

# We Can Do It!

Gender, Vol. 3 Issue. 6



# qmhj

## Editors' welcome

Welcome to the January edition of the Queen Mary Undergraduate History Journal! We hope you've all had an enjoyable and productive Christmas break filled with mince pies, merriment and seasonal jumpers and are once again ready to crack on with those dissertations/ coursework essays/ nights at Drapers if you're a first year. Our theme this month is Gender and on behalf of the team at the QMHJ, we would like to thank everyone once again for submitting their work, and would like to remind you that the deadline for our first print edition of the year is fast approaching, so make sure you continue submitting your essays for consideration.

As always, selecting only five essays for publication this month was a very tricky task, with many great essays submitted. In the end we settled on five essays with subjects ranging from Renaissance nuns to contemporary feminism. We hope you enjoy reading them as much as we did. Whittling down the number of essays is always very tough, however we would like to encourage those who have been unsuccessful this month to please continue submitting their work, and those who have never submitted to give it a go. Following this edition is our 'Red' February edition, so for all you socialists out there, get submitting those hymns to Lenin as soon as possible for your chance to be published! As always the email address for submissions is [qmulhistoryjournal@outlook.com](mailto:qmulhistoryjournal@outlook.com).

Nothing remains but for us to thank you for reading the QMHJ. We hope you return next month for Communists and again in March for Capitalists.

All the best,

Sam and Ruth

Editor- and Commissioning-editor

## Contents

To what extent, and in what ways, did English nuns resist the suppression of the monasteries under Henry VIII between 1536 and 1540?	4
<i>James Taffe</i>	
‘He submits his heroines to excruciating ordeals.’ Why did Hitchcock develop a reputation as a misogynist?	22
<i>Sinead Naughton</i>	
How much power and influence did the women of the Paston family have?	34
<i>James Taffe</i>	
Should pornography be banned in order to protect women from abuse?	49
<i>Wanda Canton</i>	
To what extent should women be treated equally to men?	66
<i>Rose Masaka</i>	

## To what extent, and in what ways, did English nuns resist the suppression of the monasteries under Henry VIII between 1536 and 1540?

*James Taffe*

In 1536, the English Parliament enacted the Act for the Dissolution of the Lesser Monasteries. This Act was the product of a broad scheme by the king of England, Henry VIII, and his principal secretary, Thomas Cromwell, for the secularisation of all Church land and property. Their scheme required that the monasteries, priories, convents and friaries spread across England, Wales, and Ireland be suppressed so that their income and assets could then be appropriated for the crown. The passage of the Act for the Dissolution of the Greater Monasteries in 1539 was a clear indication that Henry and his government were committed to the total dissolution of all religious houses.

The resulting violence and protest by the male religious – most notably the Lincolnshire rebellion and the Pilgrimage of Grace – has been thoroughly documented and debated by historians of the Reformation in England.<sup>1</sup> However, the reaction and resistance by the female religious to the suppression of the monasteries, for which there is substantial evidence, has been severely underestimated and almost completely disregarded by these historians. Few have chosen to identify English nuns as a force independent of the male monks, friars and

canons, and those historians who do generally emphasise the speed with which the nuns and their convents were surrendered.<sup>2</sup> Kathleen Cooke has raised a few objections, but her study is more concerned with the fate of the English nuns and the role of pensions in inducing their surrender.<sup>3</sup>

This essay will then begin by deconstructing the narrative usually adopted by historians which presupposes that the English nuns willingly surrendered to royal authority. We will then identify the various ways in which these nuns did, in fact, resist the suppression, and demonstrate how the nature of their resistance evolved between the first (1536-7) and second (1538-40) phases of suppression. This will necessitate a thorough examination of the evidence, most notably the visitation records, grants for exemption, letters and petitions to Cromwell, and finally the reports by his royal commissioners – in order to determine the exact measure of resistance by English nuns.<sup>4</sup> Consequently, we will also review the degree of success to which these nuns managed to, at least temporarily, ward off suppression.

We should begin by deconstructing the narrative usually adopted by historians of the suppression which presupposes that English nuns readily surrendered to royal authority. The commissioners were first dispatched by Thomas Cromwell in 1535 to conduct an investigation and write up a report of the monasteries in England. These reports are traditionally invoked by historians who assert that the English nuns “lacked the community solidarity created by observance” which, in turn, prevented them from sustaining “an effective resistance”.<sup>5</sup> Indeed, the commissioners who facilitated the

surrenders of Kyme, Irford, Fosse, Nun Cotham, Heynings, and Denny reported that there were nuns who, being “glad of this late ordinance”, had “instantly desired with weeping eyes” to be released from their vows.<sup>6</sup>

The glaring problem with inferring from the commissioners’ reports that the English nuns were prepared to abandon their vocation is that these reports better serve as evidence to the contrary. If the piety of these nuns is documented by the commissioners at all, it is usually of their concern in suppressing an especially devout community. The commissioners who visited the convent of Polesworth in Warwickshire, for example, noted that “never one of the nuns there” will “leave nor forsake their habit and religion”.<sup>7</sup> It was also reported that the nuns of Grace Dieu and Langley in Leicestershire were all “desirous to continue in religion”.<sup>8</sup> Reports of this nature were not uncommon.<sup>9</sup> Furthermore, the Archbishop of Canterbury’s Faculty Office Registers reveal that, in 1536, only 44 nuns applied for and received dispensations from their vows.<sup>10</sup> These figures, together with a number of commissioners’ reports, testify to the steady devotion of English nuns to their vocation.

The decision to surrender by English nuns may well have been pressed forward by the government scheme which, upon the surrender of their house, awarded nuns with a pension for their compliance. Under the first Act for Dissolution, pensions were restricted to the abbess or prioress of each house. The

prioress of Stainfield in Lincolnshire, for example, received a pension, while her sisters were transferred to Stixwold.<sup>11</sup> However, under the second Act for Dissolution, virtually all of the nuns who surrendered their position received a pension. G. W. O. Woodward, among other historians, claims that the majority of English nuns accepted that they would be “rewarded more generously” for their ready compliance to authority than they would by a “stubborn resistance”.<sup>12</sup> Awarding these pensions certainly became the standard practice for inducing the voluntary surrender of a convent. However, the attraction of pensions, which were on average as small as £3 a year, has been largely overstated. As Cooke has demonstrated, the majority of nuns who accepted pensions were kept in permanent dependence, and while the suppressed monks and canons could seek alternative employment as either priests or private chaplains, nuns had no such consolation. Moreover, many English nuns were still bound by their vow of chastity, ruling out the security of marriage.<sup>13</sup>

Despite the obvious social, economic and religious implications of surrender for English nuns, many historians have overlooked the proof of their resistance to the suppression of the monasteries. Jo Ann McNamara concludes her study of the suppression by insisting that there were “few nuns” who “protested Henry's claim to supremacy over the church”, while Joyce Youings argues that the dissolution of the convents especially was “carried through” with “little opposition”.<sup>14</sup> Woodward and even Cooke suggest that, with the suppression of the greater monasteries in 1539, the nuns may well have accepted that resistance “would probably be futile”.<sup>15</sup> However, the

notion that they had accepted their fate must now be challenged.

The resistance by the English nuns to the 'first phase' of suppression was stubborn in nature, and largely motivated by their enduring efforts to secure an exemption for their house. The first Act for Dissolution in 1536 contained an exemption clause which reserved the right for the king to, “at his pleasure”, declare that certain houses should “continue, remain, and be in the same body” without “any suppression or dissolution”.<sup>16</sup> This meant that Henry, or Cromwell, could, at their discretion, grant exemption from the Act to any house of their choosing. While the majority of exemptions were indeed to facilitate the transfer of committed nuns to new accommodation,<sup>17</sup> there were many nuns who took full advantage of the clause in their efforts to resist suppression. Their methods for securing an exemption varied, but were usually exhaustive and practical.

The most common way in which nuns sought an exemption for their house was by petitioning, usually for the attention and intercession of Thomas Cromwell. The “most striking characteristic” of the Vicar-General's correspondence was its “completely personal nature”.<sup>18</sup> The prioress of Legbourne in Lincolnshire, for example, solicited Cromwell to see that in their “great necessity” Legbourne “may be preserved and stand”.<sup>19</sup> The abbess of Godstow in Oxfordshire, Katherine Bulkeley, petitioned for Cromwell to intervene for the protection of her house. Bulkeley stressed that neither she nor her sisters had ever “offended God's laws” in

a way which meant that Godstow “ought to be suppressed”.<sup>20</sup> Legbourne was suppressed in 1536 despite the efforts of the prioress, while Godstow managed to avoid suppression until 1539. The evidence then does not allow us to discern the exact impact of petitions, or even whether Godstow survived at Cromwell’s intercession, but it does attest to the use of petitions for resisting suppression.

Indeed, what is more significant is the fact that these petitions existed at all. The sheer number of petitions to be found in the *Letters and Papers of Henry VIII* alone suggests that these nuns were exhaustive in their efforts to resist suppression and remain in their vocation.<sup>21</sup> Each petition was certainly unique in its request. Joanna Vane, the prioress of Dartford in Kent, begged that Cromwell have “sympathetic consideration” for an underage novice who, she had hoped, would be granted exemption from the first Act dismissing all nuns under the age of twenty-four.<sup>22</sup> The prioress of Little Marlow in Buckinghamshire, Margaret Vernon, wrote to Cromwell not for an exemption but for his “best advertisement and counsel”.<sup>23</sup> Little Marlow was suppressed in 1536 but Vernon – who, according to the first Act, should have been awarded a pension and then dismissed – was elected abbess of Malling in Kent. Despite the disparity between the petitions of Vane and Vernon, both nuns clearly shared a common motive: to resist the suppression. Their petitions each represent a plea for survival which, for Vernon at least, was successful.

There were also many English nuns who had hoped to resist suppression by

securing an exemption by recommendation, be it from the royal commissioners or a friend at court. Six commissioners were appointed in 1536 to survey the nunnery of Polesworth in Warwick, with orders, no doubt, to suppress the house. However, they reported in July to Cromwell that, by their estimations, “if the nunnery be suppressed”, then “the town will shortly after fall to ruin and decay”. The “virtuous and religious nuns” secured the recommendation of the commissioners to Cromwell that he “do a right good and meritorious deed” and see that Polesworth “remain unsuppressed”.<sup>24</sup> The nuns of Polesworth escaped suppression in 1536 and did not surrender until 1539, at which point they all received pensions.<sup>25</sup>

A convent or the prioress of a convent could also solicit a friend at court to intervene on their behalf. Richard Wharton wrote to Cromwell in March 1535 on behalf of a “neybor and friend”, the prioress of Flixton.<sup>26</sup> Hearing that Cromwell intended to “send a visitor to depose her”, Wharton begs him to “respite the matter”, which he evidently did until 1537.<sup>27</sup> Despite being a lesser monastery, the nunnery of Swine situated in Yorkshire was not suppressed until 1539. Although their exemption might well have been granted to avoid having to find new accommodation for the nuns (of which there were over twenty), their survival might also be attributed to the intercession of Sir George Darcy, who wrote personally to the king in 1536 “for the preferment of the nunnery of Swyne, of which his wife is foundress”.<sup>28</sup> The prioress of Catesby petitioned Anne Boleyn, trusting that

Cromwell should consider their exemption for “the Queen's Grace hath moved the King's Majesty for me”.<sup>29</sup> However, not even a royal recommendation could save Catesby from suppression in 1536, stressing again the limitations of resistance.

