

CHAPTER 2

WOMEN AND CULTURE

In this chapter, the historical and traditional position of women in society is considered, not from a specifically legal standpoint, but rather from a broad political, sociological and philosophical perspective. Whatever importance is given to law as a phenomenon, the dependence of law upon the social base must be appreciated. Law does not exist in a vacuum – it is intimately connected with society. While it may be difficult at times to trace the evolution of society from one dictated purely by nature to a society with distinctive cultural mores and distinctive laws resting on those mores, the influence of both nature and culture on law is undeniable.¹ This is particularly true in relation to the position and role of women in society. The biological fact of being female, and all the associated implications and consequences of this, translated itself early into cultural mores which distinguished between men and women. Men – having superior physical strength – took control of the public sphere of life: the control of law and government. Having asserted dominance in the public sphere, women became relegated to the private domain of home and family. By examining some of the empirical data concerning the treatment of women at differing times, it becomes possible to see the common strands of thought in relation to women, albeit being expressed in differing ways, in differing societies.

In the first extract, *Toward a Theory of Law and Patriarchy*² Janet Rifkin explains the role of law in masking social and political questions such as women's subordination in patriarchal culture. Cultural taboos – such as the universal prohibition against incest – gave rise to legal rules which then in turn reinforced the cultural force of the prohibition. Allied to this is the role ascribed to women as the property of their men: property to be exchanged between men under cultural norms which harden into legal rules. Law becomes the symbol of masculine authority and patriarchal society.

Mary Daly develops this theme in her book *Gyn/Ecology*.³ Analysing the practices of Chinese footbinding, Hindu suttee and African female circumcision from a feminist perspective, Mary Daly reveals the true meaning of the practices: the control of women under the authority of men.

The extract from Marianne Hester's *Lewd Women and Wicked Witches*⁴ considers the 16th and 17th century practice in England and continental Europe of persecution and trial of women accused of witchcraft. Statute law was used to legitimise the practice and to bolster the belief in the power and evil of witchcraft. In Marianne Hester's analysis the single unifying thread which runs through the story of witch persecution is that the victims were invariably women who were not under the control of a man: spinsters or widows.

1 See below for analysis of the development from cultural mores to law.

2 (1980) 3 *Harvard Women's Law Journal* 83.

3 The Women's Press, 1991.

4 Routledge and Kegan Paul, 1992.

An extract from Thomas Hardy's *The Mayor of Casterbridge*⁵ is included to illustrate another form of patriarchal practice: that of wife-sale. Wife-sale represented a semi-formal method by which the husband's property in the wife would be transferred from one man to another. As will be seen, wife-sale was not a flight of literary imagination, but firmly rooted in fact.

Religion has played an authoritative and contributory role to the perception of women as different from, and subordinate to, men. Whatever the accuracy of the frequently made claim that Western society is increasingly 'secular', the legacy of religious beliefs and texts continues to permeate, however directly or indirectly, Western society. In this section, the interpretations offered by feminist scholars Elaine Pagels and Mary Daly reveal that women have, from the earliest times of Christianity, been interpreted out of religious text and, worse, portrayed as unequal, undeserving of equality.

The chapter concludes with three extracts from socio-legal theorists who, in differing ways, trace the evolution from culture to law. In the first extract from Emile Durkheim's *The Division of Labour in Society*⁶ the author explains that while it is morality which brings about, and explains, cohesion in society, it is law which symbolises that solidarity. Morality is unmeasurable: law is measurable — a visible index of solidarity. Thus law is the sum of the cultural norms in society.

The extract from Eugen Ehrlich's *Fundamental Principles of the Sociology of Law*⁷ also explains the cultural basis of law. Law does not, as Ehrlich explains, have an existence independent of society but rests on society itself. A true understanding of law can only be gleaned by an examination of the 'living law' in society: those cultural norms which have arisen out of social life.

Writing at the turn of the century in the United States of America, William Graham Sumner portrayed the emergence of law as a natural evolution from nature to culture to law. This early historical/anthropological approach, for all its simplicity, presents powerful evidence of the durability of the culturally-ingrained ethos which law continues to display in its patriarchal, exclusionary, attitudes.

