arguments were based on the perceived innate qualities of women and the inappropriateness of including on a jury persons with such 'sensitiveness, sympathies, predilections, jealousies, prejudice, [and] hatreds'.² Some of these arguments were seemingly supported by empirical evidence *proving* that women were unsuitable for jury service. Similar arguments ensured that in New Zealand, women did not qualify for jury service in the same way as men until 1976.³

Laws excluding women and other minorities from jury service are gone, but the same arguments are still made, now in the context of women's verdict choice. Comments about stereotypical behaviour have become selection edicts for lawyers who may challenge up to six prospective women jurors, merely on the basis of gender. Such edicts include the following: avoid women jurors when defending a client.⁴ Women are sympathetic and extraordinarily conscientious.⁵ With a woman as a client, take all men. Take women if the defendant is a handsome young man.⁶ Women are unpredictable and are influenced by their husbands' experience. One should excuse the housewife whose

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husband might be an undesirable juror.⁷ Women forgive male criminal defendants, but men are better jurors when counsel wants to avoid intuitive and sympathetic thinking. Women are good for all defendants except attractive women defendants or men charged with sex crimes.⁸ These observations about women jurors, apart from being contradictory, 'betray an obvious trafficking in stereotypes . . . along with a degree of misogyny'.⁹ Yet they persist and are still being used in the process of jury empanelling, clearly to the detriment of the justice system.¹⁰

Many studies, which I go on to assess here, have demonstrated the falsity of these commonly held beliefs about women jurors.¹¹ Unfortunately, the findings of other research, focusing on jury deliberations rather than on verdict choice, suggests that women on juries may actually be suffering from their bad press. Have women come to believe that they are not competent enough to serve on juries, or that, if by some quirk of fate they find themselves there, they should display the decency which they are supposed to possess and allow the men to be the true decision makers?

To examine the *actual* role of women jurors, I will first examine and debunk the existing popular theories about gender differences in the context of jury decision-making. I will then discuss the only relevant sex difference—that of the disproportionate contribution of men to the jury deliberation process—and make proposals to address this imbalance.

Although the jury is by no means free from criticism as a decision-making group, the abolition of the jury in criminal trials, which may leave verdict choice with the judge alone, raises similar issues of power and control. It is beyond the scope of this paper, and indeed it would be premature,¹² to suggest an alternative criminal trial procedure. I offer instead a feminist critique of one aspect of the existing procedure.

Researching Difference

No studies exist on the deliberations of New Zealand juries. Proposals to investigate the decision-making process have been declined by the Chief Justice of the High Court,¹³ presumably on the basis of New Zealand case law which protects, at least in

some cases, the confidentiality of jury deliberations.¹⁴ The need for non-disclosure seems to arise from the desire to encourage free and frank discussion in the jury room. The Court of Appeal has stated that jurors would be distracted from discharging this duty conscientiously if any of them could publicise their version of the deliberations at the conclusion of the trial.¹⁵

The lack of local research, or even statistics, on the jury means that any discussion of the problems for women in the deliberation process must be based on anecdotal information or on overseas research. If the combination of these two sources suggests that what really characterises women's jury behaviour is silence, then it is ironic that the Court of Appeal's desire to encourage free discussion among jurors is preventing disclosure of jury deliberations. Disallowing meaningful investigation of juries' decision-making processes means that the impediments to participation by women and other minorities in that process will never be addressed. It is *this* failure that should be of importance to the Court of Appeal and its desire for free and frank discussion.

The overseas studies I will cite used various methodologies. Some were conducted by interviewing actual jurors after the trial. One problem with this type of research is that it rests entirely on the person's ability and willingness to recall and disclose truthful information. Further, too many other motives may interfere with self-reporting data to establish true relationships of cause and effect. The other commonly used technique is that of constructing trial simulations and using mock juries. This method is popular as it enables a researcher to control the events in the simulated environment and therefore establish causal relationships between specific trial characteristics and jury verdicts. It also enables far more flexibility in observing the jury at work than watching actual juries at work. Mock jurors can do a number of things not permitted in a real trial (take notes, ask the judge questions) which allow the exploration of alternative decision-making processes. The major problem with this kind of research is its external validity—do the results of such research generalise to real trials? Obviously the more closely the simulation approximates a real trial the more closely the findings would approximate to those arising from a real trial.¹⁶

There is no method of researching jury deliberations which is free from critique.¹⁷ I will draw on research which has been done using a variety of techniques, all of which are flawed in some respect, but which nevertheless provide some understanding of the activities of juries. The least compelling material from which to develop policy is the isolated anecdotal stories reported in the media. Unfortunately there is little else available in New Zealand. I use these stories to support the overseas studies and to suggest that at least in one respect, the gendered nature of jury deliberations, there is no jurisdictional uniqueness.

Does Sex Make a Difference?

Juror gender is the individual difference that has received the most attention by empirical researchers. There is however considerably more research examining guilt preferences and verdict differences between the sexes, than research on comparative participation or deliberation. It is also interesting that the representation of cases used in research on juror verdicts has been uneven. Over half the research projects focus on the crime of rape.¹⁸ This both emphasises the existence of sex-based stereotypes and means that there are no comprehensive comparisons on a case-by-case basis for guilt preferences.

Early research on rape verdicts pointed to links between gender and verdict. Most studies comparing reactions to rape found that women convicted more often.¹⁹ One study showed that women were more likely to convict when the evidence against the defendant was weak or circumstantial.²⁰ Men were more inclined to think that a rape victim made a causal contribution to the rape and consequently attributed more fault to her and characterised her more negatively.²¹ Men also focused on the part played by the victim when sentencing the defendant in jurisdictions where the jury had that power. Men were more lenient toward a rapist where the woman did not resist.²² Women when sentencing did not draw a similar distinction. To them, 'no' seemed to be sufficient.

These data supported the belief that women have a pro-victim bias in rape cases, and in some United States jurisdictions were used to justify the barring of women from juries at sexual assault

trials.²³ Another way of classifying the difference is to say that men have an *anti-victim* bias.²⁴ One feminist view, put forward most notably by Catharine MacKinnon, attributes both phenomena to the amount of violence against women. She argues that the extent of sexual violence means that probability dictates most women have had experience with a victim, or have been one.²⁵ There is an equivalently large number of men, even making allowances for re-offenders, who may never have been charged with a sexual offence, but still hold, or even manifest, such tendencies, and still serve on juries. Men who will not condemn another for doing what they would have done. However, more recent research has shown that the relationship between gender and verdict is not a strong one, even in rape cases.²⁶ A 1980 study suggested that there are no meaningful differences between men and women in their judgements or sentencing decisions.²⁷ Other studies have shown that the ability to predict jurors' verdicts in rape cases is improved very little by knowing their sex.²⁸ An extensive study done in 1984 established that the background characteristics (age, sex, income, level of education) of the participants (mock jurors who watched a simulated rape trial) had no effect on their decision.²⁹ Interestingly, neither did the fact that they personally knew a rape victim.

The best predictor of how jurors will vote in a rape case is instead, not surprisingly, their attitudes towards rape. The stereotypic beliefs that jurors have about women and rape have been effectively measured by the 'Rape Myth Acceptance Scale'.³⁰ People who think, for instance, that 'when women go braless they are asking for trouble' are unlikely to vote guilty in a rape trial (particularly when the actual victim/survivor was not wearing a bra, was wearing a short skirt or was carrying a condom). The important point is that these beliefs are not always gender-specific. There may be a larger percentage of men than women who agree with the proposition that 'many women have an unconscious desire to be raped' but that does not mean that *all* women will *always* convict an alleged rapist.

The only appropriate conclusion is that rape may well evoke different responses in men, but gender of itself is not a major determinant of verdicts, even at an individual level. In time and in an ideal world, of course, there should be a gender-uniform

reaction to any sexual violation. In respect of all other kinds of cases the vast majority of studies show no consistent divergence in decisions by men and women.³¹ Some studies do, however, identify gender-based differences in some specific situations.

A 1983 study claims to establish that women show a greater propensity to prejudge defendant guilt.³² The study asked individuals, in relation to highly publicised local violent crimes, if they believed the defendant was guilty and whether or not they could be an impartial juror in the case. Women were found to be more likely than men to reveal partiality, as measured by their belief in both the defendant's guilt and their self-proclaimed incapacity to serve impartially as a juror at the trial. The writers tried to establish the cause of this 'prejudgment', and concluded that the difference was not due to the amount of information available to the individual, the individual's attitude to crime and punishment or their level of education.³³ All that the findings did establish was the level of honesty of the participant. Rather than concluding that women prejudge guilt more often and seeking an explanation for the phenomenon, the question the researchers should have addressed is what makes women *reveal* their biases more often than men, which would seem appropriate given that there was no difference in any other variable. In any event, the result of recent discussions in Washington DC indicates that pretrial publicity does not bias *any* prospective jurors, certainly not in a way that cannot be overcome by proper instructions to the jury.³⁴

A study by Eloise Snyder established a difference in verdict choice between all-male and mixed civil juries.³⁵ She found that although the 'superior status litigant' won more frequently than the 'inferior status litigant', his³⁶ ability to do so decreased when the jury contained women. However the 'inferior' plaintiff was also awarded lower damages by mixed juries.³⁷ Snyder attributed the difference in verdicts to the fact that women identify with members of other minority groups, and related the giving of lower awards to the conservative economic position women have been traditionally forced to occupy. Her study suggests that the behaviour of women on juries bears a relationship to their behaviour historically.

In 1972 Nagel and Weitzman, concerned with the disadvantage to a woman litigant arising out of the laws allowing women to be more easily excused from jury duty, examined the operation of the

likes-attract hypothesis in jury decisions.³⁸ They reported that in terms of damages, men will award more to men, and women will do the same for other women. They also noted that, although this phenomenon was not gender-specific, women favoured women to a lesser extent than men favoured men.³⁹ They concluded that:

[because] disparities in treatment between male and female litigants can be affected by the sex of the decision-maker, this should be further reason for society ... to have more women judges and jurors.⁴⁰

Like Nagel and Weitzman, nineteenth-century supporters of jury service for women had focused on the difference women would make. They used society's interest in a justice system which caters for and hears all people as a means of obtaining representation on juries.⁴¹ The recognition of the value of a 'women's voice'⁴² has been useful in validating women's experience, but assumptions about gender differences can also be used by opponents of women's rights to limit women's role in political life.⁴³ Claims about the gender-specific contribution of women risks the charge of essentialism⁴⁴ and invites stigmatism. Reinforcing certain values or beliefs as sex-specific does not challenge the nature or existence of those beliefs. It may be that there are 'real' gender differences, but these differences may well be social and cultural constructs, constructed and perpetuated in the interests of the dominant (male) ideology. Claiming that women 'articulate the feminine' should also question our choice in the matter. Are gender-specific traits survival mechanisms or biological certainties?

Research which attempts to discover inherently female traits and so justify women's inclusion in those areas of life where a 'market place of ideas' is seen as a good thing is, therefore, of limited or dubious value. Sociological research about juries and the legal system would be better utilised in establishing where and why women have difficulties coping in such environments, and trying to find ways to redress that imbalance.⁴⁵

The empirical evidence supporting the assumed link between the behaviour of jurors and their background characteristics is slender and contradictory.⁴⁶ The studies cited which claim to document gender differences in decision-making can be refuted by evidence leading to the opposite conclusion. The evidence relating to other assumptions about the predictability of jurors is

no less equivocal. There is stronger support for the contention that the verdicts of jurors are influenced much more by the weight of evidence presented in court, along with considerations of equity, than by any variations in the prejudices, attitudes or backgrounds of the individual members of the jury.⁴⁷ Even where some individual biases appear in the research, they are far more likely to arise as a result of an attitudinal stance than from the sex of that person.⁴⁸ On this point Rita Simon concludes:

It is extremely difficult to predict the response or behaviour of a given individual to a concrete situation on the basis of such gross characteristics as occupation, education, sex or age. In any situation what a person thinks or does is a function of who he[sic] is, the exigencies of the situation, how strongly he[sic] feels about the problem, and a host of other factors.⁴⁹

Despite the lack of supporting evidence for gender-biased verdict choice, the jury summons form currently in use by the Department of Justice includes the following description of a peremptory challenge:

A lawyer may call 'Challenge' to a juror before he or she is seated. The juror must then return to the back of the court. A juror should not take this personally. *It is simply that because of age, sex, occupation, the fact of living close to the parties involved in the case, or for some other reason, the lawyer prefers someone else.* (My emphasis.)⁵⁰

The use of these words seems to validate questionable notions of predictability based merely on generalisations across class, age and gender. Any reference to race and culture is more appropriately omitted, yet there is no reason to doubt, based on the evidence from overseas jurisdictions at least,⁵¹ that these considerations also play a part in the jury selection process despite the lack of any compelling evidence that challenges on such grounds make any real or predictable difference. In the third Plumley-Walker murder trial, for example, all Maori and Pacific Island prospective jurors were challenged.⁵² In another recent case an appeal was made on the basis that the Maori defendants received an unfair trial after the prosecution had similarly challenged all the Maori and Polynesian prospective jurors.⁵³ Although the appeal was denied, the Court of Appeal viewing the point as a 'political

question' not a legal one, the issue remains important. In the United States racially-motivated peremptory challenges are now considered unconstitutional.⁵⁴

The lack of empirical research to support verdict difference on the basis of gender or race should not, however, be used to exclude or include members of either group. However, this is not to say that the specific experience of particular individuals may not have an impact on the way they reach their decision, and the fact that twelve people will all bring their own experiences to the decision is important. Further, the exclusion of a particular group does not give the appearance of a transparent and just criminal process. Inclusion of women or Maori may well not make any difference to the verdict choice but it will make a world of difference to the perception of that verdict.