There were also many English nuns who had recognised an opportunity to take full advantage of the exemption clause by offering bribes to Cromwell and his commissioners. Bribery, or more formally the purchase of a royal grant for exemption, was a desperate means by which the nuns attempted to placate the king. The evidence for and the extent to which bribery was employed by English nuns is critically underestimated by historians, who have usually emphasised (and exaggerated) their will to surrender. The prioress of Catesby moved to bribe the king with “2000 marks in recompense of that house of Catesby” and Cromwell with a further “100 marks of me to buy a gelding; and my prayers during my life”.<sup>30</sup> Her attempts to bribe the king so that “the house may stand” were neither subtle nor successful, as Catesby was suppressed in 1536.<sup>31</sup>

The abbess of Godstow it seems was much more successful in bribing Cromwell for exemption. Godstow should no doubt have been suppressed in 1536 as a lesser monastery, but Cromwell took her bribe and accepted the “office of the stewardship” of the monastery and, in 1538, she sends her “immortal thanks” for his “infinite goodness”.<sup>32</sup> Both Polesworth in Warwickshire and Polsoe in Devon too managed to avoid suppression until 1539, probably by the way of “fines paid” to the king.<sup>33</sup> That said, the cost of a royal grant or a sufficiently alluring bribe for a convent to secure

exemption was, according to Gasquet, usually “greatly in excess of their annual revenue”.<sup>34</sup> Indeed, many convents were reduced to a “state of absolute beggary” in their attempts to ward off suppression. The nuns of Stixwold in Lincolnshire, for example, were so impoverished that they were forced to appeal for relief in order to “pay the king the aforesaid money” that they had promised for the privilege of exemption.<sup>35</sup> That said, any and all attempts at bribery by these nuns (of which there were many) constituted acts of resistance, and evidently, there were nuns who were so desperate to resist suppression that they resorted to bribery, reducing themselves to a “state of absolute beggary” in aid of their convent's survival.

However, in the 'second phase' of the suppression, initiated by the Act for the Dissolution of the Greater Monasteries in 1539, the exemption clause was removed. The last recorded nunnery to be granted an exemption was Nunappleton in July 1538.<sup>36</sup> The second Act for Dissolution even ordered that “the said late monasteries” which were previously “exempted from the visitation or visitations” should “from henceforth be within the jurisdiction of visitation”.<sup>37</sup> During the 'first phase', it was evident that the English nuns were reluctant to deny Henry his supreme authority over the Church. They constantly reassure him of their respect for the “king's gracious commandment”.<sup>38</sup> However, without the opportunity to secure an exemption for their house, the resistance by the nuns to the 'second phase' of suppression took on a more aggressive, manifest form.

Katherine Bulkeley, the abbess of Godstow, now stripped of her exemption refused to surrender to the visiting commissioner, Dr. London, who she described in a letter to Cromwell as her “mortal enemy”. The abbess insisted that she “would never surrender to his hand” for he had begun to entreat and “threaten me and my sisters”.<sup>39</sup> There were indeed many English nuns who accused Cromwell's agents of using seduction, deception and flattery in their attempts to coerce a voluntary surrender. The abbess even proceeded to contest the commissioner's report, branding him an “untrue man” who, bearing “great malice and grudge” against her, had spitefully misinformed Cromwell that she was a “spoiler” and a “waster”.<sup>40</sup> Cromwell withdrew Dr. London at her request and Godstow resisted suppression for another year.<sup>41</sup> Joan Gybbart, the prioress of Wilton in Wiltshire, also contested the actions and orders of her commissioner. Dr. Hylley, she protested, “threatens us grievously, and puts us to much vexation”.<sup>42</sup>

There were many English nuns like Bulkeley and Gybbart who were prepared to resist and contest the injunctions of commissioners. Yet another example of obstinate resistance by the English nuns is that by the prioress of Amesbury, Florence Bonnew, who outright refused to surrender her house to commissioners in 1539. The commissioners informed Cromwell that they had “used as many ways with her as our poor wits could attain” but that they “could not by any persuasions bring her to any conformity”.<sup>43</sup> This 'conformity' to which they refer, and that they had hoped to attain, was no doubt the voluntary surrender of Amesbury by the prioress. It was crucial that

the surrender of the greater houses should at the very least *appear* voluntary. Under the second Act for Dissolution, it was made explicitly clear that the nuns would be acting “of their own free and voluntary minds, good wills, and assents without constraint, coercion, or compulsion of any manner”.<sup>44</sup> For the suppression of a convent, this could only be achieved if each prioress formally relinquished the rights of her and her sisters to the house and its property. This is precisely what Bonnew, the prioress of Amesbury, refused to do. “If the King's highness command me to go”, she states, then “I will gladly go”, but according to the commissioners she was “fully fixed” against conforming to their scheme.<sup>45</sup> Bonnew was forced to resign “at the king's bidding” and Amesbury was soon after suppressed under her pliant successor, Joan Darrell.<sup>46</sup>

It is clear that the summons to surrender was not always received with obedience. The commissioners also experienced great difficulty in securing the voluntary surrender of Shaftesbury in Dorset. It was reported that the nuns at Shaftesbury were “of another sort”, and that “they will not agree” to the commissioner's orders for surrender.<sup>47</sup> The nuns of Romsey in Hampshire even rejected the offer of pensions and refused to surrender their house, for which they were punished with the confiscation of all their goods.<sup>48</sup> Bonnew of Amesbury also spurned the offer of a pension, declaring that, “as for pension, I care for none”.<sup>49</sup> To reject their pensions was to deny the king and his royal commissioners the veneer of legality which they had sought for the suppression of the monasteries.

The rejection of pensions was not the only way in which English nuns denied the

suppression its 'veneer of legality'. It was ordered by the crown that the commissioners take "the consent of the head and convent by way of their fair surrender" through the "sufficient writings of record under their convent and common seals".<sup>50</sup> The insistence upon a fair and voluntary surrender falls under what Joyce Youings describes as "government propaganda".<sup>51</sup> Henry, Cromwell and his commissioners were determined that the king's subjects see the whole process of suppression as legal and just. It is therefore intriguing that, of the original documents drawn up for the purpose of legalised suppression, an extraordinary twenty-eight of them never actually received the signatures of the nuns. Gasquet's exhaustive study of the papers preserved in the Public Record Office reveals that not only are there discrepancies in the recorded dates for suppression, but that there is the possibility of forgery in that some documents have signatures which are all "written in the same hand".<sup>52</sup> Discounting these, there remains only three signed surrenders of all the English convents. Of course, the lack of signatures might well be explained by time constraints, or perhaps even by the lax attitude of the commissioners in acquiring them. However, given the demonstrably excessive concern for legality by the state, the shortfall of documented surrenders more plausibly reflects the staunch resistance by English nuns to the suppression.

Before concluding, we should acknowledge that there are a few records of English nuns who continued to defy royal authority even after their house had been suppressed. There were convents - notably Seton in Cumberland, Nunburnholme in Yorkshire and Clementhorpe by York - which were "repeopled" with nuns.<sup>53</sup> However,

the "absence of records" in this instance, as observed by H. T. Jacka, leaves it "almost entirely a matter of conjecture". In rather exceptional cases too, there were nuns who continued to live together and practice their former discipline.<sup>54</sup> Again, the records here are too scarce to deduce exactly the measure of such resistance by English nuns, who vanish almost completely from our records of the period following the suppression.

By March 1540 then, English monasticism itself was virtually extinguished. Not a single priory, abbey, friary or convent avoided the suppression. Resistance by the English nuns was then, ultimately, unsuccessful. However, it must be acknowledged that there was indeed a demonstrably staunch and exhaustive effort by many of these nuns to resist suppression. During the first phase, English nuns petitioned Cromwell for his intercession, sought the recommendations of the royal commissioners and even impoverished their convent for a bribe, all in aid of securing an exemption. The sustained application of these methods by the nuns across the first phase testifies to both their determination to avoid suppression and their enduring commitment to their vocation. For the second phase, with the loss of exemption, English nuns were forced to adapt their strategy for resistance. Between contesting commissioners' reports, rejecting pensions and outright refusing to surrender, the nuns demonstrated their will to challenge royal authority in denying the actions of the crown a veneer of legality. The design of inducing surrender was not always received with obedience and saw "extraordinary drawbacks" as a result.<sup>55</sup> These nuns employed every plausible method of resistance short of an armed, violent protest. We should then appreciate that, in spite

of their total shutdown by 1540, the English nuns did in fact put up a staunch resistance, and even achieved a degree of success in frustrating the royal initiative and, at least temporarily, staving off suppression.

### Notes

1. G. W. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (New Haven: Yale University Press, 2005) and G. W. O. Woodward, *The Dissolution of the Monasteries* (London: Blandford Press, 1966), among others.
2. Woodward, *Dissolution*, p.108 and p.155., Jo Ann Kay McNamara, *Sisters in Arms: Catholic Nuns through Two Millennia* (Cambridge: Harvard University Press, 1996), p.425 and Joyce Youings, *The Dissolution of the Monasteries* (London: George Allen & Unwin Ltd, 1971), p. 19.
3. Kathleen Cooke, 'The English nuns and the Dissolution', in John Blair and Brian Golding (eds), *The Cloister and the World: Essays in Medieval History in Honour of Barbara Harvey* (Oxford, Clarendon Press, 1996), pp. 287-301.
4. Evidence is drawn from G. H. Cook (ed.), *Letters to Cromwell and others on the Suppression of the Monasteries* (London: John Baker Publishers Ltd, 1965), abbreviated to *LTC*, David Knowles and R. Neville Hadcock (eds), *Medieval Religious Houses: England and Wales* (London: Longmans, Green and Co Ltd, 1953), abbreviated to *MRH*, and J. S. Brewer (ed.), *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII, 1509-1547, 21 vols.* (1920) Available: <http://www.british-history.ac.uk/catalogue.aspx?gid=126&type=3>, [Last accessed 12/12/2013], abbreviated to *LP*.
5. McNamara, *Sisters in Arms*, p. 425.
6. *LTC*, p. 178 and *LP IX 657, LP IX 694, LP IX 708*.
7. *LTC*, p. 116.
8. *LP X 1191*.

### Notes

9. Many reports of this nature can be found in both *LTC* and *LP*, notably volume *X*.
10. Cooke, 'English Nuns', p. 294.
11. *MRH*, p. 219.
12. Woodward, *Op. Cit.*, p. 108.
13. Cooke, 'English Nuns', pp. 294-5.
14. McNamara, *Op. Cit.*, p.425; Youings, *Op. Cit.*, p. 19.
15. Cooke, 'English Nuns', p.296; Woodward, *Op. Cit.*, p. 108.
16. J. R. Tanner (ed.), *Tudor Constitutional Documents: A.D 1485-1603* (Cambridge : Cambridge University Press, 1922), p. 62.
17. Cooke, 'The English Nuns', p. 295; Youings, *Op. Cit.*, p. 44.
18. H. T. Jacka, *The Dissolution of the English Nunneries* (Thesis submitted for the Degree of M.A. in the University of London, 1917), p. 77.
19. *LTC*, p. 89; *LP X 384*.
20. *LTC*, p. 212.
21. *LP*, generally found in volumes *X* and *XI*.
22. *LTC*, p. 143.
23. *Ibid.*, pp. 79-80.
24. *Ibid.*, p. 116.
25. *MRH*, p. 217.
26. *LP VIII 372*; Jacka, *Dissolution*, p. 77.
27. *MRH*, p. 228.
28. *MRH*, p. 226; *LP X 607*.
29. *LTC*, p. 295; *LP X 383*.