William Graham Sumner's work is perhaps the most explicit in terms of explaining the evolution from nature through culture to law. In Sumner's analysis, in early society, man reacts in an unthinking manner to the circumstances of life. With experience, human conduct becomes less purely reactive and becomes regularised by a perception of the utility of acting in a certain manner. Here are the 'folkways' of society. Gradually, these folkways will become hardened into the mores of society – the cultural values of that society which form the foundation for laws which will emerge only gradually and only once the mores of the society are sufficiently defined to represent a firm basis for the introduction of formal rules of law. Judicial decisions, and statutes, will come into being only at a relatively late stage of evolution of society, and must be grounded in the mores of society.

5 1886 (Macmillan Press, 1975).

6 1893.

7 1936.

TOWARD A THEORY OF LAW AND PATRIARCHY⁸

Janet Rifkin⁹

The power of law is that by framing the issues as questions of law, claims of right, precedents and problems of constitutional interpretation, the effect is to divert potential public consciousness from an awareness of the deeper roots of the expressed dissatisfaction and anger. The ideology of law serves to mask the real social and political questions underlying these problems of law. At the same time, the paradigm of law which historically has been and continues to be the symbol of male authority is not only unchallenged but reinforced as a legitimate mechanism for resolving social conflict. In the end, patriarchy as a form of power and social order will not be eliminated unless the male power paradigm of law is challenged and transformed. In order to challenge the male paradigm of law, the origin of law as a form of male authority and power must be discovered and examined more thoroughly ...¹⁰

Nature, Culture and Women

The efforts to find and explain the origins of patriarchy have led some scholars to examine mythology, fables and kinship bonds. Kate Millett, for example, in *Sexual Politics*, claims that 'myth and kinship ties are the most lasting vestiges of that vast historical shift whereby patriarchy replaced whatever order preceded it and instituted that long government of male over female'.¹¹ In this context, she turns to Aeschylus's *Oresteia* trilogy and its final play *The Eumenides*,¹² in which he presents a confrontation between paternal authority and maternal order. In the first two plays, we saw Clytemnestra, rebelling against the masculine authority of husband and king, kill Agamemnon upon his return from Troy, and her son Orestes revenge his father's death by killing her. In so doing Orestes provokes the rage of the Furies who accuse him of matricide. In the third play they put him on trial, assured that justice will be done. They are not prepared, however, for the emergence of the new form of patriarchal justice articulated by Athena, who says:

No mother gave me birth. Therefore, the father's claim
And male supremacy in all things, save to give
Myself in marriage, wins my whole heart's loyalty.
Therefore a woman's death, who killed her husband, is,
I judge, outweighed in grievousness by his ...¹³

Through Athena's deciding vote, Orestes is acquitted and his patrimony is reinforced. The Furies lament helplessly:

The old is trampled by the new!
Curse on you younger gods who override
The ancient laws...!¹⁴

8 (1980) 3 *Harvard Womens' Law Journal* 83. (Footnotes edited.)

9 At the time of writing, Assistant Professor, University of Massachusetts.

10 *Ibid*, p 87.

11 *Sexual Politics* (1970), p 110.

12 The play is also known as *The Furies*.

13 Aeschylus, *The Eumenides* (172AD) 11, 73-42. P Vellacott, trans (1956), in K Millett *Sexual Politics*, p 114.

14 *Ibid*, pp 173, 11, 776-78.

In this fable, law emerges as a symbol of patriarchal authority. However, the complex and fundamental connections between law and patriarchy in a more general historical context have not been adequately developed and these connections are essential to an understanding of political and social power.

In *The Elementary Structure of Kinship*¹⁵ Levi-Strauss, in analysing the meaning of the universality of incest taboos, also analyses the role of women in pre-state societies. He suggests that the concept of women as the property of men that is based in the universal notion of the exchange of women emerges as a fundamental tenet of culture. The origins of the social order then are grounded on the conception of women as the property of men; the patriarchal social order is the basis of culture itself.