Inclusion on a jury, however, must be supported by a voice on that jury. Contribution to the deliberations is an essential component of jury duty for this purpose and it is in this component, as I shall argue in the rest of this article, that marked gender differences can be demonstrated.

One of the factors which does seem to influence verdict choice is the impact of the deliberation process. Further, although it has been demonstrated that in ninety percent of cases the final verdict will reflect the initial ballot,⁵⁵ it is not the verdict alone which is relevant to an understanding of the jury system. Even if jury deliberation accounts for only 10% of the verdicts, or arguably for a higher number of verdict choice compromises, the deliberation process has an important influence on juror satisfaction, both with the final outcome and with the justice system as a whole. The process may in fact do more than just that. Joiner states that 'the process of deliberation is a process through which the biases of individual jurors are exposed or isolated or controlled'.⁵⁶ Jury deliberations are a group process and a group decision is not simply a sum of the biases that the individuals bring into the jury room.⁵⁷ Individual differences in verdict preferences will be diluted and moderated by group influences. Further, the ability of one member to influence the final decision will depend on the opportunity she or he gets to participate.⁵⁸ Despite a relative dearth of information about how juries actually interact, one finding

has remained constant over time. Men talk more and listen less.

The Silence of Difference

Gender matters from the start — when jurors choose a foreman.⁵⁹ This is the jury's first group decision. The appointment of a foreman is a crucial decision for the jury because of the consequences for their decision-making procedure. The foreman communicates directly with the judge and is therefore the person who makes the final decision about seeking further clarification on matters of law or about informing the judge when the process breaks down. The foreman can control the style and direction of the decision-making process.⁶⁰ A foreman is also able to change the verdict opinions of individual jurors,⁶¹ not merely by active persuasion but through a combination of the relative amount of talking a foreman does and the position he holds. From the moment the jurors are instructed to appoint a foreman, they are aware that his authority and opinion, legitimated by the judge, should carry more weight. As a consequence, not only does the foreman talk three times as much as any other juror,⁶² but he has a justification for interrupting the discussion and re-directing the focus. Given the support that the more verbose jurors obtain, the amount of talking the foreman does, along with his status, results in his usually being the most influential member of the jury.⁶³ Who foremen are matters: they are mostly white, middle-class men.

In 1957 Strodtbeck, James and Hawkins found that although jurors made no explicit use of socio-economic criteria in the election process, the results over a range of juries suggested selection was not a random procedure.⁶⁴ 'Proprietor' foremen were three-and-a-half times more common than 'labourer' foremen. Women were made foremen only one-fifth as often as would be expected by chance. Arguably, because this 1957 mock jury study pre-dated both the feminist movement of the sixties and the equal qualification for jury service, it has limited relevance today. A later study by Strodtbeck's peers on the influence of foremen did not even anticipate that women could hold the position.⁶⁵ The Strodtbeck results can not, however, be relegated to mere historical interest.

They were replicated by Rita Simon in 1967, by McCabe and Purves in 1974, Beckham and Aronson in 1978 and in 1989 by Phoebe Ellsworth.⁶⁶ When Beckham and Aronson compared their findings, based on data collected from two Federal District Courts in Texas, to those of Strodtbeck's Chicago study, they had this to say:

If our measure is accurate, either Texas is almost 20 years behind Chicago or we have obtained an indication of national opinion which has remained unaltered for [that long].⁶⁷

A recent Australian study also established that despite the equal representation of women, foremen were men in 79% of the juries surveyed.⁶⁸

Because of the status and influence of the foreman in the deliberation process it would seem appropriate that juries regard seriously their task of appointing a foreman. This is not the case. Foremen tend to rise to their position in one of two ways. They either start the discussion about foreman selection or they sit at the head of the table.⁶⁹ On many occasions, they may do both. These two acts are typically performed by high status males, which in effect, if not by design, makes the task one of self-selection, rather than group election. In one study researchers saw 'shadow' jury members 'jockeying' for the most prominent place at the table.⁷⁰ Both factors merged curiously in the election of Mary Timothy to the position of foreman in a celebrated trial of a black woman academic in the United States.⁷¹ She was shown to the head seat by an older male juror. Her status had already been made clear as her husband, a lawyer, had helped her clarify the trial procedure for the other jurors, therefore the head seat seemed a natural position for her. In another well-known American murder trial both methods of selection were also employed. The male juror who suggested that the jury should start by selecting a foreman was simultaneously elected and shown to the biggest chair 'and th[at] spot . . . officially [became] known as the foreman's place'.⁷²

In New Zealand no advice is given on how a jury should elect a foreman nor is the foreman's role clearly defined. The jury summons form carries the following brief information:

How is the foreman selected? The jury retires to a room and chooses one person to be foreman. The foreman (man

or woman) speaks on the jury's behalf in court and chairs its deliberations in the jury room ... [A juror may only ask questions] through the foreman of the jury ... [It is] the foreman who tells the Registrar [if more information is needed].

The recent Courts Consultative Committee's Report on Jurors' Concerns does recommend use of a video to educate prospective jurors which would include information on the foreman's task and how the foreman is chosen.⁷³ The Report does not, however, specify exactly what information should be included. It thus remains unclear whether this suggestion will indeed address the gender issues surrounding the election and activities of foremen during the deliberation process.

It is not only foremen who dominate jury deliberations. A disproportionate contribution is a power-related luxury which is granted to most men. During the deliberation process, men offer forty percent more comments than women.⁷⁴

Research in this area has also focused on the different kind of talking reserved for men. Strodbeck and Mann, again in the 1950s, used the Bales Interaction Process Analysis to code the comments of men and women in simulated jury deliberations.⁷⁵ They concluded that men talk more than women, who are more passive and tend to express their feelings in non-verbal ways. Men are also more task-oriented.⁷⁶ Women are likely to say things that reduce tension in the jury and unify the group. In the words of the researchers, men *pro-act* and women *react*.⁷⁷

Focus on the differences between men's and women's actual speech is not always helpful, just as identifying other 'immutable' gender differences may be dangerous for women wanting to challenge tradition. It is more useful to ask what contributes to such differences rather than just to document them. Unfortunately, the person asking that question may bring too much of themselves to the answer. Strodbeck and Mann, for example, viewed the division of labour on juries as being related to the nuclear family experience and cited this as confirmation of the 'eternal and universal truth of the differences between men and women'.⁷⁸ In any event, studies demonstrating differences based on content contribution have not been reliably replicated.⁷⁹

The Difference Silence Makes

Relative participation rates affect the way individual jurors are perceived by other jurors.⁸⁰ Whether the perceptions are the result of observing actual behaviour, (for example noticing that a juror did persuade another to re-think her position) or merely attributing to a behaviour effects that would be expected, is unclear.⁸¹ What is clear is that attributions are gender-related, with males being consistently rated as more persuasive, more helpful, more open-minded, more rational and more confident.⁸² The disturbing fact is that men are awarded these traits primarily because they talk more. Jurors who speak more are viewed as the most persuasive.⁸³ Men, therefore, who participate more, are seen as having more influence and displaying greater leadership than women. It appears that the sheer quantity of comments gives weight to their perceived quality. The process becomes a vicious circle. Once men start to speak more they become, in the eyes of other jurors, pillars of veracity. Their perceived abilities in turn make women more willing to let them lead the conversation and so they limit their own contributions. All this happens not because of the truth of male speech, but because of its volume.

Strodtbeck also found that the more active jurors shifted their pre-deliberation position less often in the process of agreeing with the group verdict.⁸⁴ Put into gender terms, men change women's minds more often. This has serious implications for the part of minorities in verdict choices specifically and for sex power play generally.

The lack of women's participation results in their decreased satisfaction, both with the actual experience and with the trial system as a whole.⁸⁵ This dissatisfaction arises from the undoubted frustrations of remaining a silent and cajoled minority.⁸⁶ Unfortunately women, as a group, have not yet become frustrated enough. Over the past few years however, some women have been speaking out about their experience as jurors.

The best-known of these women is Julie Whittaker, a juror in the first murder trial of Ross Appelgren. In her affidavit, which became part of the material presented in support of Appelgren's petition for a re-trial, Mrs Whittaker stated her concerns about the entrenched pre-deliberation positions of a group of the male

jurors and the pressure they placed on other jurors to conform to their verdict preference:

When it became apparent that some jurors were voting 'not guilty' a number of the male jurors ... started to apply pressure to obtain a guilty verdict ... pressure was applied by some jurors in the forceful way in which some of them with louder voices put their views for a conviction and ... were not prepared to listen to or to consider anything to the contrary ... I just dreaded when it came my turn to vote. I felt intimidated.⁸⁷

Although Ross Appelgren was eventually re-tried, it was not on the basis of these concerns.⁸⁸ More recently a mother from Otara, Ake Uea, swore an affidavit in support of an appeal against the conviction and sentence of an alleged sex offender. In her affidavit she outlined her feelings of frustration at being constantly interrupted, and her fear of holding out for what she believed to be the correct verdict in the face of being shouted at and physically intimidated. She stated that when she told the foreman:

[T]hat I did not agree with the verdict, other members of the jury started shouting at me ... One time one juror came around, got up and sat on the chair next to me [saying] 'He's guilty'. I began to get scared and told them that I wanted to talk to the foreman and they shouldn't keep interrupting me ... I was very scared.⁸⁹

Despite the intimidation clearly felt by this woman, the Court of Appeal held that:

[Her affidavit] discloses nothing more than vigorous discussions and attempts to persuade the juror and goes nowhere near to establishing misconduct of the kind justifying the Court's interference, such as ... behaviour indicating that a juror or jurors have deliberately avoided or failed to carry out their duty.⁹⁰

It may be, and justifiably, that it needs extreme behaviour from jurors to justify judicial intervention. From the studies that have been done about jury deliberation processes, it appears that the kind of gendered verbal pressure referred to by these two women is not 'extreme' in the sense of being unique or abnormal. If individual jurors comply with the majority, however, just 'to avoid being rejected or to escape an unpleasant experience'⁹¹, then the

jury is not discharging its task, which must include allowing each juror to vote according to their own beliefs. If any juror leaves the jury room feeling as these women did then the courts should be concerned. Further, in cases where a Court has interfered with jury deliberations, the response has been to discharge the recalcitrant juror rather than to attempt any reconciliation or reaffirm the need for unanimous productive participation.

The situation in which the two New Zealand women found themselves is echoed in the following newspaper report, one of a number of Australian examples:

Three women (the fourth, a housewife, abstained from most discussion because she was not confident about expressing herself) were reduced to tears on a number of occasions because they tended to be shouted down by the men . . . A couple of the girls were particularly concerned about being put down by the fellas. And a couple of the blokes, at different times, tried to put them down.⁹²

Constantini et al. summarised the relevance of gender to jury deliberations in the following way:

[I]t appears that a jury's deliberative process tends to impact differently on men and women, with women being more deferential to men, less influential in affecting verdicts, and more likely to change their predeliberation opinions as to the defendant's guilt.⁹³

However, in the context of their findings that women show a greater propensity to prejudge guilt, the authors significantly stated:

Whatever distinctiveness in judgment terms the present surveys may suggest for women jurors, that distinctiveness could well disappear once those women were confronted in the jury room with the contrary opinions of male counterparts.⁹⁴

This is telling for several reasons. The first implicit assumption is that women's characteristics can be efficiently and appropriately eradicated in the male-dominated jury room. Women are told that their values are not what is needed here, even though men may well glorify them elsewhere.⁹⁵ These researchers, however, also failed to question the nature of the power that such 'male

counterparts' exert. Clearly the fact of gender control, carrying with it the reinforcement of a single ideology,⁹⁶ should be worthy of the attention of those who believe that ideal juries may be created by the use of peremptory challenges. Perhaps the argument that women in fact make little difference to verdict choice is designed to keep women on juries. The unfortunate result is that, in failing to challenge the dynamics which render women's voices silent and therefore statistically insignificant, researchers, and therefore policy makers, are failing to confront the real issue: disempowerment of women by men occurs in the jury room as in the outside world.