## Notes

30. *LTC*, p. 110.
31. *MRH*, p. 222.
32. *LTC*, p. 161.
33. Cooke, 'English Nuns', p. 295; *MRH*, p. 217.
34. Abbot Gasquet, *Henry VIII and the English Monasteries* (London: G. Bell and Sons Ltd, 1910), p. 294.
35. *LTC*, p. 126.
36. *LP XIII i 1539*.
37. Tanner, *Constitutional Documents*, p. 66.
38. *LTC*, p. 213 ; *MRH*, p. 212.
39. *LTC*, pp. 213-216.
40. *Ibid.*
41. Gasquet, *Henry VIII*, p. 306; *LP XIV ii 539*.
42. *LP VI 285*.
43. Youings, *Op. Cit.*, p.183.
44. Tanner, *Op. Cit.*, p. 64.
45. Youings, *Op. Cit.*, p. 183.
46. *MRH*, p.209, *LP XIV ii 646*.
47. Cooke, 'English Nuns', p. 297.
48. *MRH*, p217, McNamara, *Op. Cit.*, p. 426.
49. Youings, *Op. Cit.*, p. 183.

## Notes

50. Tanner, *Op. Cit.*, p. 64 and Gasquet, *Henry VIII*, p. 301.
51. Youings, *Op. Cit.*, p. 73.
52. Gasquet, *Op. Cit.*, p. 303.
53. Bernard, *Op. Cit.*, p. 390; Jacka, *Op. Cit.*, p. 104.
54. Woodward, *Op. Cit.*, p. 152, Youings, *Op. Cit.*, p. 13.
55. Gasquet, *Op. Cit.*, p. 303.

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## *'He submits his heroines to excruciating ordeals.'* Why did Hitchcock develop a reputation as a misogynist?

*Sinead Naughton*

'He submits his heroines to excruciating ordeals.'<sup>1</sup> Molly Haskell stated this in her renowned book *From Reverence to Rape* first published in 1974, and anyone who has seen a Hitchcock film would be hard pushed to deny it. You do not have to be an extreme feminist, or be a feminist at all for that matter, to agree with it. Even Haskell herself said she was a 'film critic first and a feminist second.'<sup>2</sup> Acknowledging these 'ordeals' is much the same as acknowledging that Hitchcock had a reputation for being a misogynist, whether you agree with it or not. The question under examination in this essay is not 'was Hitchcock a misogynist?' but rather 'why did he have a 'reputation' for being a misogynist?' It is true that answering the second question will shed some light on the first, but there will be no conclusive answers and what he was or was not. Therefore to answer the question at hand and discover how this reputation developed, the essay will examine: comments made by Hitchcock with respect to women, and comments made by women about him; there will be an analysis of *Vertigo* and *Shadow of a Doubt* to determine whether it was his films that garnered him this reputation or the feminist critics of these. The most likely answer is that it is a convoluted mix of all the above.

The reputation most probably began with the poor treatment of female characters in his films, and was from there on highly influenced by unsavoury comments he made about women, in addition to the stories which were sensationalised by the press. This made it near impossible to watch a Hitchcock film without having the preconception that he hated women. Once the misogynist reputation became somewhat established its presence most likely affected the rather hard-line feminist writings of his films from the 1970s onwards; this had the result of further developing the reputation.

When one thinks of Hitchcock's reputation as a misogynist, it is stories such as Tippi Hedren's reported ordeals during the filming of *The Birds* that spring to mind. Including the one of her being made to film a scene with real birds until she drew blood and collapsed.<sup>3</sup> But Hitchcock was developing a reputation for being a misogynist long before these stories. In an interview from 1935, Barbara J. Buchanan asked him 'Why do you hate women?' Hitchcock's answer to this was 'I don't exactly hate them, but I certainly don't think they are as good actors as men.'<sup>4</sup> He then went on to say that nothing pleases him 'more than to knock the ladylikeness out of chorus girls.'<sup>5</sup> As with his films, the comments he made only increased in shock-value throughout the years. In the famous 1962 Truffaut interview, he was asked 'why he preferred blondes', he answered 'We're after . . . the real ladies who become whores once they're in the bedroom.'<sup>6</sup> Indeed, with remarks such as these, it is not surprising that he gained a misogynist reputation.

Such statements played a large role in the formation of this reputation, as it would appear (Tippe aside) that many of the women he worked with had quite complimentary things to say about him. For instance, Karen Black who starred in the *Family Plot* said 'whoever said he is a misogynist is a silly, mistaken person... I think he liked women.'<sup>7</sup> Whilst the later part of Karen's comment is not confirmed, it goes to demonstrate that his own comments did more than anyone's' to create his infamous reputation as a misogynist.

In yet another infamous comment, Hitchcock once said the key to successful cinema was to 'torture the women!'<sup>8</sup> The onscreen 'torture' of these women certainly contributed to his misogynistic reputation, but it was not the only influencing factor. Some retrospective feminist analyses also had a great effect. Take for instance *Shadow of a Doubt* (1943). Set around a family in suburbia and told from a woman's perspective, it is well aimed at women. Possibly a strategic move as during this period, on account of the war, women made up the largest proportion of cinema goers. The film did very well at the box office and received good reviews. Seeing as the male antagonist died at the end of the movie it was most probably seen as a victory for the woman, or at least society. The reviews did not even hint at misogyny and Bosley Crowther's review in *The Times* even mentioned that film became too obviously moralistic, although he did not relate this to feminism.<sup>9</sup> If this was the contemporary view of *Shadow of a Doubt* how was it that some retrospective critics aligned it with Hitchcock's reputation as a misogynist.

Diane Carson and James McLaughlin claim that *Shadow of a Doubt* is the story of a woman's choices in a patriarchal society, of which there are only two. She can either conform to society, through marriage, or rebel to face destruction.<sup>10</sup> They assert that this is shown through young Charlie's resistance of the patriarchal system, wanting a more interesting life than her mother's. This resistance results in her near destruction by her widow murdering uncle. McLaughlin asserts that 'Hitchcock's misogyny is blatant' through Uncle Charlie's murder of 'Merry Widows', women who are free of the patriarchal system. McLaughlin says their murders are a warning to women that there are no options outside the system.<sup>11</sup> Thomas Hemmeter offers a far more convincing argument, by proposing that the film's portrayal of patriarchy was far too unflattering to be paying homage to it. After all, it is a system that fostered a serial killer, a childlike father, an unhappy mother, and so forth.<sup>12</sup> He instead asserts that young Charlie's presence outside the church at the end of the film and the ambivalence about her relationship to Graham symbolises her stance at the margins of patriarchy and emphasises the possibility that women may have other options.<sup>13</sup> Therefore, although critics such as McLaughlin and Carson have a very pessimistic view of *Shadow of a Doubt* and feel that it is a clue to Hitchcock's misogynist thinking, given its dark view of patriarchy, its privileging of the woman's point of view and the fact Young Charlie three times withstands destruction (the step, the garage and the trains) but Uncle Charlie does not, it is unlikely that this particular film substantially contributed to his reputation as a misogynist.

*Vertigo*, contrarily, did far more to highlight any misogynist pronouncements within Hitchcock's films. It is true that it was far more obvious and viler in its treatment of women than *Shadow of a Doubt*, yet analyses of the film – such as Laura Mulvey's – have misled some people to think it is purely about the objectification of women in a most unsympathetic way. This has increased Hitchcock's reputation as a misogynist by leaps and bounds, although, when the film was released in 1958, it was not immediately linked to misogyny. It received some very harsh criticism indeed and did not gross particularly well, but this was not on account of its misogynistic themes. But rather for what Penelope Houston in her review featured in *Sight and Sound* in 1958 called a 'plot structure of egg-shell thinness.' Penelope did mention the misogynistic nature of Judy's make-over but, far from criticising it, she said it was one of the films only redeeming factors, creating 'good suspense diversion.'<sup>14</sup> Bosley Crowther's review in *The New York Times* was far more complimentary; although he also refers to the 'big hole' in the plot he never mentioned anything about it being misogynistic.<sup>15</sup> This highlights that Hitchcock's popular reputation of perversely loathing women was not fully developed at this point and it was feminist critics of the later decades the really cemented it.

The most influential of the feminist critics for some time was Laura Mulvey. Her 1975 essay 'Visual Pleasure and Narrative Cinema' asserts that the only role for women in mainstream film is as the object of the 'male gaze' and to help fulfil male

desire. Mulvey also makes a divide between male star as active and the female as passive<sup>16</sup> and uses *Vertigo* to express this view. Claiming that, as the story is from Scottie's point of view, we identify with him only, Judy/Madeleine is only present to fulfil Scottie's needs and desires and her flashback is a small exception which changes nothing.<sup>17</sup> Mulvey's argument has convinced critics such as Barbara Creed, that Judy is only the 'raw material or the "hero's" dreams' [emphasis added],<sup>18</sup> and many others that Hitchcock was a through and through misogynist. But her theory is not without its own plot holes.

The sympathy felt by the audience with regards to the leading ladies in Hitchcock's films certainly added to his reputation of being a misogynist. This alone shows up the flaws in Mulvey's argument, for how can we have sympathy for a character that we don't even identify with. Marian Keane and Tania Modleski have chastised Mulvey's failure to see Judy's flashback as a major 'turning point,' whereby – though there's a return to Scottie's point of view – the audience shares Judy's knowledge and thus '[identifies] with her'.<sup>19</sup> It is this identification that creates a certain amount of sympathy for Judy's suffering. So is it this sympathy that gained Hitchcock the misogynist label: the weak woman being moulded by the powerful man. Keane, however, has suggested of this reading that it could be somewhat superficial as Madeleine is not the only one 'submitted to an ordeal', Scottie suffers too.<sup>20</sup>

Scottie is fooled and manipulated twice throughout the film and thereby can be seen as weak, even Crowther called him 'dizzy' in 1958. Scottie's weakness is highlighted by his contrast to the powerful Gavin Elster. Elster is associated with old world power and 'manliness', shown by the lavish imperialistic décor in his office and his position as a shipping magnate. Scottie's impotence which has already been building through his illness and corset wearing, is further exasperated through his manipulation by Elster.<sup>21</sup> It is also important not to forget that Judy played a hand in this manipulation. And although when they met again she sets out to make him love her, "as I am for myself," she eventually relents and lets Scottie change her in full knowingness that what he's after, was never, and will never be, real. What further complicates Judy's character is that she is twice shown in the glow of the green sign outside her window, giving her a monstrous appearance. So perhaps this misogynistic reputation came from his monstrous (as opposed to weak) portrayal of women. However, the beauty of *Vertigo* is its complexity and purely seeing Scottie as weak and wounded and Judy as monstrous is not enough either. Remember that he sets out to transform Judy into his ideal image of a woman regardless of the pain it caused her, and ignorant of the pain she has caused him. As Keane has postulated, (and even in 1958 Houston almost cottoned onto) it is his total disregard and lack of recognition for Judy as a person and a 'real' woman that shows Scottie's misogynist side.<sup>22</sup> Such as when he pleads with her to tie her hair up, saying "It can't matter to you".

## Queen Mary History Journal

In light of this it is hard to see how this film would have aided Hitchcock's reputation as a misogynist as each character is shown to be as deceitful and self-fulfilling as the next: Elster used Judy and Scottie to kill his wife, Judy lied to Scottie twice and played a part in a murder, and Scottie is only interested in his desires with total disregard for Judy.