Levi-Strauss begins by asking where nature ends and culture begins. He suggests that the 'absence of rules seems to provide the surest criterion for distinguishing a natural from a cultural process'.¹⁶ He finds that the incest taboo is a phenomenon which has the 'distinctive characteristics both of nature and of its theoretical contradiction, culture. The prohibition of incest has the universality of bent and instinct and the coercive character of law and institution'.¹⁷ The rule against incest gives rise to rules of marriage, which although varying somewhat from group to group, are universally based on the taboo against incest. The rules of marriage also universally are based on the idea of exchange, and in particular the exchange of women. The exchange of women is a universal mode of culture, although not everywhere equally developed. Levi-Strauss asserts further that the incest taboo 'is at once on the threshold of culture, in culture, and in one sense ... culture itself'.¹⁸ Since, as he shows, the exchange of women is integrally connected to the incest taboo, it can also be said that the exchange of women, as objects of male property, is also on the threshold of culture, in culture and is culture itself.

Levi-Strauss states that the role of exchange:

... in primitive society is essential because it embraces material objects, social values and women. But while in the case of merchandise this role has progressively diminished in importance in favour of other means of acquisition as far as women are concerned, reciprocity has maintained its fundamental function ... because women are the most precious possession [and] a natural stimulant.¹⁹

He asserts the universality of the exchange of women by stating:

The inclusion of women in the number of reciprocal presentations from group to group and from tribe to tribe is such a general custom that a whole volume would not be sufficient to enumerate the instances of it.²⁰

The notion of women as male property is at the heart of the cultural-social order. Matrimonial exchange is only a particular case of those forms of multiple exchanges embracing material goods, rights and persons:

15 C Levi-Strauss *The Elementary Structure of Kinship* (2nd edn), J Bell and J von Starmer, trans (1969).

16 *Ibid*, p 8.

17 *Ibid*, p 10.

18 *Ibid*, p 12.

19 *Ibid*, p 62.

20 *Ibid*, p 63.

The total relationship of exchange which constitutes marriage is not established between a man and a woman ... but between two groups of men, and the woman figures only as one of the objects in the exchange, not as one of the partners between whom the exchange takes place.²¹

Even where matrilinear descent is established, the woman is never more than the symbol of her lineage. And Levi-Strauss disposes of the myth of the 'reign of women' which he says is 'remembered only in mythology [as] an age ... when men had not resolved the antimony which is always likely to appear between their roles as takers of wives and givers of sisters, making them both the authors and victims of their exchanges'.²²

The origin of culture as reflected in kinship systems is universally based on the idea that women are the property of men to be exchanged between individuals or groups of males. Levi-Strauss sees a 'masculinity of political authority' when political power takes precedence over other forms of organisation. Early political philosophy, as reflected by the writings of Aristotle, did not challenge this universal social fact. Aristotle, who developed a philosophy of politics and power, also saw political authority as masculine and saw women as non-participants in the political world.²³

Aristotle radically bifurcates public (political) from private (apolitical) realms. Fully realised moral goodness and reason are attainable only through participation in public life, and this involvement is reserved to free, adult males. Women share in goodness and rationality in the limited sense appropriate to their confinement in a lesser association, the household. Indeed, it can be said with no exaggeration that women in Aristotle's schema are idiots in the Greek sense of the word, that is, persons who do not participate in the polis.²⁴

The political analysis of Aristotle upholds a male-dominant power paradigm which 'serves to perpetuate an arbitrary bifurcation between that which is politics and that which is not. ... Implicit within the paradigm is a concept of persons which admits into the privileges of full personhood ... only those individuals who hold dual statuses as both public and private persons [ie men]'.²⁵ The male-dominant paradigm of political power is also the paradigm of law. The historical image of maleness – objective, rational and public – is the dominant image of law.

Law, in mythology, culture and philosophy, is the ultimate symbol of masculine authority and patriarchal society. The form of law is different in varying social groups, ranging from kinship bonds, custom, and the tribal rules in pre-State societies, to written codes in modern society. The point, however, is that law in State and non-State contexts is based on male authority and patriarchal social order.²⁶

21 *Ibid*, p 115.

22 *Ibid*, p 118.

23 R McKeon (ed), *Politics*, (1941) pp 1127–30, 1194–97, 12, 13, 1252a–1253a, 1259b–1260b. On Aristotle see further below.

24 *Ibid*, p 455.

25 *Ibid*, p 472.