How Silence Makes A Difference

The jury is primarily a fact-finding body. The jury is also instructed by the judge on the relevant law which it is to apply to the facts established. Jury service is one of the few ways in which citizens participate directly in the democratic process, and in the enforcement of the law. As such, it teaches jurors powerful lessons about the operation of the system of justice at work in their community. From the late nineteenth century through to the 1940s, when they argued for the right to serve on juries, women in the United States focused on the dual educational process which would result.⁹⁷ Women claimed that they would contribute something other than that which men provided. Women's participation would be beneficial and ennobling. And in return, women's presence on juries would be influential in their lives, producing a 'new conception of government and of their rights and privileges, as well as their duties and responsibilities under it'.⁹⁸ If women learn in the jury room that their contribution is not as valuable as men's and that men can refuse both to listen to them and to respect their rights, the lesson is a harsh and dangerous one.⁹⁹ Women have been deprived of the opportunity to participate in the judicial process. For those women to whom jury service will be their only opportunity to observe justice at work, their male-dictated ineffectiveness must be devastating.

It is not only the effect of the experience on women which is troublesome. Of greater import to the litigants is the dominance

of one group and the silence of another. As the United States Supreme Court recognised in *Ballew v Georgia* a decrease in the size of a jury reduces the possibility that the whole story will out.¹⁰⁰ The implications for the fact-finding ability of the jury where one sex is silenced are obvious. If women systematically choose not to speak or men choose not to listen when women do speak, then the jury is, in effect, reduced in size. Memory gaps in the group's collective knowledge increase.¹⁰¹

The studies cited in *Ballew* also convinced the Court that a reduction in jury size would result in decreased representation of minorities. This fact concerned the Court because of its belief in the importance of jurors' being drawn from the whole community and bringing with them diverse opinions and social experiences.¹⁰² To expand this concern to the issue of women's silence is to recognise that their silence is depriving the justice system, and indeed the legislature, of its contact with public opinion. Further, the point of having a jury is to provide a judgment which is not based on one set of moral precepts or beliefs about the law, but which is fairly representative. When women are silenced one half of the world loses its say. Hastie provides at least one example of how important that say might be:

Juror 8 was a 59 year old, white housewife, married to a retired factory worker and living in a middle income suburb ... *She never spoke during the deliberation.* However, her responses on the post-deliberation questionnaire showed that her memory of material from the trial was above average. (My emphasis.)¹⁰³

The Nature of the Difference

Strodtbeck and his successors used their findings as proof of the innate differences between men and women which were observed in adult family behaviour and perpetuated in the jury room.¹⁰⁴ Nemeth claimed that research subjects, 'much like the folklore of attorneys, tended to assume that women are relatively more passive, weak and non-influential'.¹⁰⁵ There is a wealth of meaning in the one word *assume*.

Whether appropriately or not, when men and women enter the jury room, they do not leave behind the lessons society has taught

them about how they should interact.¹⁰⁶ Power relations of male domination and female subordination are poignantly there also. Men speak more often and at greater length wherever they are. They also interrupt others more and listen less.¹⁰⁷ The effect of this on a woman's voice is to reduce it to silence.¹⁰⁸ Those who have the power can speak. Absence of power is absence of speech.¹⁰⁹ Women have learned this lesson well. Men have an interest in continuing the education. This class is in session everyday in a schoolroom or lecture hall, in a community meeting or when a jury is in deliberation. Whenever men and women 'talk', women are taught not to.

More is going on in a jury room than just that. Women are not only disempowered through lack of speech, but also by the legal system itself, which does not operate independently of power relations in society. The law and legal institutions were made by men for men¹¹⁰ and, as such, they reflect the patriarchal hierarchy and protect male interests. It is simply not correct that women display their true selves in a jury room, or anywhere else. If they get a chance to show anything at all, it is that which has been taught to them while they had their mouths shut. The studies about jury deliberations illustrate the inability of women to behave in an advantageous, or powerful, way at the time they come into contact with the justice system. These demonstrations over time of women's inability to participate equally in jury decision-making may be due to the exclusion of women who have training in professions which require skills similar to those valued in the jury room.¹¹¹ It is clear that legal education teaches women to survive in the legal system, as men do.¹¹² It is not enough, however, to allow women to talk if they must do so in a man's voice, and in a man's backyard.¹¹³ But until we know what women would say if they learned how to speak,¹¹⁴ there is pragmatic sense in allowing them the chance to practise.

Making the Difference Go Away

Once the courts and the Department of Justice are aware of the gender issues in jury deliberations, they have a number of options available, besides ignoring the problem. One is to utilise

existing methods of juror education to intervene in the problem of power-dominated decision-making, if only in the jury room. There is evidence that jurors approach their task with a desire to perform well. If the court teaches jurors about the effect of gender dynamics, it is possible that they will respond to such instructions in a similarly responsible way. Such an approach cannot, of course, address the problem of those who will not respond but merely perpetuate the inequities of the system.

The judicial system could seek to inform jurors of the need for women and men to participate equally, either through the means currently employed, or those means proposed by the Courts Consultative Committee, to educate prospective jurors. The person with the most influence over the performance of the jurors during the trial itself is undoubtedly the judge. The judge could charge the foreman with the responsibility of controlling not so much the content of the discussion, but the quantity of the input from individual jurors. The direction approved by the Court of Appeal in *R v Accused* may be appropriate as a matter of course.¹¹⁵ The material part of that direction is the passage stating that:

One of the strengths of the jury system is that each member takes into the jury room his or her individual experience and wisdom and is expected to judge the evidence fairly and in that light. You are expected to pool your views of the evidence and *you have a duty to listen carefully to one another.* (My emphasis.)

The selection process of the foreman also needs attention. A foreman could be assigned by seating position in the jury box (i.e., randomly) or the judge could appoint the foreman, taking into account the appropriateness of varying the selection criteria. Alternatively, jurors could be given more guidelines or advice as to how to go about selecting a foreman themselves, including information which would encourage more attention to the performance of the foreman. If such active intervention is considered inappropriate, the very least a court could do is provide a round jury table.

All these measures assume a greater commitment to gender equality than that currently displayed by most legal institutions.

New Zealand still has no woman judge in the High Court and only recently did two women become Queen's Counsel.¹¹⁶ The justification offered for the absence of women from the High Court bench has been their lack of court experience. It is significant that this lack of experience argument has not prevented the recent appointment of a male law academic.¹¹⁷ Head counting is of course never enough, as it is not in relation to women jurors. Just as women need to participate in the deliberation process, so do women need to contribute to the enactment and application of the law. In 1993 the legal profession must make a commitment to allowing women to do so. For example, a training programme for new District Court judges is currently being prepared which includes education on gender issues.

An alternative proposal to the measures outlined above would be the provision of outside assistance to the deliberation process. Women are not alone in their silence which may indeed be founded equally on class, race and education inequities. People in positions of power, whether men or women, will always dominate the decision process. The question remains whether the contribution of all jurors is important enough to ensure that it occurs. One way of encouraging the contribution of all jurors would be to use a professional mediator who would sit with the jury during its deliberations. Although the appointment of such a person and their role would need to be carefully scrutinised, there appears to be no reason in principle, if we are truly concerned about jurors discharging the duty laid down by the Court of Appeal, why such people could not be employed to assist the decision-making process. The commitment should not stop there. Lawyers can help in ways that are not so immediately beneficial to either themselves or their clients. They can stop buying into misogynist stereotypes. They can stop perpetuating the silence of women in their own practice, by listening to the wives and daughters and mothers of their clients, by listening to their women clients, by listening to their colleagues and by not interrupting.

And women lawyers should not forget their experience as women.¹¹⁸

Conclusion: A Different World

Today that 37-year-old white man . . .
has been set free
by 11 white men who said they were satisfied
justice had been done
and one black woman who said
'They convinced me' meaning
they had dragged her 4'10", black woman's frame
over the hot coals of four centuries of white male approval
until she let go of the first real power she ever had . . . ¹¹⁹

Despite the attention lavished on discovering predictable differences based on sex, only one finding has been reliably replicated over time. Women jurors say less. Their silence does not mean they have less to say, merely that there is less space in which they can speak.

Women who become jurors are disempowered by the silence imposed on them by men and by the legal system. Claiming, as we do, to believe in the importance of equal representation and free speech, it is hard to justify the profound lack of corrective action in the legal system which would allow all minorities their part in an active democracy. Changing the way we think about sex roles in discourse, being aware of the silence of women, is one way that the legal process can come closer to providing a system that speaks to, and for all people.

Serving on a jury is the closest that most people get to seeing the legal system at work. The Minister of Justice notes in the Foreword to the *Report on Jurors' Concerns*, '[j]ury service is one of the key elements of democracy as we know it in New Zealand . . . I trust we never let it go'. Although the majority of the proposals made

in that report do not concern the role of women jurors, there is certainly scope within the revision of the juror educational aids for reconsidering the information given about foreman selection and the deliberation process. This should be coupled with the first New Zealand study of actual, not mock, jury deliberations. We do not yet know whether New Zealand jurors respond in materially different ways from those in overseas jurisdictions. If the opportunity is taken to implement the changes proposed, it would seem a valuable exercise to test their effectiveness in future jury trials.

As the celebrations to mark the centennial of women's suffrage in New Zealand begin, it seems the appropriate time to take whatever steps are necessary to ensure that women are able to participate meaningfully in this democratic process that we cannot yet let go.

* * *

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Notes

1. Despite the obvious irony in this context, I acknowledge the helpful suggestions and tireless proof reading of several of my (male) colleagues at Victoria University: Graeme Austin, Neil Cameron, Simon France and Paul Myburgh.
2. E. C. Stanton, S. B. Anthony and M. J. Gage (eds.), *History of Woman's Suffrage* 3 1876–1885 (Arno Press, New York, 1969) p. 735.
3. New Zealand women were first permitted to serve on a jury in 1942, if they notified the Registrar in writing of their wish to do so. Although the Juries Amendment Act 1963 removed the need for an application to serve, between 1963 and the enactment of the Juries Amendment Act 1976, women could be excused from jury service solely by reason of being women. For further commentary on the New Zealand position, with some figures on participation by women, see Jan Walker, 'The Select Few', *New Zealand Law Journal*, (1972) pp. 283–86. Neither the Justice Department nor the High Court Registry at Wellington have any statistics on the number of women summonsed or empanelled.
4. R. Hastie, S. Penrod and N. Pennington, *Inside the Jury* (Harvard University Press, Cambridge, Mass., 1983) p. 122.

5. Attributed to Clarence Darrow, see R. J. Simon, *The Jury: Its Role in American Society* (Lexington Books, Lexington, Mass., 1980) p. 33.
6. For these points, and others, see also Stuart Nagel and Lenore Weitzman, 'Sex and the Unbiased Juror', *Judicature*, 56 (1972) pp. 108–111; Nola Tetzlaff, 'Women on Juries', *NZ Recent Law* (1981) pp. 92–98.
7. Attributed to I. Owen, see Anne Rankin Mahoney, 'Sexism in Voir Dire: The Use of Sex Stereotypes in Jury Selection', in W. L. Hepperle and Laura Crites (eds.), *Women in the Courts* (Williamsburg, National Centre for State Courts, 1978) pp. 114–35.
8. The belief that women are more likely to convict a man of rape has led to the empanelling of all male juries by use of peremptory challenges. W. R. Cornish, *The Jury* (Pelican Books, Middlesex, 1971) p. 49. Whether there is substance to this belief is discussed below.
9. Valerie P. Hans, 'Gentlewomen of the Jury', unpublished paper presented at the annual meeting of the Law and Society Association, Toronto, 1982.
10. See Mahoney, p. 128; Susan L. McCain, 'Sex Discrimination in the Voir Dire Process: The Rights of Prospective Women Jurors', *Southern California Law Review*, 58 (1985) pp. 1225–59; Randy Riddle, '*Bobb v Municipal Court*: A Challenge to Sexism in Jury Selection and Voir Dire', *Golden Gate University Law Review*, 14 (1984) pp. 769–83.
11. S. M. Kassin and L. S. Wrightsman, *The American Jury on Trial: Psychological Perspectives* (Hemisphere Publishing Corporation, New York, 1988) p. 29.
12. Very little critical work has been done in New Zealand on which to base an alternative model.
13. For example, that proposed by the Institute of Criminology at Victoria University.
14. *R v Papadopolous* [1979] 1 New Zealand Law Reports, p. 621.
15. *Papadopolous*, p. 626.
16. Kassin and Wrightsman, p. 18.
17. *ibid*, p. 19.
18. Hans, p. 6.
19. *ibid*, p. 7; Hastie et al, p. 140; D. C. Ugwuegbu, 'Racial and Evidential Factors in Juror Attribution of Legal Responsibility', *Journal of Experimental Social Psychology*, 15 (1979) pp. 133–46. Ugwuegbu notes: 'the strong tendency for the female jurors to evaluate the rapist more punitively ... probably reflects the women's strong