Although *Vertigo* may well be making a comment on the darkness of human nature, it is not gender balanced – the women 'do' suffer more. Firstly, in the second half of the film Judy is motivated out of love for Scottie, love for the man that he is, weaknesses and all. Scottie however, is motivated by his desire for an idealised image of a woman and will not accept one who does not fit this ideal; this includes both Midge and Judy. Secondly, the film ends with the death of Judy and survival of Scottie. And thirdly, there was another death of a woman in the film that has been all but brushed over both by viewers and critics, the murder of Madeleine Elster and the question of whether or not he husband got away with it. Therefore, although *Vertigo* is too complex to simply be a misogynistic piece of work. It is possible to see how Mulvey's claim (that the film allows no identification with or sympathy towards women) alongside the presence of their cruel treatment, has vastly increased, but not created, Hitchcock's reputation as a misogynist.

Robin Wood asked the question 'can Hitchcock be saved from feminism?'<sup>23</sup> Although one can see where Wood was coming from - in that some of the feminist views had completely skewed the meaning of the films,

Sinead Naughton

*Why did Hitchcock develop a reputation as a misogynist?*

unlike more balanced accounts such as Modleski's and Haeffner's - his question is a little unfair. As we have seen these feminists did not create the misogynist reputation, they did however exasperate it. Clearly in every Hitchcock film there is a certain amount of brutality towards women, it is in these 'excruciating ordeals' that the root of his reputation as a misogynist lies, but it is not the only or even then main source of this troubled reputation. No Hitchcock film can be classed as decisively misogynistic, not even the unnerving *Vertigo*, and some such as *Shadow of a Doubt* may even be classed as women's films. It is evident from interviews where Hitchcock was asked a question in relation to females that it was he himself, through his disturbing answers, who was largely responsible for building up this reputation. Once the image – whether justified or not has not established – was well known, it became quite impossible to watch a Hitchcock film without this in the back of one's mind. It was this image that most likely sparked some of the more unbalanced feminist retrospective critiques of his films such as Mulvey's and Wright's further exasperating and ingraining the reputation. Wood later corrected the above question to "can Hitchcock's 'films' be saved from feminism?" But perhaps, "can Hitchcock's films be saved from his misogynistic reputation?" may have been an altogether fairer question.

Notes

1. Molly Haskell, *From Reverence to Rape*, (Chicago; London: The university of Chicago Press, 2nd ed.), p. 349.
2. *Ibid.*, p. ix.
3. Nicholas Haeffner, *Alfred Hitchcock*, (Harlow, England ; New York : Longman, 2005), pp. 68-9.
4. Sidney Gottlieb (eds.), *Hitchcock on Hitchcock*, (London: Faber and Faber Limited, 1995), p. 79.
5. *Ibid.*, p. 80.
6. Haeffner, *Op. Cit.*, p. 68.
7. *Ibid.*, p. 70.
8. Carol J. Clover, *Men, Women and Chainsaws: Gender in Modern Horror Film*, (Princeton: Princeton University Press, 1992), p. 42.
9. Bosley Crowther, *The New York Times*, January 13th 1943
10. Diane Carson, 'The Nightmare World of Hitchcock's Women', in Fowler, David (ed.), *The Kingdom of Dreams*, (University Press of Florida, 1986), pp. 11-9; see also: James McLaughlin, 'All in the Family: Alfred Hitchcock's Shadow of a Doubt', in Deutelbaum, Marshall and Poague, Leland (eds.), *A Hitchcock Reader*, (Wiley-Blackwell, 2009, 2nd ed.) pp. 145-55.
11. McLaughlin, *Op. Cit.*, p. 150.
12. Thomas Hemmeter, 'Hitchcock the Feminist: Rereading Shadow of a Doubt', in Gottlieb and Brookhouse (eds.), *Framing Hitchcock*, (Detroit: Wayne State University Press, 2002).
13. *Ibid.*, pp. 229-30.
14. Penelope Houston, 'Review of Vertigo', *Sight and Sound*, Spring 1959, p. 319.
15. Bosley Crowther, 'Review of Vertigo', *The New York Times*, May 29th 1958.
16. Laura Mulvey, 'Visual Pleasure and Narrative Cinema', *Screen*, 16.3, Autumn 1975, pp. 10-11.
17. *Ibid.*, pp. 13-18.
18. Barbara Creed, 'Woman as Death, Vertigo as Source', in Barton Palmer and Boyd (eds.), *Hitchcock at Source*, (State University of New York Press, 2011), p. 251.

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19. Tania Modleski, *The Woman Who Knew Too Much*, (Abingdon; New York: Taylor and Francis Group Routledge, 2005, 2nd ed.) p. 89; see also: Marion Keane, 'A Closer look at Scopophilia: Mulvey, Hitchcock and Vertigo', in Deutelbaum, Marshall and Poague, Leland (eds.), *A Hitchcock Reader*, (Wiley-Blackwell, 2009, 2nd ed.) pp. 236-9.
20. Keane, *Op. Cit.*, pp. 238-9.
21. Haeffner, *Op. Cit.*, pp. 77-8.
22. Keane, *Op. Cit.*, pp. 246-8.
23. Robin Wood, *Hitchcock's Films Revisited*, (London: Faber, 1989), p. 371.

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# How much power and influence did the women in the Paston family have?

*James Taffe*

The Paston letters constitute the largest collection of personal correspondence by a family in fifteenth-century England.<sup>1</sup> The women of the Paston family feature prominently in these letters, many of which were composed by them. In introducing her compilation of the Paston letters, Diane Watt claims that they together prove that 'women could be important and influential figures' in this period.<sup>2</sup> If the Paston women truly exemplified female power, we must first determine the exact measure of power and influence which each woman held. This essay will analyse closely the Paston letters in order to explain how the women acquired, maintained and exercised both power and influence within the public and private domains of land ownership, marriage, legal and financial business affairs,. With reference to the letters chronicling the lives of Margaret, Agnes, Elizabeth, Margery and Anne Paston, this essay will present a positive interpretation of their measure of power and influence in fifteenth-century England. This power will also be viewed in the context of the social and marital status of the Paston women. The Paston women were noblewomen of a 'gentry' family and, classified by their marital status, corresponded to either one of three categories: virgins, wives or widows.<sup>3</sup> The letters cover three generations of Paston women, and in cross-referencing their experiences – as noblewomen, and as virgins, wives and widows - we can deduce

exactly the impact of their social and marital status on their ability to attain and exercise power.

An understanding of class and the social hierarchy of fifteenth-century England is crucial in explaining how the Paston women had access to power and influence in this period. Mary C. Erler and Maryanne Kowaleski claim that 'elite women encountered fewer barriers to the acquisition of power'.<sup>4</sup> Jo Ann McNamara too recognises class as a 'decisive factor' in acquiring power in the fifteenth century.<sup>5</sup> Indeed, the opportunities to exercise power and influence for the Paston women were in part afforded to them because they belonged to a 'gentry' family. For example, as noblewomen, the Paston women each benefited from an 'informal' education. Their husbands, fathers and brothers were trained in law, business and the administration of estates. Gradually, the Paston women could attain a secondary knowledge of these professions, qualifying them to engage in public affairs on behalf of the Paston family. The Paston letters demonstrate a remarkable conviction and understanding of these professions by the Paston women. In one letter, Margaret Paston advises her son John on dealing with the 'pitous complaints of the poor tenants', while the composition of Agnes' will testifies to her legal competence.<sup>6</sup>

In another letter, Agnes Paston writes to her husband William, as she states, 'for default of a good secretary.'<sup>7</sup> Despite not being fully literate, this indicates that Agnes was herself able to keep correspondence. More importantly, this letter reflects how the Paston women usually had access to male clerks, stewards and

auditors who enabled them to keep regular correspondence. This ability to keep correspondence should not be underestimated, for it represented a form of power and influence in itself. The Paston women were active in consolidating their networks and allegiances with the exchange of letters, gifts and favours.<sup>8</sup> Margaret was especially capable, securing the allegiances of the mayor, the mayoress and the high sheriff for the Paston family.<sup>9</sup> Keeping correspondence also allowed them to exert personal influence, inquire into important family matters, facilitate the exchange of information and request financial aid – all of which without the significant time restraints of travel.<sup>10</sup> Margaret was able to urgently warn her husband to 'beware of the Lord Moleyns and his men', and to 'ne eat [cis] not nor drink with them' as she suspected they were working against the Pastons.<sup>11</sup> Finally, keeping correspondence was fundamental to marriage negotiation and the administration of estates, which we shall see were both substantial sources of power and influence for the Paston women.

In assessing the power and influence of the Paston women, it is inevitable that one should discuss marriage and its significance for the 'gentry' family in fifteenth-century England. Marriage was, first and foremost, a contract, and marriages were usually, though not always, for convenience. For the Paston family, or indeed for any family belonging to the English gentry, this contract might secure the property, wealth, social prestige or even political favour that was crucial to fulfilling their ambitions.<sup>12</sup> As deduced by Colin Richmond, the survival of marriage contracts 'in such numbers' from this period is an indication of their value to gentry families, who 'counted them as

deeds.<sup>13</sup> A match was therefore pursued much like a business proposition and required shrewd negotiation.

The Paston women might first acquire power and influence through an advantageous marriage. Marriage was usually an opportunity for women to establish their own household, broaden their networks and achieve economic growth. As noblewomen, they possessed the vital means for negotiation. Both Agnes and Margaret Paston were heiresses, and as such were able to bring significant property and prestige into their respective marriages. They could also invest property and wealth in negotiations for marriage on behalf of their daughters.<sup>14</sup> Furthermore, as young, healthy women belonging to a 'gentry' family, they could reliably be expected to produce acceptable heirs and thus secure a legacy for their prospective husbands.<sup>15</sup>

Moreover, marriage negotiation was an instrument by which the Paston women could exercise practical authority over the family. In being primarily a matter of business, marriage negotiation enabled the Paston women to have influence beyond the private domain to which women in this period were formally restricted. Agnes Paston exercised practical authority in negotiating marriages for her children. She regulated the match of John I and heiress Margaret Mauteby, proudly informing her husband that 'there shall need no great treaty betwixt [cis] them.'<sup>16</sup> This match was carefully calculated, with the manors of Mauteby undoubtedly acting as the real attraction. Agnes was instrumental in attempts to marry her daughter Elizabeth to

to Stephen Scrope and William Oldhall, and eventually with success to Robert Poynings, each of whom represented an opportunity to bolster the Paston fortune. The letters concerning the marriage of Elizabeth indicate a preoccupation with land by Agnes, and the promise of inheritance in exchange for a mother's consent.<sup>17</sup> This consent acted as a precondition to marriage, and thus Agnes could effectively negotiate for herself and the Paston family. Agnes, for example, personally stood to gain 'a bond of £1000' from her daughter's marriage to Robert Poynings as part of a customary financial settlement.<sup>18</sup>

Margaret Paston too demonstrated her influence in negotiating marriages for the Paston family. She repeatedly urged her husband John to find Elizabeth a suitor,<sup>19</sup> and later kept correspondence with Dame Elizabeth Brews to secure the marriage between her grandson John III and Margery Brews.<sup>20</sup> She was in part responsible for the marriage of her daughter Anne to Judge Yelverton's grandson William, serving the purpose of securing a much-needed rapprochement between Yelverton and the Pastons following their conflict over Sir John Fastolf's will.<sup>21</sup> However, Margaret failed to negotiate a marriage of convenience for her daughter Margery, who eloped with the family's bailiff, Richard Calle. Margaret fought in vain to break the love match, even enlisting the Bishop of Norwich to intervene and question their engagement.<sup>22</sup> Parental pressure could not bring about an annulment or separation of the couple, for it was the mutual consent to marriage between them which gave it a veneer of legality. The clandestine marriage of Margery and Richard, although it was admittedly an exceptional case, indicates that the Paston women did not always successfully exert control over the custom of marriage.