26 *Toward a Theory of Law and Patriarchy*, pp 88–92. See also Luce Irigaray, *Thinking the Difference*; K Montin, trans (The Athlone Press, 1994).

Empirical Evidence of Patriarchy

There exists much historical evidence revealing the extent to which women have traditionally been controlled and oppressed by men, in differing societies at differing times. Theologian Mary Daly has examined some of the brutal practices, for example, the Chinese practice of binding the feet of young girls to emphasise their femininity, the Hindu practice of widow-sacrifice, and African female circumcision. As Marianne Hester reveals, the persecution of 'witches' in Continental Europe and in England represented a means by which women who were not under the control of a father or husband – and therefore represented a threat to a patriarchal order – were tried and put to death. Also considered through the literary eyes of Thomas Hardy is 'wife-sale' which facilitated the semiformal transfer of ownership of a wife to another man. Each of these illustrations convey powerful cultural messages which emphasise the cultural subservience in which women were traditionally held.²⁷

Chinese female footbinding

GYN/ECOLOGY²⁸

Mary Daly

The Chinese ritual of footbinding was a 1000-year-long horror show in which women were grotesquely crippled from very early childhood. As Andrea Dworkin so vividly demonstrates, the hideous three-inch-long 'lotus hooks' – which in reality were odiferous, useless stumps – were the means by which the Chinese patriarchs saw to it that their girls and women would never 'run around'. All of the components of the Sado-Ritual Syndrome are illustrated in this atrocity.

1. First, there was the familiar fixation on 'purity'. In contrast to their counterparts in such countries as India, Chinese males did not have to confine their wives and daughters in purdah in order to protect their 'purity', but saw to it instead that their prisoners were hopelessly crippled. The foot purification (mutilation) ensured that women would be brainwashed as well, since their immobility made them entirely dependent upon males for knowledge of the world outside their houses. Moreover, since torture and mutilation of a small girl was carried out by her mother and other close female relatives, the lesson of 'never trust a women' was branded upon her soul, and emotional dependency upon the seemingly less involved males was guaranteed. She was not supposed to know that men were the real masterminds of her suffering. Thus her mind was purely possessed, and it became axiomatic that the possessor of tiny feet was a paradigm of feminine goodness.

2. The second element of the syndrome – erasure of male responsibility – is evident in footbinding. From the Chinese male's point of view, there was no question of his blame or moral accountability. After all, women 'did it to themselves'. One man, cited by Howard S Levy, described his sister's ordeal as a child, when she was forced to 'walk' with bound feet:

27 In Chapter 12 the role of the agencies of international law in eliminating remaining cruel practices against women is examined.

28 Mary Daly, *Gyn/Ecology* (The Women's Press, 1991).

Auntie dragged her nobbling along, to keep the foot circulating. Sister wept throughout but mother and auntie didn't pity her in the slightest, saying that if one loved one's daughter, one could not love her feet.²⁹

There is a kind of ignorant arrogance in this man's assertion that the older women (the token nurturers) felt not pity. According to his own account, they performed this ritual mutilation out of fear that otherwise the girl would not be marriageable. This was a realistic fear, since for 1000-year-period Chinese males – millions of them – required this maiming of female feet into 'lotus hooks' for their own sadistic, fetishistic, erotic pleasure.³⁰

3. Chinese gynocidal foot-maiming 'caught on' rapidly and spread widely. The brutal rite (a family affair, 'enjoyed' by all the members) which scholars say commenced in the period between the T'ang and Sung dynasties, spread like a cancer throughout China and into Korea. By the 12th century it was widely accepted as correct fashion among the upper classes. The mothers who belonged to families claiming aristocratic lineage felt forced to bind the feet of their daughters as a sign of upper-class distinction. Not to mutilate their daughters was unthinkable to them, for it meant that men would find them unattractive and would refuse to marry them. Themselves physically and mentally mutilated, the mothers paradigmatically acted out the role prescribed for them as mutilators of their own kind. As muted 'members' of patriarchal society, their imaginations too were forced into hierarchical patterns. A mother who 'loved' her daughter would have upwardly imitative ambitions for her, and the only possible expression of this would be insuring that she would be made attractive to a suitable husband. Since one requirement for this high status was the possession of 'golden lotuses', this sado-ritual spread downward, even to women of the lowest classes in some areas.³¹

Daly castigates male interpretations of footbinding, and continues:

4 ... the use of female token torturers affects not only the primary victims of the original rituals, the maimed mothers and daughters, who are turned against each other. In addition to this primary level of dividing and conquering women, there are others. Women of 'other' cultures are deceived by sado-scholarship which 'proves' that women like to main each other, documenting the 'fact' that 'women did it'. This false knowledge fosters female self-loathing and distrust of other women. This deception affects not only the few women who read 'primary' sources but also those exposed to derivative resources, such as grade-school textbooks, popular magazines, like *National Geographic*, and 'educational' television programmes.