- negative feelings about the high incidence of rape on university campuses . . . the spread of the women's liberation ideology, and the general tendency to identify with a similar victim' (p. 144).
20. A. Sealy and W. Cornish, 'Jurors and their Verdicts', *Modern Law Review*, 36 (1973) pp. 496–508.
 21. Hastie et al, p. 141.
 22. J. Scroggs, 'Penalties for Rape as a Function of Victim Provocativeness, Damage and Resistance', *Journal of Applied Sociology*, 6 (1976) pp. 360–68.
 23. S. Brownmiller, *Against Our Will: Men, Women and Rape* (Penguin Books, New York, 1975) p. 206.
 24. See generally on this point Suzanne Callinan, 'Jury of her Peers', *Legal Service Bulletin*, 9 (1984) pp. 166–68.
 25. C. A. MacKinnon, 'Desire and Power', in *Feminism Unmodified* (Harvard University Press, Cambridge, 1987) pp. 46–62. MacKinnon reports that 44% of American women have been the victim of a rape or attempted rape and 85% of working women have been sexually harassed at some point in their career (p. 51).
 26. Hans, p. 7; Hastie et al., pp. 141–42.
 27. H. S. Field, 'Juror Background Characteristics and Attitudes Towards Rape', *Law and Human Behaviour*, 2 (1978) pp. 73–93.
 28. Hans, p. 7; Carol J. Mills and Wayne E. Bohannon, 'Jury Characteristics: To What Extent Are They Related to Juror Verdicts?', *Judicature*, 64 (1980) pp. 23–31.
 29. E. Borgida and N. Brekke, 'Psychological Research on Rape Trials', in Ann Burgess (ed.), *Rape and Sexual Assault: A Research Handbook* (Garland, New York, 1985) pp. 313–42.
 30. Kassin and Wrightsman, p. 37.
 31. *ibid.*, p. 29; Hans, p. 7; J. Baldwin and M. McConville, *Jury Trials* (Clarendon Press, Oxford, 1979) pp. 99–101 and see generally Hastie, pp. 140–41 and Cookie Stephan, 'Selective Characteristics of Jurors and Litigants: Their Influences on Juries' Verdicts', in R. J. Simon (ed.), *The Jury System In America: A Critical Overview* (Sage Publications, Beverly Hills, Calif., 1975) pp. 97–121.
 32. E. Constantini, M. Mallery and D. M. Yapundich, 'Gender and Juror Partiality: Are Women More Likely to Prejudge Guilt?', *Judicature*, 67 (1983) pp. 121–33.
 33. *ibid.*, pp. 127–33.
 34. Charles Anderson, 'Trial By Press? Pretrial Publicity Doesn't Bias Jurors, Panelists Say', *American Bar Association Journal*, (1990) p. 32. Contrast this belief with statements made in argument for a change

- of venue. For a recent discussion of this issue in the High Court of Australia see *R v Glennon* [1992] 66 Australian Law Journal, p. 344.
35. Eloise C. Snyder, 'Sex Role Differential and Juror Decisions', *Sociology and Social Research*, 55 (1971) pp. 442–48. Snyder notes that the study was made possible by the fact that prior to 1967 women were not permitted to serve on juries of this Court.
 36. The masculine is used deliberately. As recently as 1971 a litigant of 'superior status' would not usually have been a woman, unless she was suing as a wife.
 37. Snyder compares the awards when *both* sample juries have found for the 'inferior' plaintiff. An interesting further study, using one trial, could have evaluated whether the plaintiff who won displayed 'superior' characteristics, which lead both to his (or her) success with an all male jury and less compensation from the women jurors.
 38. Nagel and Weitzman, 'The Unbiased Jury'.
 39. *ibid.*, p. 109.
 40. *ibid.*, p. 110. The same authors reported in 1971 that men got higher damage awards for their injuries than did women. Male genitals, for example, were valued in the courts at three times the value of female genitals. S. Nagel and L. Weitzman, 'Women as Litigants', *Hastings Law Journal*, 23 (1971) pp. 171–98.
 41. The call for equal representation also questions sexist peremptory challenges. For an inclusion argument in this context see Shirley Sagawa, 'Batson v Kentucky: Will It Keep Women on the Jury?', *Berkeley Women's Law Journal*, 3 (1987–8) pp. 14–48.
 42. Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Harvard University Press, 1982).
 43. Carol Weisbrod, 'Images of the Woman Juror', *Harvard Women's Law Journal*, 9 (1986) pp. 59–82; K. C. Worden, 'Overshooting the Target: A Feminist Deconstruction of Legal Education', *American University Law Review*, 34 (1985) pp. 1141–56; E. DuBois, M. Dunlap, C. Gilligan, C. MacKinnon and C. Menkel-Meadow, 'Feminist Discourse, Moral Values and the Law—A Conversation', *Buffalo Law Review*, 34 (1985) pp. 11–87.
 44. Elizabeth Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* (The Women's Press, London, 1990).
 45. For an alternative view which would argue for difference as a political tool, see W. Williams, 'The Equality Crisis: Some Reflections on Culture, Courts, and Feminism', *Womens' Rights Law Reporter*, 8 (1982) pp. 175–200. '[W]omen's life experiences still differ sufficiently from men's that a diverse group of women would bring a somewhat different set of perceptions and insights to certain

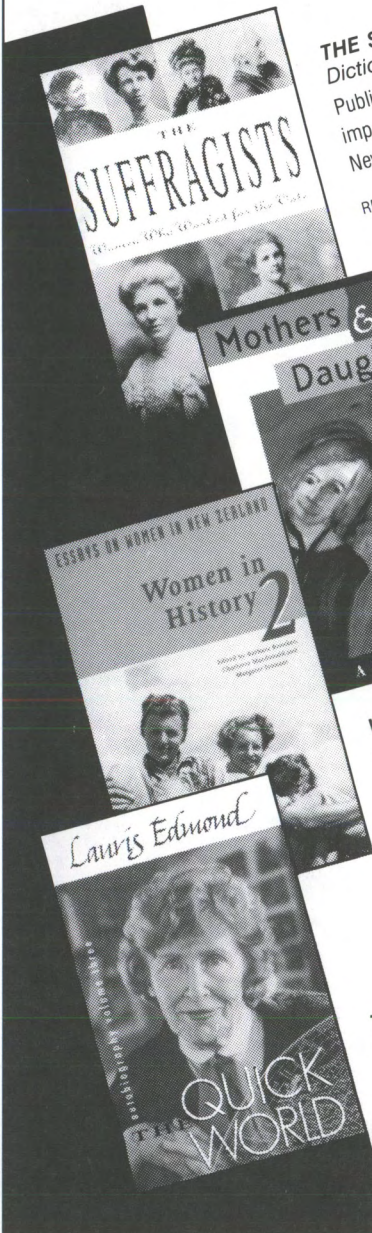
- issues than would a similarly diverse group of men. This observation about the importance of representation among decision makers is no less relevant to the judiciary or to juries than to legislatures' (p. 176).
46. J. Baldwin and M. McConville, 'Does the Composition of an English Jury Affect its Verdict?', *Judicature*, 64 (1980) pp. 133–39.
 47. *ibid.*, p. 134.
 48. Field, p. 90.
 49. R. J. Simon, *The Jury and the Defence of Insanity* (Little, Brown & Co., Boston, 1968) p. 118.
 50. A peremptory challenge may be exercised for any reason (or for no reason) and need not be supported by any argument, unlike the challenge for cause (see section 25 of the Juries Act 1908).
 51. In *Batson v Kentucky* (1986) 476 U S, p. 79, the United States Supreme Court established when use of peremptory challenges may constitute racial discrimination.
 52. Jan Caunter, 'Hung Juries in Light of the Plumley-Walker Trials', *Auckland University Law Review*, 7 (1992) pp. 54–79.
 53. *R v Kohu* Unreported, 2 August 1990, Court of Appeal, decision no. CA 107/90.
 54. Michael Cressler, 'Powers v Ohio: The Death Knell for the Peremptory Challenge?', *Idaho Law Review*, 28 (1991–92) pp. 349–96.
 55. H. Kalven and H. Zeisel, *The American Jury* (Little, Brown & Co., Boston, 1966) p. 488.
 56. C. Joiner, 'From the Bench', in R. J. Simon (ed.), *The Jury System in America*.
 57. Nancy S. Marder, 'Gender Dynamics and Jury Deliberations', *Yale Law Journal*, 96 (1987) pp. 593–612.
 58. Hans, p. 3.
 59. There is no gender-neutral equivalent of this term. It is still used in the jury summons form and may indeed be the appropriate term given the high percentage of male foremen. Creating a gender-neutral term may well disguise this fact and become what Margrit Eichler refers to as 'sexist overgeneralisation': see 'Foundations of Bias: Sexist Language and Sexist Thought', in K. Mahoney and S. Martin (eds.), *Equality and Judicial Neutrality* (Carswell, Toronto, 1987) pp. 22–29.
 60. Marder, p. 595.
 61. W. Bevan, R. S. Albert, P. R. Loiseaux, P. N. Mayfield and G. Wright, 'Jury Behaviour as a Function of the Prestige of the Foreman and the Nature of His Leadership', *Journal of Public Law*, 7 (1958) pp. 419–449.

62. Simon, *The Jury: Its Role in American Society*, p. 45; Hastie et al, p. 145; Marder, p. 595.
63. Some studies have shown that the majority of the foreman's contributions are related to administrative tasks, therefore in some juries there may be another dominant figure. The social profile of that de facto leader is however invariably the same. Kassin and Wrightsman, p. 179.
64. F. L. Strodbeck, R. M. James and C. Hawkins, 'Social Status in Jury Deliberations', *American Sociological Review*, 22 (1957) pp. 713-19.
65. Bevan et al.
66. Simon, *The Jury and the Defence of Insanity*, p. 116; S. McCabe and R. Purves, *The Shadow Jury at Work* (Oxford University Penal Research Unit, 1974) pp. 7-9; B. Beckham and H. Aronson, 'Selection of Jury Foremen as a Measure of the Social Status of Women', *Psychological Reports*, 43 (1978) pp. 475-78; P. C. Ellsworth, 'Are Twelve Heads Better Than One?', *Law and Contemporary Problems*, 52 (1989) pp. 205-24.
67. Beckham and Aronson, p. 477.
68. Meredith Wilkie, 'Inside the Jury', in D. Challinger (ed.), *The Jury* (Australian Institute of Criminology, Canberra, 1986) p. 192; New South Wales Law Reform Commission, *The Jury in a Criminal Trial: Empirical Studies* (Research Report, New South Wales, 1986) p. 50.
69. C. Nemeth, J. Endicott and J. Wachtler, 'From the '50's to the '70's: Women in Jury Deliberations', *Sociometry*, 39 (1976) p. 296; Marder, p. 595; Hans, p. 3; Ellsworth, pp. 213-14.
70. McCabe and Purvis, p. 8.
71. Mary Timothy, *Jury Woman* (Emty Press, Palo Alta, Calif., 1974).
72. Victor Villansenor, *JURY: The People vs Juan Corona* (Little Brown & Co, Boston, 1977) p. 9.
73. Courts Consultative Committee, *Jurors' Concerns and the Jury System* (Department of Justice, 1992) p. 8.
74. Hastie, p. 141.
75. F. L. Strodbeck and R. D. Mann, 'Sex Role Differences in Jury Deliberations', *Sociometry*, 19 (1956) pp. 3-11.
76. For example, they gave more opinions, suggestions and information. They 'initiate[d] relatively long bursts of acts directed at the solution of the task problem ...' (ibid., p. 9).
77. ibid.
78. Simon, *The Jury: Its Role in American Society*, p. 42; ibid., p. 11.
79. In fact the opposite has been found. V. P. Hans and N. Brooks, 'Effects of Corroboration Instructions in a Rape Case on Experimental Juries', *Osgoode Hall Law Journal*, 15 (1977) pp. 701-16.