Elizabeth, Anne and Margery Paston each represented an opportunity to bolster the Paston fortune. They were treated as mere leverage in a business negotiation, just as Margaret and Agnes had been before them. These negotiations for marriage were conducted with little or no regard for those concerned and, as pawns, they were deprived of a basic freedom, without which one could argue that these women were neither powerful nor influential. In *The Treasure of the City of Ladies*, Christine de Pisan, writing in 1405, instructs girls 'in the state of virginity' to allow her parents to 'arrange her marriage'. No girl should, under any circumstances, de Pisan insists, 'make the match herself without their consen.'<sup>23</sup> Of course, Margery herself was able to challenge this traditional practice and find a love match, but at what cost? The Paston letters, Richmond claims, reflect the 'outrage' of her family at her 'misalliance with a family of shopkeepers.'<sup>24</sup> Indeed, her mother Margaret had determined that Margery, as punishment, 'should not be received in mine [cis] house' for 'her demeaning had sticked [cis] sore at our hearts.'<sup>25</sup> Margery's case indicates that a Paston woman might ultimately have had control over her own marriage and destiny, but in defying her family and their strict expectations she risked social ostracism, or worse, disinheritance. The Paston men, at least by comparison, were not subject to the same pressure. John Paston II, for example, lived and died unmarried, and according to H. S. Bennett there can be 'little doubt that he remained single of his own deliberate choice.'<sup>26</sup> Therefore, while marriage could act as an instrument for the Paston women to acquire or even exercise power,

marriage also represented the reality of their position as the subordinate sex, and as property to be levied in negotiation.

However, marriage was not all the Paston women could hope for with regards to power. Widowhood was anticipated from the very first day of marriage, and represented the most clear-cut opportunity for a noblewoman in the fifteenth century to acquire power, most notably over her own affairs. A widow was entitled to dower lands under English common law, provided for with one-third of her late husband's estates. Both Agnes, upon the death of her husband William I, and Elizabeth, upon the death of her second husband Sir George Browne, became exceptionally wealthy as widows.<sup>27</sup> Widows could even remarry, as was the case with Elizabeth, resulting in an accumulation of dower lands. Crucially, as widows, both Agnes and Elizabeth were free to exercise exclusive and independent control over these manors and estates. Furthermore, as *'femme sole'*, widows were afforded private rights which matched those of their male counterparts, especially with regards to legal and business affairs. As widows, Agnes and Elizabeth enjoyed full legal autonomy, and were able to draft contracts, press charges in a legal dispute and draw up their personal will. It is interesting to note that there is no mention of any Paston family member in Elizabeth's will.<sup>28</sup> In stark contrast to her position on the marriage market, in widowhood, Elizabeth was no longer under any obligation to the Paston family. These private rights therefore not only promoted their ability to manage their estates efficiently, but also allowed them to exercise greater control

over their own property and, evidently, their own allegiances.

Margaret Wade Labarge even claims that widowhood represented 'real power' because they were 'free from male domination.'<sup>29</sup> However, widowhood was no guarantee of power and prosperity. In 1405, Christine de Pisan described widowhood as a 'pitiful state' in which women were vulnerable to men who 'try to relieve them of their wealth.'<sup>30</sup> Indeed, many widows experienced great difficulty in securing their dower in the midst of a political crisis, or might even have faced competition from an opponent staking their claim to ownership of the property concerned. Agnes, for example, was challenged by John Hauteyn, a Carmelite friar, for ownership of Oxnead manor, a property which she had inherited in her dower.<sup>31</sup> Elizabeth Paston, then Poynings, was dispossessed of her lands upon her husband Sir Robert Poyning's death in 1461, and was forced to seek help from John Paston II.<sup>32</sup> Widows then were vulnerable in that they lacked the financial and personal security of a companion. Nevertheless, the Paston women enjoyed a new degree of independence in widowhood which empowered them to conduct their affairs more efficiently.

The occupational aspirations of a fifteenth-century woman in marriage were formally restricted to housework and child-care, while control of her property was transferred from her father to her husband. However, marriage was a partnership. For noblewomen especially, marriage was an opportunity to exercise administrative,

economic and legal power. A married noblewoman, for example, held administrative responsibility for her husband's manors and estates in his absence. Margaret was required to take sole charge of her husband John's affairs when he had been imprisoned in 1461.<sup>33</sup> He regularly entrusted Margaret with 'the good governance of my household and guiding of other things touching my profit.'<sup>34</sup> Although there is little doubt that Agnes too took charge of her husband's affairs in his absence, there is no direct reference to her ever doing so in the Paston letters. She was, however, personally responsible for managing her dower lands in widowhood.

The Paston women were, as both wives and widows, therefore able to exercise power as skilled and competent administrators of manors and estates. This was an enormous responsibility as landholding and administration were, by definition, the very foundations of livelihood for a landed 'gentry' family. Both Margaret and Agnes routinely collected rents, kept accounts, held tenant meetings, managed deeds and settled debts.<sup>35</sup> In addition to economic power, they exhibited legal power in delivering legal writs, drawing up tenant agreements, threatening lawsuits, petitioning for the support of justices and lords, and participating in court cases to refute claims of ownership to their husbands' estates. The Paston letters demonstrate their grasp on legal terminology and processes of the law – Margaret, for example, in defending the manor of Drayton in court,<sup>36</sup> and Agnes in urging her son Edmund that 'whosoever should dwell at Paston' should 'learn the law.'<sup>37</sup> Bennett even claims that Margaret 'grew so accustomed to bearing the

responsibility' of 'complicated legal and territorial struggles' that her husband John frequently and comfortably left her in charge.<sup>38</sup> Finally, the Paston women were regularly appointed as executors of their husbands' wills. William I, for example, entrusted Agnes to look out for their children.<sup>39</sup> These women often identified with their husband's interests to such an extraordinary degree that they could reliably be expected to fulfil his last wants and wishes.

Furthermore, both Agnes and Margaret showed enduring strength and control in maintaining and, quite literally, defending Paston manors and estates. The mighty confidence with which Margaret requests military equipment from her husband John, such as crossbows, windlasses and poleaxes to defend Gresham manor, evokes an image of a powerful lady-in-command.<sup>40</sup> In the words of Helen Castor, Margaret's presence at Gresham 'served as a physical embodiment of the Paston family's claim to the manor.'<sup>41</sup> Similarly, when the Duke of Suffolk laid claim to and subsequently raided the manors of Drayton and Hellesdon, Margaret travelled to Drayton to collect rent payments and demand recognition of her husband's rights.<sup>42</sup> Agnes came into direct conflict with her neighbours in a churchyard when she attempted to construct a wall blocking a right of way, declaring imperiously that she had 'stopped no way but mine own.'<sup>43</sup> However, it should be noted that Agnes was eventually fined for having blocked the highway, and the wall was soon pulled down. Moreover, facing an imminent siege, and at one stage even the threat of kidnap, Margaret was forced to withdraw from

Hellesdon.<sup>44</sup> That said, the spirited defence of Paston property and rights by Paston women, and their willingness to challenge men of both secular and ecclesiastical authority, testifies at the very least to their strength of character, a strength which in itself could be construed as a form of power.

Of course, we should be careful not to exaggerate the extent of power enjoyed by the Paston women. A more rigorous comparison between these women and the men of the Paston family would reveal that their power, when measured against that of the Paston men, was comparatively small, and might even be described as superficial. In reality, these women operated power which was held by, and formally restricted to, the Paston men. They rarely exercised power in their own right. However, this essay has proven that the power and influence held by the Paston women could still be significant. In keeping correspondence and negotiating matrimonial alliances, they demonstrated authority and control over the private domain of the family. In administering to the Paston estates, entering into legal commitments, fostering alliances and partaking in business propositions on behalf of their husbands and brothers, the Paston women extended their control into the public domain. Their individual measure of power and influence certainly depended on both their social and marital status. The Paston women prove to be excellent case studies for the power of noblewomen in fifteenth-century England, and Elizabeth in particular for the impact of marital status on the power and influence of women in this period. The letters which chronicle her life reveal a stark contrast

between Elizabeth, the virgin at the mercy of her family's ambitions, and Elizabeth, the independent widow who managed her dower lands. We can ultimately conclude that the Paston women in general, as members of the Paston family, held significant power and influence, but that their individual power depended on their own marital status and, usually, their own will and capacity to exercise it.

## Notes

1. Letters are mostly taken from Norman Davis (ed.), *The Paston Letters: A Selection in Modern Spelling* (Oxford: Oxford University Press, 2008). Letters not in Davis are taken from Diane Watt (ed.), *The Paston Women: Selected Letters, Translated from the Middle English with Introduction, Notes and Interpretive Essay* (Cambridge: D. S. Brewer, 2004). Both abbreviated to *PL* in this essay.
2. Watt (ed.), 'Three Generations of Women's Letters', in *Paston Women*, p. 16.
3. 'Virgin' is not strictly a marital status by definition, but it is by the term 'virgin' that single, unmarried women are usually referred to in fifteenth-century sources.
4. Mary C. Erler and Maryanne Kowaleski (ed.), *Gendering the Master Narrative: Women and Power in the Middle Ages* (New York: Cornell University Press, 2003), p. 7.
5. Jo Ann McNamara, 'Women and Power through the Family Revisited', in Erler and Kowaleski (ed.), *Gendering the Master Narrative*, pp. 17-30 (p.19).
6. Davis, *PL 82* and Watt, *PL 15, 16*.
7. Davis, *PL 2*.
8. Mavis E. Mate, *Women in Medieval English Society* (Cambridge: Cambridge University Press, 1999), p. 66.
9. Davis, *PL 9, 32, 64, 67*.
10. *Ibid.*, *PL 56* and Watt, *PL 79*.
11. *Ibid.*, *PL 10*.
12. Keith Dockray, 'Why did Fifteenth-Century English Gentry Marry?: The Pastons, Plump-ton and Stonors Reconsidered', in Michael Jones (ed.), *Gentry & Lesser Nobility in Late Medieval Europe* (Gloucestershire: Alan Sutton Publishing Ltd, 1986), p. 62.

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13. Colin Richmond, *The Paston Family in the Fifteenth Century: Endings* (Manchester: Manchester University Press, 2000), p. 55.
14. Watt, *PL 18*.
15. Helen Castor, *Blood & Roses: The Paston Family in the Fifteenth Century* (London: Faber and Faber Limited, 2005), p. 23.
16. Davis, *PL 2*.
17. *Ibid.*, *PL 11* and Watt, *PL 4, 6*.
18. Watt, *PL 18*.
19. *Ibid.*, *PL 31, 34*.
20. *Ibid.*, *PL 73*.
21. Castor, *Blood & Roses*, p. 270.
22. Davis, *PL 86*.
23. Christine de Pisan, *The Treasure of the City of Ladies: Translated with an Introduction by Sarah Lawson* (London: Penguin Group, 1985), p. 162.
24. Colin Richmond, 'The Pastons revisited: Marriage and the Family in Fifteenth-century England', *Bulletin of the Institute of Historical Research*, 58 (1985), pp. 25-36 (p. 32).
25. Letter 86, Davis.
26. H. S. Bennett, *The Pastons and their England: Studies in an Age of Transition* (London: Cambridge University Press, 1970), p. 36.
27. Watt, *PL 15, 20*.
28. *Ibid.*, *PL 20*.
29. Margaret Wade Labarge, *Women in Medieval Life* (London: Hamish Hamilton Ltd, 1986), p.72 and p.97.
30. Christine de Pisan, *Op. Cit.*, p.159.
31. Watt, *PL 29*.
32. *Ibid.*, *PL 19*.