5. The fifth element in the Sado-Ritual Syndrome – ritual orderliness – is illustrated in the 1000 year long female massacre, Chinese footbinding, which was archetypically obsessive and repetitive. This ritual involved extreme fixation upon minute details in the manufacture and care of 'tiny feet'. There were rules for the size of the bandages, the intervals between applications of tighter and tighter bandages, the roles of various members of the family in this act of dismemberment, the length of the correct 'foot', the manner in which the boot-bound women should sit and stand the washing of the re-formed feet (to be done

29 Howard S Levy, *Chinese Footbinding: The History of a Curious Erotic Custom* (New York, Walton Rawls, 1966).

30 Mary Daly, *op cit*, pp 135–37.

31 *Ibid*, p 139.

privately because of smell and ugliness hidden by ointments and fancy shoes). There were also rites of fashion connected with the refashioned feet. 'Beautiful' tiny shoes were designed for various occasions and ceremonies, and the women wore fashionable leggings to hide their monstrously misshapen ankles.

Hindu suttee

Suttee is the practice whereby a widow is compelled to put herself to death on the flames of her husband's funeral pyre. Officially banned in 1829, widowhood remains an unattractive state: remarriage for widows was traditionally forbidden the opportunities available for self-support almost non-existent. Much of the problem of widowhood is associated with the traditional practice of female children being married – often as young as seven or nine years of age – to men of middle age, guaranteeing his earlier demise than hers. Theologian Mary Daly³² considers the practice of suttee:

GYN/ECOLOGY

Hindu Suttee

The Hindu rite of suttee spared widows from the temptations of impurity by forcing them to 'immolate themselves', ie to be burned alive, on the funeral pyres of their husbands. This ritual sacrifice must be understood within its social context. Since their religion forbade remarriage and at the same time taught that the husband's death was the fault of the widow (because of her sins in a previous incarnation if not in this one) everyone was free to despise and mistreat her for the rest of her life. Since it was a common practice for men of 50, 60, or 70 years of age to marry childbrides, the quantitative surplus of such unmarriageable widows boggles the imagination. Lest we allow our minds to be carried away with astronomic numerical calculations, we should realise that this ritual was largely confined to the upper caste, although there was a tendency to spread downward. We should also realise that in some cases – particularly if the widow was an extremely young child before her husband's unfortunate (for her) death – there was the option of turning to a life of prostitution, which would entail premature death from venereal disease. This, however, would be her only possible escape from persecution by in-laws, sons, and other relatives. As a prostitute, of course, she would be held responsible for the spread of more moral and physical impurity.

If the general situation of widowhood in India was not a sufficient inducement for the woman of higher caste to throw herself gratefully and ceremoniously into the fire, she was often pushed and poked in with long stakes after having been bathed, ritually attired, and drugged out of her mind.³³ In case these facts should interfere with our clear misunderstanding of the situation, Webster's invites us to recover women's history with the following definition of suttee, '*the act of custom of a Hindu woman willingly cremating herself or being cremated on the funeral pyre of her husband as an indication of her devotion to him*' (Mary Daly's emphasis). It is thought-provoking to consider the reality behind the term devotion, for indeed a

32 *Gyn/Ecology* (The Women's Press, 1991).

33 See P Thomas *Indian Women through the Ages* (New York, Asia Publishing Company, 1964), p 263. This author describes the situation in Muslim India of widows who tried to escape cremation, writing that 'to prevent her escape, she was usually surrounded by men armed with sticks who goaded her on to her destination by physical force'.

wife must have shown signs of extraordinarily slavish devotion during her husband's lifetime, since her very life depended upon her husband's state of health. A 13-year-old wife might well be concerned over the health of her 60-year-old husband.