80. Hastie et al., p. 145.
81. R. Nisbett and T. Wilson, 'Telling More Than We Know: Verbal Reports on Mental Processes', *Psychological Review*, 84 (1977) pp. 231–59.
82. Also as a result of the 'power of speech', women do not perceive themselves as influential; see Mills and Bohannon.
83. Hans, 'Gentlewomen', p. 5; Strodtbeck et al., p. 716; Nemeth et al., p. 303.
84. Strodtbeck et al., p. 715.
85. Hastie et al., 'The Deliberation Process', pp. 151–74.
86. Hastie (ibid.) discusses the relative satisfaction of jurors who are in the minority where the jury hangs, where there is a non-unanimous verdict and where they are coerced into accepting the decision of the majority in order to reach a unanimous verdict.
87. Her affidavit, sworn on 9 June 1989, is on file with the Department of Justice, Wellington. See also *Dominion Sunday Times*, 27 August 1989, p. 9.
88. *R v Appelgren* [1991] 1 New Zealand Law Reports, p. 431.
89. Affidavit on file with the writer.
90. *R v Wheeler* Unreported, 31 July 1990, Court of Appeal decision no. CA 50/90, p. 3.
91. Kassin and Wrightsman, p. 173.
92. Dennis Challenger, 'Juror's Reminiscences', in D. Challenger (ed.), *The Jury* (Australian Institute of Criminology, Canberra, 1986) p. 205.
93. Constantini et al.
94. *ibid.*
95. Frances Olsen, 'The Family and the Market: A Study of Ideology and Legal Reform', *Harvard Law Review*, 96 (1983) pp. 1497–1578.
96. Some feminists view the legal system as instrumental in perpetuating the 'illegitimate hierarchies' of patriarchy. See Janet Rifken, 'Toward a Theory of Law and Patriarchy', *Harvard Women's Law Journal*, 3 (1980) pp. 83–95; Diane Polan, 'Toward a Theory of Law and Patriarchy', in David Kairys (ed.), *The Politics of Law* (Pantheon Books, New York, 1982) pp. 294–303. Both women subscribe to the view that the law is male. Fran Olsen, however, agrees that the law is often ideologically oppressive to women but disagrees that it is essentially 'male'. 'The Sex of Law', in *The Politics of Law* (1990, revised edition) pp. 453–67.
97. See Weisbrod.
98. H. H. Sawyer, 'Women as Jurors', *American Mercury*, 15 (1928) p. 144.
99. Marder, p. 606.

100. *Ballew v Georgia* (1978) 435 U S, p. 223. See also V. P. Hans and N. Vidmar, *Judging the Jury* (Plenum Press, New York, 1986) p. 169.
101. Marder, p. 600.
102. *Ballew*, p. 241.
103. Hastie et al., p. 152.
104. Strodbeck and Mann, p. 8; see also Nemeth et al.
105. Nemeth et al., p. 303.
106. Catharine MacKinnon, 'Feminism, Marxism, Method and the State: Toward a Feminist Jurisprudence', *Signs*, 8 (1983) pp. 635–58.
107. Dale Spender, *Man Made Language* (Routledge & Kegan Paul, London, 1980).
108. Catharine MacKinnon, 'Not a Moral Issue', in *Feminism Unmodified*, p. 156. 'The free speech of men silences the free speech of women [and] . . . silence is not eloquent.' See also Toril Moi, *Sexual/Textual Politics* (Methuen, London, 1985) p. 140: 'The feminine can thus only be read in the blank signs and lines of her own mimicry.'
109. DuBois et al., p. 62. '[I]f you have power, you can opt not to listen.'
110. See Rifken and Polan.
111. For example, lawyers. This argument also applies to women in those occupations which would mean they could be easily excused, for example, doctors, teachers.
112. Catharine MacKinnon, 'On Collaboration', in *Feminism Unmodified*, p. 205. She claims that legal education makes a woman forget her experience. She comes out of law school 'dead in the eyes like ghetto children'. See also Duncan Kennedy, 'Legal Education as Training for Hierarchy', in *The Politics of Law* (1990, revised edition) p. 38.
113. Toril Moi, 'Patriarchal Reflections: Luce Irigaray's Looking Glass', in *Sexual/Textual Politics*, p. 139. Moi states that it may be possible to *disrupt* patriarchal logic through the mimicry of male discourse, but with the possibility that the mimicry will be taken for women's silence.
114. Catharine MacKinnon, 'On Exceptionality', in *Feminism Unmodified*, p. 77. 'I'm evoking for women a role that we have yet to make, in the name of a voice that, unsilenced, might say something that has never been heard.'
115. [1988] 2 New Zealand Law Reports, p. 46. This direction was employed recently by Robertson J in *R v Chignell and Walker* Unreported, Oral Ruling (No 15) to Jury, 23 February 1991, High Court Auckland Registry, decision no. T 149/89.
116. 15 April 1988, see *New Zealand Law Journal*, (1988) p. 147.

117. Professor Grant Hammond, whose appointment took effect in November 1992, see *New Zealand Law Journal*, (1992) p. 227.
118. MacKinnon, 'On Collaboration', in *Feminism Unmodified*, p. 205.
119. Audre Lorde, 'Power', in Carl Morse and Joan Larkin (eds.), *Gay and Lesbian Poetry in Our Time* (St Martins Press, New York, 1988) p. 231.



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Book Reviews

Maud and Amber

Ruth Fry

Canterbury University Press, Christchurch, 1992. \$29.95

'As the wife and daughter of the eminent politician and journalist William Pember Reeves', runs the dust-jacket of Ruth Fry's double biography, 'Maud and Amber have been relegated very much to the background'. To place the two women centre stage, as the writer has done, cannot have been an easy task, but the results are rewarding. At just over 120 pages, including illustrations, *Maud and Amber* is a slender volume, but in no sense a slight one. Fittingly elegant in appearance, and easy in the flow of its narrative, it is a distillation of painstaking research which included investigating collections, interviewing people in New Zealand and Britain, and corresponding with others in the United States. Such wide-ranging work is a new venture for Ruth Fry, who came to women's history after a distinguished career in girls' education. Her first book, *It's Different for Daughters* (1985), building on this experience, dealt with secondary schooling for girls in New Zealand in the first half of this century. She then wrote *Out of the Silence* (1987), on Methodist women, and has contributed essays on women to *The Dictionary of New Zealand Biography* and *The Book of New Zealand Women*. This is her first full-scale biography and the field is clearly one which suits her. She demonstrates a sympathy for her handsome, determined and intelligent subjects which is never uncritical and never cloying.

As a narrative, *Maud and Amber* is of absorbing interest. Maud grew up in Christchurch and after attending Girls' High School, entered the social life of that lively and prosperous city. When she married William Pember Reeves in 1885 he was a journalist about to begin a political career. Amber was born in 1887 and another daughter two years later. As a young wife and mother, Maud was also Lady Editor of the *Canterbury Times* and from 1890 a student

Women's Studies Journal, 9:1 (March, 1993).

at Canterbury College as well. Will's promotion to Cabinet, and the family's move to Wellington, put an end to her studies and journalism. Maud flung herself into the campaign for women's suffrage. In 1894 she visited England and a couple of years later the whole family moved there when Will was appointed Agent General for New Zealand. He later became Director of the London School of Economics. Apart from a tour in 1926, Maud did not see New Zealand again.

In London Maud found like-minded friends and mental stimulation in the Fabian Society, with its grouping of moderate intellectual socialists. She took an active part in the women's suffrage movement, bringing the Fabian Society behind the cause and helping to found the Fabian Women's Group. Her four-year long investigation into conditions for working class London wives, published in 1913 as *Round About a Pound a Week*, broke new ground in social investigation and became, deservedly, a best-seller.

At Newnham College, Cambridge, where she went in 1905, Amber Reeves awed fellow students by her intellectual brilliance and her flouting of convention. Her affair with the idol of young socialists, H. G. Wells, at the height of his fame, was the scandal of the day; she was a model for the liberated New Woman of contemporary fiction. Amber bore Wells a daughter in 1909, but before the child was born married Rivers Blanco White, a lawyer who had been a fellow student, and long-time admirer. It was the improbable beginning of a long and happy marriage.

Both Maud and Amber entered paid patriotic work during World War One. Amber was pregnant when the war began, but soon evacuated her children to Kent and joined the Auxillary Territorial Service (ATS), later holding a responsible administrative position with the Ministry of Munitions. Maud rose to the Director of Women's Services at the Ministry of Food. Both were made redundant at the end of the war. Maud was ready to retire but Amber bitterly resented being denied the career in the Civil Service for which she had proved herself preeminently suited.

Writing was an ongoing activity for Amber. As a young wife at home she published two or three novels, but later moved away from fiction. She collaborated with H. G. Wells on his massive *Work, Wealth and Happiness of Mankind* and in 1934, with Fabian Society backing, produced *The Nationalisation of Banking*. Her personal

credo, *Ethics for Unbelievers*, appeared in 1947. Both she and her husband tried to enter Parliament on the Labour ticket. From 1928 she held a post at Morley College, which offered non-vocational courses to London workers; she lectured there until the 1950s, most notably in Ethics and Psychology.

Both Maud and Amber enjoyed a full family life. Each lived to an advanced age which included many years of widowhood. Maud died in 1953, Amber in 1981. Taken together, their adult lives span almost a century of the women's movement and illustrate important aspects of women's experiences.

There are several special challenges posed by the writing of a book such as this. The first and obvious one is how to move the two women from the shadow of the famous men they were involved with, while at the same time acknowledging the influence those men had on them. Ruth Fry handles this with balance and care. That William Pember Reeves was an admired politician, then his country's representative abroad, certainly affected his wife's options; a paid career was out of the question. His brand of socialism must also have influenced Maud, who was eight years younger. At the same time, she was clearly her own woman, with a force of authority and personality that even in her old age terrified her grandchildren. Amber's intermittent but complex relations with H. G. Wells, as lover, literary collaborator and family friend, are viewed from her perspective and do not dominate the story of her life.

The second challenge is to establish two widely differing milieus, over an unusually long period. In the earliest chapters Christchurch and Wellington are sketched in with a sure hand, but I should have liked more depth of background for the London the Reeves inhabited. The writer sometimes assumes too much in the reader: names of prominent Fabians (p. 30), leaders of the women's movement (p. 31) or Labour women (p. 72) are mentioned, but not explained. The names may reverberate with meaning for a specialist in the period, but they mean little to the general reader. Further information is needed to make the point that Maud and Amber were at the cutting edge of the intellectual Left and the forefront of the women's movement of their day. We also need to know more about the Fabian Society. We are told of famous Fabians H. G. Wells, G. B. Shaw, Beatrice and Sidney

Webb but not enough of what they believed. It is not sufficient to be told (p. 24), without further explanation, that the Fabians were influenced by the philosophy of Herbert Spenser and the economic theories of Henry George. What were these?

A third challenge for the writer of a joint biography is providing cohesiveness. If the linkage of the two subjects is to be justified, their lives must be seen to be interwoven or complementary. Ruth Fry is scrupulously fair in the attention she allocates to each woman: four chapters to Maud, two to Amber, three more to each but the two narratives are curiously separate. This, in part, reflects a lack in the source material. Paradoxically, it is the very closeness of Maud and Amber that creates a sense of distance: because they saw each other regularly, we lack the family correspondence that is the precious gold of the biographer. When Fry is able to use Maud's letters to her daughter, written from New Zealand in 1926, we see how much we are missing elsewhere.

Ruth Fry concludes that the social activism that occupied both Maud and Amber in England had its genesis in the liberal causes Maud had embraced in Christchurch in the 1890s; this provides the justification for the sub-title of her book 'A New Zealand mother and daughter and the Women's Cause'. The claim is acceptable in Maud's case, but less so in Amber's, even though she called herself a New Zealander. She left this country as a young child and was open to so many other influences that the Christchurch connection looks tenuous.

I should like to have seen the two lives set more sharply against a background of changing feminism. Maud, who participated in peaceful suffrage demonstrations, played a part in the huge Congress of the International Council of Women in 1899 and was a Council member of the National Union of Women's Suffrage Societies, was a moderate suffragist with a social conscience and a conservative lifestyle. For Amber and many of her generation this combination was not enough; they claimed and no-one more defiantly than the young Amber social and sexual freedom as well. They were only partly successful in this and, as Amber's career shows, they also fell short of their other goal of equal employment. Equalitarian feminism, social feminism, suffrage and sex, these two lives exemplify the triumphs and frustrations of their time. Ruth Fry is surely right when she says that neither Maud nor

Amber fulfilled her true potential, but what they each achieved is remarkable.