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33. Davis, *PL* 44.
34. *Ibid.*, *PL* 55.
35. *Ibid.*, *PL* 56 and Watt, *PL* 10.
36. Watt, *PL* 50.
37. Davis, *PL* 5.
38. Bennett, *Op. Cit.*, p. 62.
39. Watt, *PL* 16.
40. Davis, *PL* 7.
41. Castor, *Op. Cit.*, p. 48.
42. Davis, *PL* 63.
43. *Ibid.*, *PL* 16.
44. Watt, *PL* 50.

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## Should pornography be banned in order to protect women from abuse?

*Wanda Canton*

I seek to demonstrate that banning pornography would be inadequate to protect women from either physical or economic harm by analysing the debates between anti-capitalist feminists. Whilst pornography is an objectionable industry, it is not the sole cause of women's oppression and we must acknowledge the vehemence of capitalism. This essay will focus on two assumptions of 'abuse'. Firstly, I will explore abuse as violence and degradation; considering whether pornography causes direct and/or indirect harm. I will argue that enforcing a ban will result in more violence and will not tackle root causes of women's devaluation. The second analysis of abuse as economic exploitation will be twofold; addressing the claim that pornography is a unique occupation within capitalism and is specifically reliant on the exploitation of women. I shall end with the assertion that pornography is legitimate work, and that its capitalist context poses the more substantial threat to women's protection.

The definition of 'pornography' is particularly contentious. A broad definition will apply for this work that pornography is the explicit depiction of sexual acts between adult women and men for commercial purposes.<sup>1</sup>

'Anti-capitalist' is herein understood as opposed to the existing wage relation within capitalism; 'labour power sold as a commodity in exchange for a wage' and as a condition for survival.<sup>2</sup> The 'pornography debate' is increasingly dominating popular discourse and continues to divide feminists.<sup>3</sup> This alludes to the most prominent contemporary feminist debate regarding intersectionality and whether class and gender can be separated in liberation struggles.<sup>4</sup>

### 'Abuse' as violence

An initial argument in favour of banning pornography is that it causes direct and indirect harm to participants. In its most extreme, pornography is conflated with the slavery and rape of the women involved.<sup>5</sup> Not only is the material reliant on depictions of violence,<sup>6</sup> but the production of such footage may constitute abuse in itself, for example the distribution of filmed rape.<sup>7</sup> Beyond this, the conditions in which porn is made are particularly dangerous and distinct from other occupational hazards 'because the worker is a *woman*.'<sup>8</sup> These conditions of sex work are enabled by, and require the construction of gender hierarchies which legitimise the subordination of women.<sup>9</sup> As such pornography embodies abuse and its production directly endangers participants. Thus its opponents conclude that the practice cannot be disentangled from the degradation of women.

This gives credence to the pro-ban stance because it demonstrates that violence and abuse are inherent elements of the industry.

## Queen Mary History Journal

If feminism is a movement to empower women and advocate gender equality, one is compelled to demand the prohibition of a practice that inherently causes or visualises the subordination of women. It would appear contradictory to permit the existence of a medium that profits from such violence, and fundamentally requires a 'viciously male-supremacist' society in order to develop.<sup>10</sup> Thus one is led to go beyond the initial suggestion and instead maintain that pornography *must* be banned in order to protect women from abuse.

Secondly, pornography creates indirect abuse as beyond endangering participants, it also creates social harm by damaging communal attitudes towards women. This results in the negative conditioning of boys and men, but also inculcates internally oppressive expectations for girls and women. Social learning theory proposes that behaviour is learned from media and so pornography, considered the action of violence as argued above, will induce the reproduction of sexual aggression.<sup>11</sup> So the consequences of porn are far reaching and result in the social normalization of sexual violence against women.<sup>12</sup> This also may have a desensitization effect wherein exposure to pornography reduces the responsiveness to actual violence.<sup>13</sup> Although this is refuted within experimental environments,<sup>14</sup> it is difficult to disprove its purported effects on social attitudes.<sup>15</sup> Even those pitted against banning recognise that a widely held perception that sex workers cannot be raped exists;<sup>16</sup> and some studies have demonstrated some positive correlation between exposure to violent media and unsympathetic responses to rape victims.<sup>17</sup>

Wanda Canton      *Should pornography be banned in order to protect women from abuse?*

Given the unfortunate commonality of rape and sexual violence and the increasing consumption of pornography, these attitudes are not desirable and the consequences potentially fatal.<sup>18</sup>

Whilst it is true that these attitudes exist, it is difficult to state with certainty that these are a result of exposure to pornography. There is also a lack of research to indicate whether attitudes vary according to the nature of the material and whether any related aggression is gender specific.<sup>19</sup> Similarly, there are claims that pornography is at least partially responsible for the distortion of body images and an increasing objectification of young women and girls.<sup>20</sup> The argument stipulates that due to the popularity of pornography, there is a rippling effect posing detrimental attitudes far beyond the porn industry itself, even affecting children.<sup>21</sup> But again this position is weakened without being able to identify a direct causation. Indeed 'it is impossible to prove that pornography- in any form- *causes* violence against women,' although we may speculate a relationship.<sup>22</sup>

The primary rebuttal to the above stance is strong, as opposing feminists argue that even if we accept the conflation of pornography to violence, a ban would only lead to further abuse. Firstly, banning porn would make women *more* vulnerable - the perpetrators may alternate, but not desist; abuse would emerge in the *enforcement* of a ban. This substantially discredits feminists who advocate a ban specifically to end violence because the criminalisation will leave women more vulnerable to abuse, as the remnants of the industry will be concealed and workers

will be 'at the mercy' of aggressive clients and state sanctioned arrest and harassment.<sup>23</sup> Arguably, further regulation would offer more protection as it could impose standards to improve working conditions and the prosecution of abusive men by providing the women with legal rights to uphold.<sup>24</sup> There are concerns that banning pornography will become more dangerous if illegal.<sup>25</sup> Pornography is not the agent of violence, it is the perpetrators who must be held accountable.<sup>26</sup> It is unlikely that the pornography industry would implode following a ban, yet if it were illegal, it follows that it might become more difficult to prosecute abusers because victims would face impeachment themselves by formally reporting an incident. Indeed, sex workers have directly called for decriminalisation and efforts to prosecute perpetrators of abuse and it is logical to heed the call of those primarily affected.<sup>27</sup> Even if we do not dispute the violent elements of the industry, pornography should not be banned on the basis of protecting women from abuse as its inadequacy has been demonstrated. Not only would a ban fail to prevent abuse, it would also facilitate state sanctioned violence, and it ignores the patriarchal context in which such harm is legitimated. Currently in the UK, prostitutes face arrest, harassment and police raids under Operation Clearlight and this is likely to escalate if pornography was also criminalised.<sup>28</sup> The ban would increase the powers of enforcement authorities and 'there will only be more state violence against women' and denial of the autonomy of female workers; with concerns being raised that police would be expected to impose such policy and this would penalise female

Wanda Canton      *Should pornography be banned in order to protect women from abuse?*  
participants equally to abusive consumers or producers.<sup>29</sup>

In actuality, a ban would not resolve gender oppression, and priority should be given to challenging the norms which perpetuate the sexism that makes pornography and sex work dangerous.<sup>30</sup> Pornography is unsafe within its patriarchal, capitalist context and it is that power structure which must be challenged.<sup>31</sup> Many feminists argue that whilst women participate in sex work for economic reasons, it is poverty that is violent and must be abolished, not solely the industries which capitalize on this structural oppression.<sup>32</sup> The media and pornography should be considered a reflection of society and not a separate entity.<sup>33</sup> In this sense, a ban is only reactive and does not tackle the root causes of abuse and sexism. If pornography is indicative of, and a product of patriarchal capitalism, then it is the structural causes that must be confronted in order to protect women from abuse, as I will now demonstrate.

### 'Abuse' as economic exploitation

I will now consider the position that pornography is abuse as it is economically coercive, and subsequently the argument that sex work including pornography *is* work and that the abuse takes root in the unequal detriments of capitalism. My definition as previously established expressly acknowledges the relevance of the commercial transaction in pornography.

The first stipulation is that pornography is an objectionable industry because it is distinctively exploitative; due to the feminization of labour, but also because its profits are generated from the commodification of women's bodies, which is unlike most wage-labour. Pornography is slavery and coercive because the material conditions of women's lives are often 'deplorable'.<sup>34</sup> As a result, this work becomes a necessity of survival.<sup>35</sup> Women continue to earn up to 37% less than their male counterparts,<sup>36</sup> and yet the sex industry provides the incentive of potentially earning more than one otherwise would in patriarchal capitalism.<sup>37</sup> Thus the sex industry is criticised as relying on the impoverishment of women for its labour-force, who constitute the workers due to a lack of available alternatives. It is unique as it exists to capitalize on unequal social hierarchies.<sup>38</sup> Abuse then, is evident wherein the opportunities available to women are so constrained by the inadequacies of capitalism, that they are indirectly forced to participate in sex work. The assumption is made that they would not participate in pornography if they had other financial choices.

This materialist analysis however, does not necessarily advocate for a ban. Many anti-capitalist feminists consider our society and ideas to be shaped by our material world and structures.<sup>39</sup> This means that whilst pornography may be objectionable, the alternative poised is less likely to propose a ban, but instead maintain a critical rejection of the structural causes of exploitation.

This position recognises that even if pornography, as a product of inequality is eradicated, the structural conditions which facilitated it to function as an industry, will remain. Thus only by revolutionising the organisation of labour and the distribution of work, can women be protected from economic abuse.

In addition, however, pornography is also distinguished from general capitalist commerce because it is the selling of the *self* and not merely services. Sex work does not only entail the selling of sexual services, but necessarily requires the contracting (and as such, control) of women's entire selves and bodies; her body becomes the subject of negotiation.<sup>40</sup> This creates a 'sexual contract' which, unlike other forms of wage-labour, offers no employment or contractual protection, leaving women in substantially vulnerable positions.<sup>41</sup> Particularly given the patriarchal capitalist context, pornography (and sex work more generally) is a form of labour power unlike no other because self-identity is intrinsically linked.<sup>42</sup> Other workers are said to sell their services and labour but not *themselves*. In sex work, the body becomes a site of property to be sold, or contracted for the temporary control of others.<sup>43</sup> Anti-capitalist feminists therefore reject the legitimization of the sex industry because it commodifies sex and 'makes parts of our humanity alien to us.'<sup>44</sup> It is argued that pornography actively reinforces gender oppression, by reaffirming masculine dominance through the contracting of women's bodies solely for the pleasure of men<sup>45</sup> and removing her own sexual and personal agency.<sup>46</sup> Other contractual obligations do not rely on such gendered submissiveness.