Joseph Campbell discusses suttee as the Hindu form of the widely practised 'custom' of sending the family or part of it 'into the other world along with the chief member'.³⁴ The time honoured practice of 'human sacrifice', sometimes taking the form of live burial, was common also in other cultures, for example in ancient Egypt. Campbell notes that Professor George Reisner excavated an immense necropolis in Nubia, an Egyptian province, and found, without exception, 'a pattern of burial with human sacrifice – specifically, female sacrifice: of the wife and, in the more opulent tombs, the entire harem, together with the attendants'.³⁵ After citing Reisner's description of female skeletons, which indicated that the victims had died hideous deaths from suffocation, Campbell writes:

In spite of these signs of suffering and even panic in the actual moment of the pain of suffocation, we should certainly not think of the mental state and experience of these individuals after any model of our own more or less imaginable reaction to such a fate. For these sacrifices were not properly, in fact, individuals at all; that is to say, they were not particular beings, distinguished from a class or group by virtue of any sense or realisation of a persona, individual destiny or responsibility.³⁶

I have not italicised any of the words in this citation because it seemed necessary to stress every word. It is impossible to make any adequate comment.

At first, suttee was restricted to the wives of princes and warriors, but as the scholar, Benjamin Walker, deceptively puts it, '*in course of time the widows of weavers, masons, barbers and others of lower caste adopted the practice*'³⁷ (Mary Daly's emphasis). The use of the active voice here suggests that the widows actively sought out, enforced, and accepted this 'practice'. Apparently without any sense of inconsistency the same author supplies evidence that relatives forced widows on the pyre. He describes a case reported in 1796, in which a widow escaped from the pyre during the night in the rain. A search was made and she was dragged from her hiding place. Walker concludes the story of this woman who 'adopted the practice' as follows:

She pleaded to be spared but her own son insisted that she throw herself on the pile as he would lose caste and suffer everlasting humiliation. When she still refused, the sons with the help of some others present bound her hands and feet and hurled her into the blaze.³⁸

The same author gives information about the numerical escalation of suttee:

Among the Rajputs and other warrior nations or northern India, the observance of suttee took on staggering proportions, since wives and concubines *immolated themselves* by the hundred. It became customary not only for wives but for mistresses, sisters, mothers, sisters-in-law and other

34 J Campbell, *The Masks of God: Oriental Mythology* (New York, Viking Press, 1962), p 62.

35 *Ibid*, p 60.

36 *Ibid*, p 65.

37 B Walker, *The Hindu World: An Encyclopedic Survey of Hinduism* (New York, Praeger, 1968), Vol II, p 461.

38 *Ibid*, p 464.

near female relatives and retainers *to burn themselves* along with their deceased master. With Rajputs it evolved into the terrible rite of *jauhar* which took place in times of war or great peril *in order to save the honour of the womenfolk of the clan*. (Mary Daly's emphasis.)³⁹

Again the victims, through grammatical sleight of hand, are made to appear as the agents of their own destruction. The rite of *jauhar* consisted in heaping all the females of the clan into the fire when there was danger of defeat by the enemy. Thousands of Hindu women were murdered this way during the Muslim invasion of India.⁴⁰ Their masters could not bear that they should be raped, tortured, and killed by foreign males adhering to 'different' religious beliefs, rather than by themselves.

The term *custom* – a casual and neutral term – is often used by scholars to describe these barbarous rituals of female slaughter. Clearly, however, they were religious rites. Some scholars assert that an unscrupulous priesthood provided the religious legitimisation for the practice by rigging the text of the *Rig Veda*. Priests justified the ritual atrocity by their interpretations of the law of Karma.⁴¹ Furthermore, the typical mind-diverting orderliness of murderous religious ritual was manifested not only in the ceremonial bathing and dressing of the widows, but included other details of timing and placement. If the widow was menstruating, she was considered impure, and thus a week had to pass after the cessation of her period before she could commit *suttee*. Since impurity also resulted from pregnancy, *suttee* had to be delayed two months after the birth of the child.⁴² For the event itself, the widow was often required to sit with the corpse's head in her lap or on her breast.⁴³ The orderliness is that of ritual: repetitive, compulsive, delusional.