Dorothy Page, History, University of Otago
January 1993

Ettie. A Life of Ettie Rout

Jane Tolerton

Penguin Books, Auckland, 1992. \$39.95

In common with many others, perhaps, my only image of Ettie Rout was that of the woman who supplied condoms and information for the prevention of venereal disease to New Zealand soldiers in the first World War. It is the Ettie depicted on the cover of Jane Tolerton's biography *Ettie. A Life of Ettie Rout* wearing the badge of the New Zealand Volunteer Sisterhood, and sitting, flanked by soldiers, outside Maxim's Cafe in wartime Paris. The images of Ettie which emerge from this book, however, take us beyond contemporary representations of her as "Guardian Angel" or "Wickedest Woman" to reveal a complex and highly motivated woman involved in some of the major movements of her day.

The contemporary perceptions of Ettie do, however, provide the context from which the biographer can trace the historical neglect of her subject. As Tolerton writes, once Ettie 'had come down on the wrong side of the equation that judges women by their sexuality—or, as in her case, by what they say and do about sexuality—as good or bad, "angel" or "whore", she was in a box there was no climbing out of' (p. 14). It was being on the 'wrong' side of the equation which allowed the labour movement to minimise Ettie's important role as organiser and founding editor of the *Maoriland Worker* in the 1910s. Her war time activities, including her espousal of safe sex, caused her later publications on sex, marriage and birth control to be received with mixed regard. According to her biographer, disregard and suspicion have continued to surround the story of Ettie Rout through to the 1980s.

Ettie's prolific correspondence was central to Jane Tolerton's ability to provide glimpses into the diverse stands that formed the fabric of Ettie's personal life, lived within the public sphere. Ettie's involvement in the labour movement, her advocacy of the value of physical culture, and her association with Alexander Bickerton,

chemist, rationalist and feminist hero, are important backdrops to the motivating force in her life — eugenics — and an associated faith in women as ‘guardians of the flame of life’. Despite the number of women’s groups and individual women, like Ettie, who were interested in eugenics, women’s involvement in the science and practice of eugenics is a relatively uncharted field in New Zealand history. In Ettie’s case, it was her belief in the physical health of the nation and the role of women as mothers of the race that led her to advocate romantic love, safe sex, bodily fitness, wholesome diets and euthanasia. Her work during the first world war was as a ‘universal mother’ as she sought to provide for all the needs of soldiers.

While Tolerton acknowledges that she found the contrast between Ettie’s message to others and her own life intriguing these contradictions are not followed up in the text, and in the end some of the more interesting aspects of Ettie’s life and beliefs remain elusive, passed over without comment. In New Zealand during the 1910s, for instance, Ettie had been an ardent advocate of socialism, yet during the depression of the 1930s she lived in a luxurious flat in Park Lane with a staff of five. Had she modified her political views, or was this an example of her belief that socialism was ‘a matter of the heart more than of the head’, an opinion which had put her offside with some New Zealand labour supporters? Was it her need to achieve her own happiness by sacrificing herself to others which led her to espouse love, marriage and babies while never perhaps experiencing any of these herself?

I also wonder why Ettie had no close female friends and eschewed women’s groups, preferring to work with men. Ettie’s own style of feminism is an interesting area that could have been explored in more depth. In many ways, she appears to be an early version of the modern self-proclaimed post-feminist who believes that women’s battles have been fought and won. Her views on equal pay illustrate this. From being an advocate of equal pay for women on the grounds that they had families to support, she claimed, ten years later, that there was equal opportunity and equal pay for women in professional occupations, and that there had not been any sustained opposition to women workers. At a time when the removal of legal disabilities was an important part of the women’s movement, Ettie was unperturbed that women were not able to

stand for parliament, believing that 'We seem to be able to get any measures we want through our vote' (p. 86).

Perhaps her reluctance to join with other women came from her own distinct brand of feminism. Ettie's is one of the few women's voices, we hear from the early twentieth century, to speak out against aspects of the contemporary feminist movement. She found the emphasis on social purity galling and hypocritical, and nowhere is her wit and ability with the pen more evident than in her swipes at some feminist attitudes towards venereal disease and the regulation of prostitution. With some relish, Tolerton reports Ettie's response to a suggestion that she should give a lecture about prostitutes' clubs to the Women's League in England during the first World War:

I've had various journalistic experiences at Women's Leagues. This is what happens — viewed from the Reporter's Table: Everything is going on quietly and sweetly, and you think they're rather a sensible crowd of women after all, and suddenly somebody says something about "white slaves" or "licensed houses" and the whole lot go mad on the spot. Evolution meant progress and progress meant advancement, and every advanced thinker knew that the only remedies for venereal disease were: Chastity for Men and Votes for Women (cheers). At the end of two hours the following resolution would be passed unanimously: "That this meeting of the Women's League demands the immediate suppression of white-slavery, and strongly reprobates any attempt to make Vice safe". (LOUD APPLAUSE.) (EXIT ALL). (pp. 161–2)

Ettie was, of course, a very capable propagandist, presenting herself and her own views in the most favourable light and dismissing the ideas of others. Her writings, and sometimes even actions, need to be read with a degree of caution and a certain amount of skepticism. This is not always evident in the text. Frequently, the idea that Ettie is different from others is emphasised. She was a 'stropky tomboy', who, after her father's bankruptcy, took on the responsibility of being the family's main breadwinner 'as if she were an eldest son, rather than an eldest daughter' (p. 25). Even in photographs, it is suggested, Ettie looks different, appearing as an exception to contemporary images of women. It was an impression that Ettie herself strove to create,

sometimes opting for difference merely for the sake of it in what almost approaches affectation:

There was a certain amount of contrariness in Ettie's hemline choice. When the hemline did go up, as it had already started to do before the war her skirts remained long. Her approach to the hemline was not one of simply being ahead of the fashion, it was a statement that she was anti-fashion, that she did not regard it as worth noticing, and certainly not worth adhering to. (p. 42)

In many ways, though, I found Ettie's real or feigned difference, her willingness to speak out against some of the anomalies in the women's movement and her sheer energy refreshing. The biographer, with an eye for the witty quip and barbed prose, has captured some of Ettie's spirit and verve. Ettie's character is not always likeable and her pronouncements on some racial issues not to our tastes, but Jane Tolerton has succeeded in retrieving Ettie's stories. Given the controversy surrounding the naming of the Christchurch AIDS clinic after her it still seems that not everyone is willing to hear those stories.

Bronwyn Dalley, History, University of Otago
December 1992

The Not So Poor: An Autobiography

Mary Isabella Lee (edited by Annabel Cooper)

Auckland University Press, Auckland, 1992. \$24.95

The experience of reading *The Not So Poor* is rather like encountering a prototype of the novel, a nineteenth-century New Zealand variant of *Moll Flanders* devoid of Moll's accounts of sexual escapades, but still dominated by a comparable protestant work ethic and a pride in economic survival. And I sincerely hope that Mary Isabella Lee does not damn me from beyond the grave for such a response. More importantly, this book is a milestone in the reclaiming of a distinctive strand of a New Zealand female tradition. Editor Annabel Cooper points out in her introduction: 'Mary Lee's account is one of the very few first-hand accounts still in existence of poor Pakeha women's lives from the 1870s to the 1920s — perhaps the only one of such length' (p. 18).

Equally important, Cooper presents Mary's story with scholarly integrity as well as empathy. For Mary's account existed as largely anecdotal fragments in an exercise book. Cooper is meticulous in recording the editorial decisions and 're-writing' she carried out in assembling Mary's text in its final form. Similarly, Cooper outlines the contextual background and unrecorded details that go some way to filling the gaps in Mary's narrative. At the same time, Cooper provides the reader not with definitive answers, but with possibilities about the motives and feelings which underlie Mary's actions and words. Thus the reader is left free to compare and consider their own responses to the text.

For me a recurrent question was what gave Mary Lee the energy in 1936, when she was both deaf and visually impaired, to write her autobiography. Cooper argues convincingly that the manuscript, initially entitled 'The Mother of the Children of the Poor' and then 'The Not So Poor', was in part a reaction to her famous son's version of the conditions of working-class New Zealanders at the turn of the century and beyond. Mary was the mother of soap-box politician and writer John A. Lee and her account of her life suggests a female resistance to his *Children of the Poor*. Cooper states this resistance eloquently:

As a woman in her sixties, putting her life in her text, she [Mary Lee] had the chance—indeed, the compelling need—to present herself in a way that did her justice. (p. 32)

Whatever, Mary Lee's life unfolds as a story of violence, survival and extraordinary courage.

Born on 18 June 1871 in Scotland, Mary was the first child of 'fiery tempered' Alexander Taylor and 'emotionally volatile' Alice. The family immigrated to the South Island in 1877 and three more children were born. Cooper's introduction both counterpoints and underlines a life of apparent victimisation that the pride and spirit of Mary's account refuse to admit. In a curious sense, Mary Lee emerges as the one responsible adult in a family that throughout her life called on her to support and/or rescue them. Paradoxically, therein lay the pride that is reflected in her title, *The Not So Poor*.

On one level, Alexander's restlessness combined with Alice's alcoholism resulted in continual shifts for the family. On a more

violent level, Alice's temper resulted in a head wound that 'affected Mary for the rest of her life, eventually making her deaf and at times blind' (p. 10). The only, belated, escape into the playfulness of a child was Mary's seven-month period of blindness spent in the Dunedin Hospital in 1888. Then in 1889 Mary contracted a never solemnised marriage with the exotic Alfredo Lee and set up home in Waikaka. As with her first family, she took on the economic responsibilities followed by the even more difficult decision to leave Alfredo and return to Dunedin, where her third child Fred was born in 1895.

Despite her sight problems, Mary's main source of income resulted from her occupation as a seamstress. Her account of her work provides an unwitting and innocent depiction of the discrepancies between her own lifestyle and that of her more privileged women clients. Interestingly, Mary Lee's working life began during the era of the First Sweating Commission of 1890. Yet her narrative seems oblivious to the fight for women's rights and suffrage that was carried on by her contemporaries such as Kate Sheppard and Ada Wells. No mention is made of these women and it is intriguing to speculate what Mary would have made of them. Speculation aside, the undiminished spirit and pride that emerges from Mary's narrative seems founded in her sense of accomplishment at setting up and maintaining homes, and securing economic survival not only for herself and her children, but at times for her parents.

From the perspective of our supposedly more liberated age, Mary's acceptance of the use and abuse she encountered from her first family seems extraordinary. Nor does a compensatory balance seem to have occurred with her own children. Her relationship with her daughter Alice was difficult. John A. Lee ran away from home at fourteen and despite his later care of Mary (she spent the last three years of her life in his home), she is strangely silent about John. Indeed, undertones of reciprocated love only emerge in her comments on Fred.

While the conditions and experiences of Mary Lee's life may seem alien to many women today, they may also be familiar to many who have had the opportunity to hear the oral tradition of their grandmothers and great-grandmothers. Mary provides us with a written account of one strand of our female tradition.

Moreover, that tradition persists. Phillida Bunkle, chairperson of the 1990 Sweating Commission, suggests that 'liberation' has in the main been confined to middle-class and educated women. In the current economic climate Bunkle states that such women 'must absolutely take on board as central the problems of working-class women — because that's where the gut survival issues are going to be'.¹

Fittingly, the potential of Bunkle's alliance of women's forces is exemplified in *The Not So Poor* through the contributions of two women from different centuries. On the one hand, Mary Lee gives us a unique insight into the recurrent cycle of 'gut survival' among working-class women. On the other hand, Annabel Cooper contributes the research, skills and scholarly integrity that reclaims Mary's text for women today. In my view, 1993, the centenary of women's suffrage in New Zealand, will establish Cooper's edition of Mary Lee's autobiography as a classic text within our culture.

Notes

1. Suzann Olsson, 'Women and Organisations: Phillida Bunkle', in Suzann Olsson (ed.), *The Gender Factor* (Dunmore Press, Palmerston North, 1992) p. 343.

Suzann Olsson, Human Resource Management, Massey University
January 1993

Been Around for Quite a While: Twenty Years of Broadsheet Magazine

Selected and Introduced by Pat Rosier
New Women's Press, Auckland, 1992. \$39.95

This selection of material from 'twenty years of *Broadsheet*' is intended as a celebration of the magazine's twentieth, and New Women's Press's tenth, birthdays, and is, in the editor's words, 'a sampler . . . [which offers] glimpses and glances at women's feminist writing in this country from 1972 to 1992' (p. 7). As such, the book inevitably functions to represent 'feminism in Aotearoa/New Zealand' even though Pat Rosier begins her introduction by noting the impossibility of being truly 'representative'. Reducing, at her estimate, 9000 pages of

Broadsheet to a 304 page book meant a decision to focus on New Zealand material, leaving out articles reprinted from overseas publications and those about feminist/women's activism in other countries and a difficult, and necessarily subjective, process of selecting the articles and other items to be included.