From this perspective, whilst acknowledgement is given to the structural foundations of such industry, banning pornography would protect women from abuse because it would damage the profitability of an industry inherently reliant on the commodification of women's bodies and selves. This is arguably justified because there is a specifically gendered exploitation and, whilst a bigger battle is to be won in relation to ending wider capitalist wage-labour, pornography may be seen as a pillar of the intersect between capitalism and patriarchy, neither of which is advantageous for women.<sup>47</sup>

I will now discuss another anti-capitalist stance that is opposed to a ban because it perceives pornography to be no different from other modes of labour, and instead urges feminists to prioritise the unionisation and empowerment of sex workers and women within the porn industry. The abuse is considered to exist in capitalist structures of inequality and 'the issue is *class*.'<sup>48</sup> Fundamentally 'contemporary pornography informs us of one thing above all else: sex is a type of work, just like any other.'<sup>49</sup> The very nature of capitalism coerces the majority of people to sell their labour as a condition of survival, so pornography cannot be isolated and to do so would deny the intersect of class *and* gender oppression for the women involved. In fact, Marx established that sex work is only part of the wider prostitution and exploitation of all workers, although some feminists rebuke this as feminizing the degradation of the masculine 'worker.'<sup>50</sup> Indeed some sex workers identify that 'the sex industry is not the only industry which is male-

Wanda Canton      *Should pornography be banned in order to protect women from abuse?*  
dominated and which degrades women' and it is not the epitome of women's devaluation.<sup>51</sup> We must understand the context in which porn is produced and consumed in order to identify locations of abuse and how this develops.<sup>52</sup>

Given that pornography is a huge industry with major economic revenue and a large labour-force, a significant proportion of anti-capitalist feminists support the unionisation of sex workers (rather than criminalisation), and believe it is an achievable means of protection.<sup>53</sup>

Women in pornography should have the right to organise as workers particularly as 'no other workers, especially if they're women, are dismissed in this way by the women's movement.'<sup>54</sup> Currently in the UK for example, women are already disproportionately affected by governmental cuts and consequential poverty, which as mentioned above, may create pressures to participate in sex work.<sup>55</sup> Thus it is the material conditions, and financial burdens on women that must be opposed as they provide scope for abuse. Without challenging these, coalitions against pornography effectively scapegoat this industry as responsible for the subordination of women, whilst entirely neglecting broader questions about society and culture.<sup>56</sup> It is the feminization of labour and contradictions of capitalism that are the enemy of women.<sup>57</sup> A ban on pornography would not permit for the unionisation of those workers and would effectively criminalise those that are most vulnerable.<sup>58</sup> Affording more legal rights to workers would enable them to demand better working conditions and employment rights;

which could potentially eliminate some sources of economic violence and pressure authorities to prosecute perpetrators of physical abuse.

This anti-capitalist analysis is strong in identifying a root cause of women's oppression, and introduces some alternatives which recognise that a ban of pornography is only reactive and cannot be resolution alone. Acknowledging the structural abuses of women must stress the intersect between gender *and* class. The emphasis on the context within which pornographic material is created and distributed is important; allowing us to criticise the sexist nature of the industry whilst agitating for the autonomous organisation of women to empower themselves. Supporting sex workers rights is an achievable improvement, but the alternative to capitalism remains to be seen.

This essay has explored anti-capitalist feminist debates regarding pornography. I split my analysis into two components. Firstly I considered whether porn should be banned to protect women from violent abuse. I demonstrated that whilst there may be negative impact on the women involved, extending to wider societal attitudes towards women, pornography itself cannot be held solely responsible for such oppression as it cannot be proved to be inextricably related. I suggested that a ban would only further this violence through the enacting of such prohibition by the State, and that it would be inadequate to dismantle prevalent gender hierarchies. I reviewed the argument that it is abusive due to the economic exploitation of women; acknowledging the claims that the sex industry is distinctly

harmful by being financially coercive. Finally I evaluated the assumption that pornography is merely a product of a wider structural deficit, and specifically that the capitalist organisation of labour imposes greater harm on women as workers than pornography as an isolated industry. In conclusion I am convinced that a balance can be maintained by noting the intersect of class and gender. Pornography may be a disagreeable industry, but its popularity is indicative of a wider struggle that needs to be considered. Without seeking to reorder the structural organisation of capitalist society, banning pornography will not protect women from abuse because it will not resolve an already embedded feminization of labour, and will merely criminalise those who are most vulnerable and at risk from the contradictions of capitalism.

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1. K. Albury, 'Reading Porn Reparatively,' *Sexualities* 12 (2009), pp. 647-653; Rubin, G., 'Misguided, Dangerous and Wrong: An Analysis of Anti-Pornography Politics' in G. Dines and J. Humez (eds.), *Gender, Race and Class in Media: A Text-Reader* (London: SAGE Publications Ltd., 1995), pp. 244-254. I acknowledge the limitations of this failing to consider alternative representations of sexuality and gender. The complexity of 'women' as an identity is not considered here.
2. S. James, *Sex, Race and Class* (Oakland: PM Press, 2012), p. 149.
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8. C. Pateman, 'What's Wrong with Prostitution?' *The Sexual Contract* (Cambridge: Polity Press, 1988), p. 200.
9. C. Overall, 'What's Wrong with Prostitution? Evaluating Sex Work,' *Signs* 17 (1992), p. 719.
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14. C. et al. Seto, *Op. Cit.*; see also: D. Linz et al., 'Effects of Long-Term Exposure to Violent and Sexually Degrading Depictions of Women,' *Journal of Personality and Social Psychology* 55 (1988). Controlled experiments have generally failed to concretely prove a causal correlation between exposure to pornography and aggression and the methodology of such research is problematic.
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18. C. Seto et al., *Op. Cit.*, p. 36.
19. *Ibid.*, p. 43-44.
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21. A. Levy, *Female Chauvinist Pigs: Women and the Rise of Raunch Culture* (London: Pocket Books, 2006), p. 19.
22. K. Boyle, *Op. Cit.*, p. 193.
23. S. James, 'Sex Workers Need Support – but Not from the “Hands off my Whore” Brigade', *The Guardian*, 1 November 2013, <http://www.theguardian.com/commentsfree/2013/nov/01/sex-workers-hands-off-my-whore-france-prostitutes> [Accessed November 4, 2013].
24. I. Muscio, *Op Cit.*, p. 91.
25. C. Overall, *Op. Cit.*, p. 189.
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29. L. Baron, 'Pornography and Gender Equality: An Empirical Analysis,' *The Journal of Sex Research* 27 (1990), p. 378.
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34. I. Muscio, *Op. Cit.*, p. 80.
35. N. Power, *One-Dimensional Woman* (Winchester: Zero Books, 2009), p. 20
36. C. Pateman, *Op. Cit.*, p. 194.
37. J. Orr, *Sexism and the System: A Rebel's Guide to Women's Liberation* (Bookmarks Publications, 2007), p. 717.
38. *Ibid.*, p. 10.
39. C. Pateman, *Op. Cit.*, p. 203.

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41. C. Pateman, *Op. Cit.*, p. 209.
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43. C. Pateman, *Op. Cit.*, p. 91.
44. J. Orr, *Op. Cit.*, p. 48.
45. K. Albury, 'Reading Porn Reparatively.' I have not considered here the growing production of queer, lesbian and feminist porn to which the negative experiences referred to above cannot be generalised.
46. C. Pateman, *Op. Cit.*, p. 207.
47. C. Overall, *Op. Cit.*, p. 724.
48. I. Muscio, *Op. Cit.*, p. 80.
49. N. Power, *Op. Cit.*, p. 55.
50. C. Pateman, *Op. Cit.*, p. 200.
51. ECP, *Op. Cit.*
52. K. Albury, *Op. Cit.*, p. 648.
53. N. Power, *Op. Cit.*, p. 45
54. S. James, (2012) *Op. Cit.*, p. 111.
55. ECP, '*Op. Cit.*
56. K. Boyle, *Op. Cit.*, p. 190.
57. N. Power, *Op. Cit.*, p. 69.
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## To what extent should women be treated equally to men?

Rose Masaka

*“Equality is needed if difference is to be completed, and difference must be recognised if equality is to be achieved.”<sup>1</sup>*

This statement by Joni Lovenduski encapsulates the difficulties in attaining equal treatment for women. Equal treatment for women is a broad and complex study that needs more space than this essay permits. I chose to focus on the equality-difference debate, as it embodies the theoretical and practical drawbacks of equal treatment. 'Equality feminists' argue that women should be treated as equal human beings, thus enjoying the same rights as men. However, 'difference feminists' declare that the intrinsic differences between women and men should be considered if women are to be treated equally. With 'equality' and 'difference' feminists reaching diverse conclusions in terms of a strategy to attain equal treatment, Lovenduski's statement ruptures this binary and highlights one of its many issues. The 'either/or' rhetoric also suggests that they are not truly incompatible but, as Lovenduski denotes, they can actually be reconciled. The

dichotomy could therefore be seen as false. Both approaches can be fused together to provide us with a better understanding of equal treatment for women. Starting within the debate itself, there are many aspects that limit our use of it. First, we must ask what we mean by 'equality' and 'difference'. Secondly, women's equal treatment is far more complex than the equality-difference debate perceives. Scholars have questioned if women can gain equality in areas in which they are not equal and, what difference matters if we are to consider women's equal treatment.

The second half of the investigation will consist of case studies, aimed at further denouncing the dichotomy. I will consider how far we can take equal treatment by looking at pregnancy in the workplace and domestic legislation. The wording of the title demonstrates the reoccurring theme throughout this text, the continuous struggle for women having to 'fit' into a male orientated system. I will therefore argue that perhaps the solution does not lie within the equality-difference dichotomy. Because we are presented with the two approaches within a binary, neither are workable conceptions. As Lovenduski suggests, both are needed if we are to consider women's equal treatment. Instead, it is the patriarchal nature of our institutions, law making and practices that continue to disadvantage women, a key component that both the approaches fail to consider. Furthermore, I will highlight the shortcomings of the equality-difference dichotomy, maintaining that the extent to which women can be treated equally, will depend on a change in the patriarchal framework which continues to determine women's political, economic

and social status.

'Equality' and 'difference' feminists are split in the way they explain the challenges and solutions regarding women's equal treatment. First, we must consider what we mean by 'equality' and 'difference' within the feminist ideology. Wendy Kaminer, an equality feminist, stresses that differences between men and women should not be recognised by law, the law should be completely gender neutral, thus equal treatment; no different or special treatment is needed.<sup>2</sup> Defined by feminists as a 'sameness', equal treatment is derived from egalitarianism, the idea that humans beings should be treated the same, despite their biological or sociological differences. John Capps denotes that, 'once the equal talents of men and women are recognised, once women are permitted the same ambition and opportunity as men, ability should ideally take precedence over gender and sexual ability bias will become wholly indefensible.'<sup>3</sup> Consequently, the sameness approach rests largely on society's ability to become gender-neutral. Women's equal treatment in terms of opportunity and recognition is determined by society, leaving to the state the responsibility of casting the contours of equal treatment for women.

However, the term 'equality' by proves to be problematic. Feminist ideas of equality derive from the western, white, middle-class liberal males. Nadine Changfoot claims that, 'equality feminists largely remain attached to a western liberal principle of equality...white middle-class heterosexual women become active in the actions of all women.'<sup>4</sup> Thus, the western conception of equality is based on

false universalism, a stumbling block in not only equality feminism, but in feminism as a holistic approach. As Michele Barrett sums up, 'the specious claims of feminism to represent equally all women, to speak with one voice, have been rapidly demolished.'<sup>5</sup> Furthermore, as gender is a social construction that works within patriarchy, gender-neutrality suggests that women should be treated like men in order to become equal. This analogy only marginalises women further. Equal treatment, using the equality feminist strategy, denotes a passive position for women. As Valarie Bryson rightly claims, 'the standards of what is "normal" have been set by men so that women's priorities, perspectives and practices are marginalised as "different" and inferior, something to be overcome if women are to be equal as citizens, workers or thinkers.'<sup>6</sup> Consequently, the male orientated liberal notion of equality coupled with the disregard of the patriarchal system, weakens equality feminism. Its flawed false universal notion of equality ultimately makes its strategy for women's equal treatment substandard.

Difference feminists therefore aim to transform women's treatment by focusing on the intrinsic disparities between men and women. Anne Stevens notes that 'difference feminists' claim that 'women are biologically and psychologically different from men, and this should be reflected within an organisation of society and politics.'<sup>7</sup> Consequently, 'difference feminists' stress that the law, society and the workplace should celebrate women's differences. Recognition of difference would therefore allow women to be seen as different, but to be treated equally.