This horror show was made possible by the legitimating role of religious rite, which allows the individual to distinguish between the real self, who may be fearful or scrupulous, and the self as role-performer. This schizoid perception on the part of those participating in the ritual carries over to the scholars who, though temporally or spatially distanced from the rite, identify with it rather than with the victims. Joseph Campbell placidly writes of the tortured and sacrificed woman:

Sati, the feminine participle of *sat*, then, is the female who really is something in as much as she is truly and properly a player of the female part: she is not only good and true in the ethical sense but true and real ontologically. In her faithful death, she is at one with her own true being.⁴⁴

Thus the ontological and moral problems surrounding female massacre are blandly dismissed. Campbell is simply discussing a social context in which, for a woman, to be killed is 'good and true', and to cease to exist is to be. His androcratically attached detachment from women's agony is manifested in paragraph after paragraph. After describing the live burial of a young widow

39 *Ibid*, pp 462–63.

40 P Thomas, *op cit*, p 223.

41 P Thomas, *op cit*, p 297.

42 VL Bullough, *The Subordinate Sex: A History of Attitudes Toward Women* (Penguin Books, 1974), p 241.

43 E Thompson, *Suttee: A Historical and Philosophical Enquiry into the Hindu Rite of Widow Burning* (Allen and Unwin, 1928), p 40.

44 *The Masks of God*, p 66.

which took place in 1813, this devotee of the rites of detached scholarship describes the event as 'an *illuminating*, though *somewhat* appalling, glimpse into the deep, silent pool of the Oriental, archaic soul' (Mary Daly's emphasis). What eludes this scholar is the fact that the 'archaic soul' was a woman destroyed by patriarchal religion (in which he is a true believer) which demands female sacrifice.

The bland rituals of patriarchal scholarship perpetuate the legitimisation of female sacrifice. The social reality, unacknowledged by such myth-masters, is that of minds and bodies mutilated by degradation. The real social context included the common practice of marrying off small girls to old men, since brahmans have what has been called a 'strange preference for children of very tender years'. Katherine Mayo, in an excellent work entitled with appropriate irony *Mother India* shows an understanding of the situation which more famous scholars entirely lack. Her work is, in the precise sense of the word, exceptional. She writes:

That so hideous a fate as widowhood should befall a woman can be but for one cause – the enormity of her sins in a former incarnation. From the moment of her husband's decease till the last hour of her own life, she must expiate those sins in shame and suffering and self-immolation, chained in every thought to the service of his soul. Be she a child of three, who knows nothing of the marriage that bound her, or be she a wife in fact, having lived with her husband, her case is the same. By his death she is revealed as a creature of innate guilt and evil portent, herself convinced when she is old enough to think at all, of the justice of her fate.^{45, 46, 47}

African female circumcision

The practice of female circumcision – predominantly on the African continent – reveals the extent to which cultural demands, determined by men, can dictate cruelty and violence in the name of 'purity'. The practice is widespread, and is a continuing phenomenon even among women who have emigrated to the West. So deep are the false symbols generated by circumcision that women – mothers and relatives – participate in the practice, even once settled in Western democracies. Mary Daly writes as follows:

*African Genital Mutilation: the Unspeakable Atrocities*⁴⁸

There are some manifestations of the Sado-Ritual Syndrome that are unspeakable – incapable of being expressed in words because inexpressibly horrible. Such are the ritual genital mutilations – excision and infibulation – still inflicted upon women throughout Africa today, and practised in many parts of the world in the past. These ritualised atrocities are unspeakable also in a second sense; that is, there are strong taboos against saying/writing the truth about them, against naming them. These taboos are operative both within the segments of phallocracy in which such rituals are practised and in other parts of the

45 Katherine Mayo, *Mother India* (New York: Blue Ribbon Books, 1927), esp pp 81–89; 51–62.

46 Mary Daly, *op cit*, pp 115–19.

47 For a recent account of the failure of Indian law to protect women against harassment and death, see Christopher Thomas, 'Indian Law Fails to Protect Women' (1996) *Times*, 10 January 1996.

48 *Gyn/Ecology* (The Women's Press, 1991), Chapter 5.