Been Around for Quite a While is divided into twelve thematic sections which are themselves organised chronologically: the Movement; Mana Wahine Maori; Free To Be Lesbian?; Heterosexuality: Pleasure and Danger; Body Matters; Paid Work and Unemployment; "Them": Government, the Law, the Prison System, the Economy; Sick Systems and Feminist Health Alternatives; Fertility, Infertility and Childbirth; Family Matters; Schooling Women; and Strokes and Art Attacks. Miriama Scott selected and introduced the articles in 'Mana Wahine Maori'; Rosier chose and arranged the rest. She notes that deciding in which section the articles belong is itself a political matter: 'Is writing on pornography more properly included with heterosexuality or violence? Does a piece from a lesbian woman of colour belong in 'The Movement' or the lesbian section?' (p. 8). In the second instance, there is potential for a dominant feminism to defuse challenges to its world-view and politics by interpreting the writing of a lesbian woman of colour as being about heterosexism, homophobia and/or racism: a marginal text rather than a reshaping of some of that dominant feminisms central and cherished truths¹. Rightly, I think, Rosier elects to include Annamarie Jagose's 'The (W)hole Story: Lesbians of Colour in Aotearoa' in 'The Movement', but the collection as a whole contains material by and about Maori women and lesbians in separate sections. I will discuss the implications of this later.

This book is good browsing: I have dipped into it again and again, following my own interests and flipping from page to page. Feeling that I should try a more 'serious' approach in order to write this review, I found that it was impossible to read from cover to cover. The first reason for this is the enormous variety of the material. Leaps in subject matter and writing style mean that I can only digest a little at a time, or else sacrifice a sense of the complexity of the pictures of feminism in Aotearoa being offered here. Another impediment to my focussed reading is the layout of the book; excerpts from regular columns, cartoons, letters to

the editors, and news items appear in the inner margins, and my eye is constantly drawn to these as I try to follow the main text. The two texts are not always clearly connected, particularly in the first section on 'The Movement', and I find the distraction both irritating and enjoyable. These parallel texts further complicate the book's offering of kaleidoscopic fragments of feminism's recent histories in this country.

Been Around for Quite a While does not claim to be a history of feminism in Aotearoa/New Zealand in the twenty years that *Broadsheet* has 'been around', and beyond a two-and-a-half page chronology, compiled by Margot Roth, information about the contexts in which the articles were originally written is scant. Often one can deduce the context from references in the articles themselves, some need no explanation, but others are mystifying. Joss Shawyer's response to the 1979 United Women's Convention (pp. 29–31) for instance, hints at the goings-on but does not state clearly what happened. Some might be stimulated to find out, but others might feel frustrated by the book's assumption of familiarity with background events and debates.

Despite this problem, readers wanting a stimulating encounter with the diversity of feminist analyses and actions in this country over the last twenty years will probably find *Been Around for Quite a While* a rich and enjoyable mixture of reports on local research, biting analyses of social institutions and government policies, reflections on feminist theories and politics and accounts of women's personal experiences in areas as diverse as the Kohanga Reo movement, the psychiatric system, heterosexual relationships, campaigning for the Homosexual Law Reform Bill, combining paid work and childcare, and being involved in Maori and Pacific Island netball teams.

For Women's Studies students and teachers it also functions as a useful source of readings for introductory courses on 'women and ...' or 'feminism and ...' and provides an (almost) up-to-date index to the material in *Broadsheet*. Each section contains not only a selection of reprinted articles but an indication of 'what is missing', a list of subject areas and the issues of the magazine in which they appeared. Some cross-referencing between sections helps to get around the problem of many articles arguably belonging in more than one chapter, but there could have been more of this.

In the last two years a number of works have appeared which provide important resources for Women's Studies in Aotearoa/New Zealand, and *Been Around for Quite a While* should be added to this list. This is not because the book manages to cover, let alone analyse, all that has been going on in feminism in this country over the last twenty years. Comparing the re-published items with the lists of 'what's missing' suggests that in selecting and organising material for the book Pat Rosier has been faithful to the interests and emphases of the magazine over the years. This sample of writings from *Broadsheet* thus reproduces the patterns of definition, inclusion and absence which characterise that magazine, and the feminism it represents, bearing the traces of multiple histories which we have only begun to investigate.

The very few articles written by and about non-Maori women of colour illustrate Annamarie Jagose's argument that in the feminist movement, as portrayed and constructed in *Broadsheet*, the issues of race and ethnicity have been reduced to a bipolar division into Maori and Pakeha (which in practice means not non-Maori, but white/European), with the result that non-Maori women of colour 'occupy the gap between the two, that black hole in which nothing can be seen and from which nothing can be heard' (p. 54). A further disturbing feature of the book is that Maori and lesbian material is almost entirely contained within the 'Mana Wahine Maori' and 'Free To Be Lesbian?' sections. This gives the impression that Maori women and lesbians are not affected by the issues covered in other sections and, implicitly, that 'women', as we are affected by 'Them', 'Paid Work', 'Family Matters', and 'Sick Systems' are white and heterosexual. The near-invisibility of class as a category of analysis in New Zealand feminism is evidenced here too. I also note that the section on 'Heterosexuality' contains only one article on women's experiences and analyses of heterosexuality as such, along with pieces on 'sex, love and feminism' in general, a woman's experience of threatened sexual assault, and pornography. Feminists seem to believe that we have produced elaborate and detailed knowledges about heterosexuality, yet Elizabeth Weed has suggested that in feminist debates 'the specificity of heterosexuality has been neglected, or avoided' as we have focused on lesbianism, pornography and

sexual violence, and motherhood²; there is evidence for her argument here.

Questioning these patterns could enable the exploration of how feminism in Aotearoa/New Zealand has developed in the context of specific historical struggles, between Maori and Pakeha, for instance, and how the objects of its discourses have been formed in that context: the production of Foucauldian genealogies, if you like. Alison Jones and Camille Guy's 'Radical Feminism in New Zealand: from Piha to Newtown'³ is an example of the kind of work I have in mind. While not offering such an analysis itself, *Been Around for Quite a While*, like *Broadsheet*, is a rich resource for such studies, which are, I believe, important in both formal and informal Women's Studies contexts if we are to learn how to think beyond the limited categories in whose terms we have learned to see.

Notes

1. bell hooks, *Yearning: Race, Gender and Cultural Politics* (South End Press, Boston, 1990) pp. 21–2.
2. Elizabeth Weed (ed.), *Coming to Terms: Feminism, Theory, Politics* (Routledge, New York and London, 1989) p. xxiii.
3. Alison Jones and Camille Guy, 'Radical Feminism in New Zealand: from Piha to Newtown', in Rosemary Du Plessis et al. (eds.), *Feminist Voices: Women's Studies Texts for Aotearoa/New Zealand* (Oxford University Press, Auckland, 1992) pp. 300–16.

Ingrid Rockel, Feminist Studies, University of Canterbury
December 1992

The Gender Factor: Women in New Zealand Organisations

Suzann Olsson (ed.)

The Dunmore Press, Palmerston North, 1992. \$39.95

The Gender Factor is a kaleidoscope of research and practical perspectives on the culture of women's participation in the varied public organisations in New Zealand.¹ In attempting to re/present the complexity of gender inequality that currently exists in organisational theory and practices its content is, of necessity, widely scattered. Feminist lenses view women's participation in fields as

diverse as self employment and voluntary organisations, through to mainstream public bureaucracies such as universities, unions and the media. While concentrating on women's involvement in public organisations, the contributors to *The Gender Factor* acknowledge that the relationship between the public world and women's traditional location in the private domestic sphere is complex.

The articles contained in *The Gender Factor* expand current developments in feminist revisions of knowledge across the social sciences. They complete/correct the record through the addition of women's contributions and experiences, assess gender bias in current knowledge, and make newer organisational theory more inclusive of women and their concerns.² The initial chapters explore the devaluing and silencing of women's experiences in organisational theory. Bev James and Kay Saville-Smith suggest that this occurs because 'they [women] are not perceived to be where the action is' (p. 98). Yet such perceptions rely on defining action in masculine terms, as the control and management of organisations.

Women as different from men is a theme explored in some depth by many writers, who suggest that the inclusion of women's ways of operating is necessary if the health and balance of future organisational life is to be obtained. Annita Roddick's passion and vision for the incorporation of feminine principles in the running of *The Body Shop*³ is echoed within *The Gender Factor* as women are encouraged to redefine entrepreneurial activity and develop their own style of management. Judi Campbell and Murna Thomson break from the tradition of attempting to fit women into the existing masculine entrepreneurial profiles which typically reinforce women's deficiencies. Rae Julian, Janet Holmes and Maria Stubbe also rewrite difference as advantage. Such resistance is an inherent challenge to the gendered nature of current theory and research.

Yet there is inherent tension between asserting women's differences, which often reinforces oppression, and seeking equality in public organisations. Margaret Tennant acknowledges that arguing women's difference has, like *Broadsheet*, 'been around for quite a while' and concludes cautiously that 'If any lesson is to be learned from the past, it is that ideas of sexual difference can very readily be used against women' (p. 29). Despite this reference to the 'flip side'

of celebrating women's difference, greater attention to this issue would have enabled readers to recognise more readily the reality of what Margaret Tennant has called the 'ambiguity of a position based upon the assertion of innate sexual difference' (p. 21). Judith Pringle, in identifying the range of ways women choose to deal with the masculine culture of most public organisations, found that 'most women identified with not just one strategy of survival but aspects of them all' (p. 208). This empirical data suggests that many women are, in reality, simultaneously asserting both their similarities and differences.

The seemingly incompatible claims made by women on organisational participation are based on an inherent tension within feminist politics which has inappropriately emerged as a debate between sameness and difference. Carol Bacchi⁴ traces how women have claimed equality and difference simultaneously. She writes, '[T]o be equal, you had to deny "difference"'.⁵ This is well illustrated by Kathi Parr as she points out that protective Employment Equity legislation, based on a feminine perspective of care, was strongly resisted and was finally repealed in the face of dominant masculine concepts of justice.

The inclusion of female dominated forms of work usually excluded from organisational texts was a refreshing change. Nicola Armstrong reiterated the point that women's actual, and perceived, domestic responsibilities often shape their participation in the labour market, while Mary Cull discusses the exploitation and devaluing of women's work and values in voluntary organisations. *The Gender Factor*, however, perpetuates the invisibility of explicitly feminist organisations, which has typically been a consequence of their different structures and cultures, although, as Bev James and Kay Saville-Smith point out, 'they are by no means without process or without inequalities' (p. 40). Yet as Robyn Blood suggests, the major source of inequality continues to reside in the inability of feminist organisations to establish legitimacy within a social environment obsessed with masculine values and not in women's relationships with other women within these organisations. A critical analysis of gender relations at an inter-organisational level between feminine and masculine organisational forms would have added an important dimension to the dialogue. This would have been particularly useful in the context of increasing government

pressure for accountability and efficiency on many feminist organisations through funding relationships, a phenomenon Mary Cull documents in the increasing bureaucratisation of the voluntary sector.

One of *The Gender Factor's* major weaknesses is its failure to substantially engage in making newer organisational theory inclusive of women in all their diversity.⁶ The perspectives of women of different ethnicities, classes, sexual preferences, ages, able-isms, etcetera, are absent. Wanda Korndorffer discusses the position of Maori women as academic staff in one of the few walk-on parts Maori have in a text that lacks research by, with, or for, Maori women. Maori remain typically manu-hiri (visitors) to what is still predominantly a text about what middle class Pakeha academics have to say on public organisational life. Anne Marie O'Neil, one of the few authors to highlight women's differences from each other, adds ethnicity and class into the equation of inequality. Although these limitations are acknowledged by the editor, I would have liked to have seen *The Gender Factor* continue in the footsteps of *Feminist Voices*⁷ by acknowledging the diversity of women's lives and experiences.

Inherent in any edited work is the difficulty of fitting the pieces of the kaleidoscope together. Unfortunately, the paradox of equality *and* difference is not emphasised in the introduction, although it appears frequently throughout the book. Such emphasis would have appropriately set the context for establishing the framework for the discussions which follow. Implications for legislation and organisational policy remains largely undeveloped as authors repetitively remark on the absence of women's perspectives. Linda Smircich and Marta Calas accurately point out that:

[A]dopting a feminist stance in organisational theorising means more than engaging in a revisionary activity regarding exclusions and limitations embedded in content matters. Rather, it would mean embracing the political consequences of having recognised exclusions and limitations under feminist tenets.⁸

I felt that the contributions, as a whole, did not take the opportunity to tap into wider theoretical debate and draw insight from the political implications and directions articulated there.

The perpetual disassociation from the label feminism/feminist compounded the typically objective tone of discussion, although this is in keeping with much of the theory and practice of public organisations. The reality that continues to fuel the anger and passion of women working in these organisations appropriately breaks through in Phillida Bunkle's interview. Here the content is more political than the preceding chapters, not only in mapping future political direction, but also because it will inevitably evoke an emotional response from readers. This is the wellspring from which feminist writing powerfully emerges.