Conversely, 'difference feminism' also has defects worth mentioning. While differences between men and women are argued, differences among women are not explored. The idea of difference is therefore based on a general assumption of women's goals, aspirations and achievements. Stevens therefore argues that, 'even among autonomous and active women, there is no consensus about the type of emancipation that is desirable or the nature of their interests.'<sup>8</sup> Neglected differences such as age, class, race, sexual orientation and disability dilute difference feminism, discrediting any strategy for equal treatment. Furthermore, difference feminism is argued to be essentialist as it suggests that women's biological differences determine how women should be treated in society. Nancy Fraser denotes that, 'difference approaches typically rely on essentialist notions of femininity, thereby reinforcing existing stereotypes and confining women within existing gender divisions.'<sup>9</sup> Rather than it being celebrated, difference is usually seen as an inherent weakness of women. Paradoxically, while 'difference' and 'equality' feminists advocate for women's equality, they both seek to function within the structures that continue to subordinate women. This brings us to the practical limitations of the equality-difference debate. In terms of equality, I will question if women can gain equal treatment in areas which they are not equal. When analysing difference feminism, I will ask what difference matters.

Pregnancy in the work place has pushed the equality-difference debate to its extremes, exposing the limitations of the dichotomy. In a gender-neutral society,

should pregnancy be treated as just another disabling condition of man; where the physical and emotional strain requires absence from work?<sup>10</sup> Or rather, should it be recognised as a difference that matters, calling for special treatment from society? Although biological difference is recognised by equality feminists, placing pregnancy under the same umbrella as other disabilities does more to oppress women than treat them equally. Treating pregnancy as any other condition implies that women's natural difference cannot allow them to be treated fairly in the workplace. As a result, one in seven of the women surveyed in *The Guardian* had lost their job while on maternity leave, 40 per cent said their jobs had changed by the time they returned, with half reporting a cut or demotion. More than a tenth had been replaced in their jobs by the person who had covered their maternity leave.<sup>11</sup> These figures suggest that while equality feminists advocate for a gender-neutral society, the biological differences between men and women need to be considered if women are to be treated equally. Gender-neutrality is simply not enough. Women's biological difference is not an illness, nor a disabling condition similar to man; we simply cannot conflate the two. . It is a natural process, where women choose to experience childbirth, but do not choose to be oppressed because of it. Moreover, a gender-neutral society that treats men and women exactly the same does not help women to find their voice in society, it reinforces that women's differences are not enough to be acknowledged by man. As Judith Squires concludes, 'although gender equality advocates the creation of a single body to be a

useful development in facilitating the recognition of intersectionality, the existence of a single body does little to address cumulative and combined equalities.<sup>12</sup>

However, we also encounter many difficulties when trying to use difference feminism as a means to achieve equal treatment. While difference feminists emphasise the importance of encompassing biological difference, it cannot be used as a principle approach to guide women's equal treatment. Pregnancy is a biological difference that matters, but perhaps the term 'special treatment' limits the approach. As mentioned earlier, the differences among women are just as important as differences between women and men. Therefore, in terms of pregnancy in the workplace, the difference approach assumes that all women should be categorised by their differences when this is not necessarily the case. Capps notes that, 'a strategy of sameness might appeal to women who already occupy positions of authority [...] for them special treatment is unnecessary as well as stigmatic [...] the more attention drawn to their sex, the less credit is given to their own individual abilities and achievements.'<sup>13</sup> Therefore special treatment in the workplace only appeals to a fraction of women, to posit special treatment as a remedy for all women invites further inequalities. It is the differences among women that are equally important if we are to consider equal treatment. Postmodern feminists stress this idea. The notion of a 'woman' is troublesome term. As Butler suggests, 'it [woman] denotes a common identity, the subject of feminism, the woman, is produced and restrained by the very structures of power through which emancipation is sought.'<sup>14</sup>

Perhaps the problem that prevents women from achieving equal treatment lies in very core of the feminist approach. Arguably, the social construction of the 'woman' is determined and exists in the male image. The differences among women fused with the patriarchal nature of society are what limit women's equal treatment in the workplace and beyond.

Domestic legislation is another problematic area for feminists. Not only do we need to consider the equality-difference binary, but the sex-gender division as well as the public-private dichotomy are crucial in determining the extent to which women should be treated equally. For feminists in general, the personal is political, and thus acts carried out in the private sphere need to be addressed through political legislation. However, if we are to include equality-difference feminists, domestic legislation becomes extremely intricate. In a gender-neutral society, the law would treat women and men the same. But this is the precisely the problem. In reality, a gender-neutral society will treat women like men, as their inherent differences have not been acknowledged, thus allowing for unequal treatment. Valarie Bryson agrees by stating that, 'because of the structures and institutions of the state and the law have been made by men and protect their interests...apparent legal gains can disguise or legitimate women's oppression.'<sup>15</sup> Therefore, in terms of domestic legislation, equality feminism only goes so far in their strategy for women's equal treatment.

Difference feminists have somewhat succeeded in their aim for 'special

treatment'. For example, in 2012, the Government announced that it would allocate £40 million for specialist local support services and national help lines, in order to protect women and girls from domestic violence.<sup>16</sup> The recognition of inequalities in the home by the state has gained momentum. However, Candace West and Don Zimmerman argue that, 'doing gender means creating differences between women and men...differences that are not natural, essential or biological. Once the differences have been constructed, they are used to reinforce the essentialness of gender.'<sup>17</sup> While domestic legislation has been crucial in addressing the problems in the private sphere, it could also be seen as a way of reinforcing inequalities, thus hindering equal treatment. Further, special treatment implicitly implies differences that may work to disadvantage women. For example, the 'work-life balance legislation', is seen to be directed towards women as its rhetoric implies that women should be embracing their double burden.<sup>18</sup> Moreover, in terms of domestic legislation, scholars have questioned how far the law should be taken. In some cases, it is also possible for the political to be too personal. Again, in terms of domestic legislation, some women might not want a governing body in their private lives.

In addition, there is the argument that the state needs to recognise women for their unpaid work [housework] in the private sphere. Bryson notes that, 'socialist feminist demand wages for housework'<sup>19</sup>. According to social feminists, financial rewards should be given to women to give them some economic liberty. Conversely, the social and political implications would reinforce women's position in the home.

Pateman agrees by suggesting that, 'wives are housewives and housewives, like slaves, receive only subsistence in return for their labours.'<sup>20</sup> Women's equal treatment in the home creates many dilemmas. If women were to be financially rewarded, the power of the state must be considered in terms of its ability patriarchal institutions to put women back into the private sphere, undoing all the work done by the majority of feminists. Lastly, this also assumes that housework is a burden to all women when most women do it out of choice. Consequently, the notion of equal treatment is perhaps more problematic than we thought. Not only do we have to consider the patriarchal society that continues to oppress women, but the differences among women along with the problems of enforcing this, makes it difficult to create and implement policies that will ultimately lead to equal treatment.

The equality-difference debate only takes women's equal treatment so far. Ruth Lister claims that, 'the opposite of equality is inequality, to posit it as difference disguises the relations of subordination, hierarchy and consequent disadvantages that underlie the dichotomy.'<sup>21</sup> Instead, Capps stresses the need for pragmatic feminism. Capps notes that, 'pragmatism provides a powerful tool for dissolving the artificial dualism that lays at the centre of the debate [...] it recognises that one's physical nature to some extent determines both ones experiences and one's subsequent sense of self.'<sup>22</sup> Pragmatism would acknowledge the sexes are both the same and different. Gender is perhaps the source of inequality among women and between women and men. For example, Richard Barron and Geoffrey Norris state

state that, 'the separate nature of men's and women's social lives outside the workplace facilitates the maintenance of similar divisions within it [...] sexual differences in the economy can only be ended through a massive attack on the inequality of society.'<sup>23</sup> Consequently, pragmatic feminism starts by examining the differences among women, the social construction of difference and the patriarchal nature of our institutions. Once the sources of the problem have been identified and addressed, women's equal treatment would prove to be far more effective treatment.

Moreover, Carole Pateman uses the term 'autonomous femininity' as another strategy for women's equal treatment. Pateman rejects the equality-difference paradigm as they both function within the current patriarchal system. Rather, Pateman declares that, 'to begin to understand modern patriarchy the whole story of the social contract must be reconstructed, but to change modern patriarchy, to begin to create a free society in which women autonomous citizens, the story must be cast aside.'<sup>24</sup> Thus, the equality- difference binary does not help to ensure women's equal treatment. Recognising difference is one thing, but to ensure that the social construction of difference will not harm women is another. In order for women to be treated equally, we would need to cast aside our social and cultural practices imbedded in our society. Until then, the patriarchal division of the workplace, the private-public sphere and legislations will only go so far to ensure equal treatment for women.

To conclude, the extent to which women should be treated equally depends on the nature of our institutions. This is not to say that women are not treated equally now. Indeed the state has recognised the differences between women and men and has sought to introduce legislation as an obstacle for further discrimination. However, the legislation passed assumes that all women have the same differences and a common purpose to attain equal treatment. Age, class, race and sexual orientation polarise women just as much as their differences with men do. Furthermore, a gender-neutral state is only as gender-neutral as the persons who govern it; in most cases, men. Consequently, the either-or rhetoric in the equality-difference debate does not help to attain women's equal treatment. Rather, as Lovenduski and I conclude, both need to be considered if we are to understand why equal treatment remains a challenge to feminists. While many agree that a woman should be treated equally, it is the notion that they should be treated equally to man that stresses my final point. Perhaps the equality-difference binary, the sex-gender dichotomy and the public-private sphere can only do so much in their attempt to highlight inequalities. The real obstacle to women's equal treatment remains the inexorable nature of our patriarchal system. Any attempt to create a be determined by the very thing it seeks to work against.

## Notes

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3. J. Capps, 'Pragmatism, Feminism and the Sameness-Difference Debate', *Transactions of the Charles S. Peirce Society*, 32:1 (1996), pp. 65-105.
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5. M. Barrett, 'The Concept of 'Difference'', *Feminist Review*, 26:1 (1987), p. 30.
6. V. Bryson, *Feminist Political Theory: An Introduction* (New York: Palgrave MacMillan, 2003), p.243.
7. A. Stevens, *Women, Powers and Politics* (New York: Palgrave MacMillan, 2007), p. 8.
8. *Ibid.*, p. 225.
9. N. Fraser, 'Gender, Equality and the Welfare State: A Post-industrial Thought Experiment', in S. Benhabib (ed.), *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton: University of Princeton Press, 1996), p. 221.
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11. *The Guardian*, 'One in Seven Women Are Made Redundant after Maternity Leave, 9 March 2013, <http://www.theguardian.com/law/2013/mar/09/women-on-maternity-leave-illegal-discrimination> Accessed 3 November 2013.
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17. 17 C. West, D. H. Zimmerman, 'Doing Gender', in S. Fenstermaker and C. West, *Doing Gender: Doing Difference* (New York: Routledge, 2002), p. 13.
18. 18 A. Stevens, *Op. Cit.*, p. 221.
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20. 20 C. Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988), p. 124.
21. 21 R. Lister, *Citizenship: Feminist Perspectives* (New York: Palgrave MacMillan, 2003), p. 19.
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23. 23 R.D. Barron and G.M. Norris, 'Sexual Divisions and Dual Labour Market', in D.L. Barker and S. Allen (eds.) *Dependence and Exploitation in Work and Marriage* (New York: Longman Inc., 1976), pp. 59-65.
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