It is invigorating to be able to read a text on women's participation in organisational life with such familiarity. New Zealand women reading this collection of snippets of organisational life will inevitably experience *deja vu*. This collage of the dimensions of gender relations that shape the inequality of women's experiences in New Zealand public organisations will remain an invaluable resource for all of us who inevitably participate, in some way, in public organisations.

Notes

1. I have chosen to use 'New Zealand' rather than 'Aotearoa' as the latter is not adequately reflected in the content of this text.
2. Marta B. Calas and Linda Smircich, 'Re-Writing Gender into Organizational Theorizing: Directions from Feminist Perspectives', in Michael Reed and Michael Hughes (eds.), *Rethinking Organization Theory and Analysis* (Sage, London, 1992) pp. 227–53.
3. Anita Roddick, *Body and Soul* (Ebury Press, London, 1991) pp. 16–8.
4. Carol Lee Bacchi, *Same Difference: Feminism and Sexual Difference* (Allen and Unwin, Sydney, 1990).
5. *ibid.*, p. 258.
6. Calas and Smircich, pp. 242–3.
7. Rosemary Du Plessis et al. (eds.), *Feminist Voices: Women's Studies Texts for Aotearoa/New Zealand* (Oxford University Press, Auckland, 1992).
8. Linda Smircich and Marta B. Calas, 'What Feminist Theory Offers Organization and Management Theory or Why Go from Culture to Gender?', in *(Re)Visions of Management Theory from Feminist Perspectives: The Gendered Constructions of Max Weber, Herbert Simon and*

Douglas McGregor (Academy of Management, Women in Management and Organization and Management Theory Divisions, San Francisco, CA, 1990) p. 23.

Deborah Mann, Management and Labour Relations,
University of Auckland
January 1993

Sailing Away: New Zealand Women in Sailing, 1920 – 1990

Jan Iorns

New Women's Press, Auckland, 1991. \$29.95

'Dolly-hands', socialites and decorations — this is how most women in yachting circles were defined until recent decades. The wives and women friends of many yachtsmen plied domestic sewing machines in sail making, and the labour of their winter days was poured as thickly as varnish to a scraped and sanded hull. This effort earned them exclusion from most yacht clubs, and summer 'holidays' ashore waiting for the boats to return.

The early yachting scene in New Zealand, then, was an unlikely background for women's recreational participation and sporting success, but as Jan Iorns documents in *Sailing Away*, women took to the waves with enthusiasm and considerable skill, though initially not in great numbers. Yacht clubs were formed in this country from 1871, blossoming in the first two decades of the current century. Yacht ownership and club membership held the key to elite competition and women acquired these assets infrequently. However, by the 1920s women were gaining admittance to clubs and twenty years later competed in national championships. The annual 'ladies race', a short harbour course for a variety of sailing classes, was a popular feature of club race programmes, but as few women were considered sufficiently experienced skippers it was often a man who manoeuvred the boat over the start and finish lines. This was a practice which persisted for some years.

Challenges to race rules have been documented from 1949 when a woman crewing in preliminary races for a Z-class competition was informed that her entry was void as the contest was for 'boys under the age of nineteen'. In good yachting fashion, a protest was made and the rule was changed for the following year; by which time the woman concerned was too old to enter! As the door

to opportunities for women inched further open though, female skippers, boat owners and crews became more common sights.

Offshore racing opportunities for New Zealand women were initially 'won' by the women who absorbed male skipper's needs for galley-hands, cooks and sail-repairers on trans-Tasman voyages. From the 1950s, these women began crewing ocean races in their own right, and as the profiles in this book indicate, they have earned respect for their considerable endeavours.

Sailing Away is a chronicle of the sailing lives of women in New Zealand from 1920 to 1990, similar to Shirley Lain's chronicle of New Zealand women aviators from the pioneers to the present in *Silver Wings*. Whereas Lain provides us with accounts of women pilots within their social context, Iorns leaves it to her readers to gather together the contextual strands from the sailors profiles. As a result the social influences on these women tend to be submerged by the technicalities of yachting. Without a comprehensive glossary the technical details prove difficult to grapple with, depriving landlubbers of a complete understanding of individual women's achievements. I personally found Lain's narrative style more stimulating. On the other hand, both authors have excelled at providing an important gender-based context for their most noted stars — Jean Batten in the air and Naomi James on the waves.

The struggle for women's emancipation is evident throughout the book. Women were initially held back from both recreational and competitive sailing by a combination of gender prejudice and economic disadvantage. Added to this, blatant sexism at many clubhouses extended from a lack of suitable toilet facilities to a total ban on female members. When entry to clubs and races was won, women had to prove themselves beyond the level expected of men. Even as late as the 1980s a man was required to be on board with female crews in some races, and spinnakers were not allowed. Of course, there were always some women who broke through the barriers of patriarchy and this book left me thirsting for more knowledge of how they managed it.

Sailing Away includes a chapter on the women behind the sailing scenes, a refreshing and thoughtful tribute to women administrators and organisers of both female and male yachting competitions. Iorns is to be congratulated on her coverage of every aspect of women's involvement in yachting. The book's

presentation is superb with its clear layout and sharp black and white photographs of both sailors and sailing action. For those interested in sailing history and current women sailors, this book would be an ideal gift. It could also find a place in a Women's Studies course on women in recreation and sport.

Pip Lynch, Department of Parks, Recreation and Tourism,
Lincoln University
August 1992

Other Books Received

- Nicola Armstrong, Celia Briar, Keren Brooking (eds.), *Women and Work Conference: Directions and Strategies for the 1990s* (Dept of Sociology, Massey University, Palmerston North, 1992)
- Heather Benson, *A Dissolving Dream* (Bridget Williams Books, Wellington, 1992) \$29.95
- Judith Dell Panny, *I Have What I Gave: The Fiction of Janet Frame* (Daphne Brasell Associates Press, Wellington, 1992) \$34.95
- Fiona Farrell, *The Skinny Louie Book* (Penguin, Auckland, 1992) \$24.95
- Janet Frame, *The Pocket Mirror* (Vintage New Zealand, Auckland, 1992) \$19.95
- Janet Frame, *Mona Minim and the Smell of the Sun* (Vintage New Zealand, Auckland, 1992) \$19.95
- Patricia Grace, *Cousins* (Penguin, Auckland, 1992) \$24.95
- Janine Haines, *Suffrage to Sufferance: 100 years of Women in Politics* (Allen & Unwin, St Leonards, NSW, Australia, 1992) \$24.95
- Margaret Lovell-Smith (selected by), *The Woman Question: Writings by the Women Who Won the Vote* (New Women's Press, Auckland, 1992) \$34.95
- Halina Ogonowska-Coates, *Krystyna's Story* (Bridget Williams Books, Wellington, 1992) \$29.95

Yvonne Roberts, *Mad About Women: Can There Ever be Fair Play
Between the Sexes?* (Virago, London, 1992) \$19.95

*Women's Studies in New Zealand:
A List of Current Research*

Armstrong, Nicola Women's Studies (Sociology), Massey University, Palmerston North. I am engaged in PhD research fieldwork concerning women and men working at home using 'new' communication technologies at a distance from worksites/clients. This interest in 'teleworkers' includes a focus on domestic labour and childcare arrangements more generally and is involving interviews with teleworkers, their partners and the use of time diaries and photographs.

Chen, Mai Law Faculty, Victoria University, Box 600, Wellington. Research interests centre on discrimination law, mainly race and sex, but also all other grounds of discrimination.

Davey, Judith Social Policy Group, Department of Sociology and Social Work, Victoria University, Box 600, Wellington. Social trends and social monitoring; income circumstances of older people including housing, inheritance and home equity conversion; social aspects of planning; social research and its management.

Dixon, Robyn Education Department, University of Auckland, Private Bag 92019, Auckland. Adolescent mothers and infant development.

Gatfield, Gill Equity Works Limited, Box 6276, Wellington. My research is on women in the New Zealand legal profession, their contributions and experiences from the first woman lawyer in 1897 to the present. The primary objectives of the research are to identify the nature and causes of discrimination experienced by women in the law, to determine the effects of that discrimination, and suggest

appropriate strategies for change. A national survey of women lawyers has been undertaken, sponsored by three law societies. Other aspects of the project are well under way and should be completed in May 1993. It is intended to use this work to help focus attention on the position of women in law during the 1993 Suffrage Centenary. I am interested to hear from any who have information about women lawyers or an interest in this work.

Hyman, Prue Department of Economics, Victoria University, Box 600, Wellington. Feminist critiques of orthodox economic theory and policy. Analysis of women's position in the labour market, unpaid work, and the residual welfare state.

McDonald, Elisabeth Law Faculty, Victoria University, Box 600, Wellington. Current research interests focus on women jurors, examining the role of women in jury deliberations and gender bias in the use of peremptory challenges; women and the criminal law, including a feminist analysis of criminal law defences involving self defence, provocation, compulsion and infanticide; women and legal education, centering on lessons learned from teaching feminist legal theory in a traditional law school.

Murray, Mary Department of Sociology, Massey University, Palmerston North. Gender divisions in the transition from feudalism to capitalism, and feminist theory and feminist politics.

Nauright, John Physical Education Department, University of Otago, Box 56, Dunedin. History of netball in New Zealand and internationally.

Sewell, Deborah 14 Short Street, Waitara, Taranaki. Women's unpaid work and participation in the informal economy—I am currently researching women's participation in the informal economy in small town New Zealand; women across culture, especially Latin America, the Eastern bloc and Africa.

Smith, Anne Education Department, University of Otago, Dunedin. Gender issues in Education, specifically classroom dynamics, policy issues in early childhood education and care, and gender and friendships.

Tennant, Margaret History Department, Massey University, Private Bag, Palmerston North. I am working on a history of New Zealand women's social work, paid and unpaid, over the nineteenth and twentieth centuries.

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(\$2.00 within New Zealand; \$NZ4.00 outside New Zealand)
- No. 7. Bridget Orr. *The (Other) Women's Coffee House: Gender, Difference
and Dialogue*.
(\$2.00 within New Zealand; \$NZ4.00 outside New Zealand)
- No. 8. Vicki Kirby (ed.). *Issues in Feminist Theorising*.
(\$2.00 within New Zealand; \$NZ4.00 outside New Zealand)

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1993 Suffrage Centennial Calendar of Events

Conferences from April to August include:

April (Women and Education)

4th Women Lawyers into the Year 2000 and Beyond forum, National Law Conference, Wellington.

17th Have women got IT?
Wellington Branch, Federation of University Women seminar,
Wellington.

May (Women and the Land)

8th – 10th YWCA Young Women's Suffrage Commemoration Conference,
Wellington.

9 – 11th NZFSSA Social Studies Conference, Christchurch.

12th – 16th Maori Women's Welfare League International Conference,
Christchurch.

14th – 16th NZ Council of Trade Unions Women's Conference, Wellin-
ton.

22th – 23th Women's Law Conference, Victoria, Wellington.

June (Women and the Environment).

3rd National Women's Feminist Theology Conference, Tauhara, Taupo.

19th – 20th 1993 Conference of Women in Management Network, Auck-
land.

July (Women and Safety).

10th – 11th Women's Electoral Lobby Australasian Conference, Wellin-
ton.

August (Women and Health).

20th – 22th Politics of parenting, Parents Centre Conference, Auckland.

27th – 29th Suffrage and Beyond 1993, International Conference of
Women Historians, Wellington.

A full listing of Suffrage events and regional contacts is found in *Suffrage News*, compiled by the Suffrage Centennial Services Unit of the Ministry of Women's Affairs. Write to P.O. Box 10 049 Wellington (or telephone (04) 473 4112) to have your name added to the mailing list.

Information for Authors

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

All manuscripts will be sent out for anonymous reviewing with the aim of providing the author with feedback and constructive suggestions.

Enquiries about the *Journal* and contributions only should be sent to:

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Women's Studies
Department of English
University of Otago
P.O. Box 56
Dunedin

Please send two double-spaced copies, with generous margins. A separate title page should include the title and the author's name and address. Since contributions will not be returned authors should retain a copy of their work. A style sheet is available on request.

Women's Studies Association (NZ) (Inc.)

The Association 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 and class as well as sex. We acknowledge the Maori people as the 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 subscription (includes GST):

full membership (women) \$20.00

associate membership (newsletter only) \$20.00


corporate membership (institutions) \$24.00

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Annual Conference: The Association holds an annual conference where members present the latest feminist research and discussion papers, and workshops explore issues important to women. The *Conference Papers* are published annually. Members receive a discount for the conference and the *Conference Papers*.

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