

**ELISABETH BADINTER**



**Dead End  
re[redacted]ism**

# DEAD END FEMINISM

*Elisabeth Badinter*

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# The Turning Point of the 1990s

It takes a huge effort of memory to recall the spirit of the 1980s. After the great victories of the previous decade and the rise of the left in power in France, every kind of hope was allowed. For some women it was a time for enthusiasm, even euphoria. Feminists could take pleasure in the glorious results that had been achieved in less than twenty years. The massive growth of women's presence in the workforce was finally making independence possible. Once a woman can support herself and her children, she can leave a man she can no longer stand. This came as a precious freedom, almost unknown to the previous generation. Divorce was on the increase, and traditional marriage gradually lost its meaning. Goodbye to these age-old shackles! With contraception and abortion, Western women found themselves holding a degree of power unprecedented in the history of humanity. Like it or not, this revolution meant the end of patriarchy. Men were told: 'you will be a father if I want, when I want.' And finally, the names of those who forged ahead for the first time into areas that had previously been exclusively male were recited as so many victories. From the first woman accepted at the Ecole Polytechnique, to the first female president of the Family Court, via the first female police commissioner and many other 'firsts', the general feeling was of a profound

upheaval taking place in the ways in which gender was being defined.

The image of the traditional woman was being effaced, to be replaced by another one: a more virile, stronger woman, almost in control of herself, if not of the universe. At long last the roles were changing! After millennia of a more or less gentle tyranny that had relegated her to supporting roles, woman was finally to become the heroine of the movie, while men would only be extras. Such a pleasurable reversal was certainly the source of a precious energy for women pushing out towards new limits. In fact, there were no more limits. All that was his belonged to her, but all that was hers did not belong to him. Full of this conquering spirit, women saw themselves as soon to share the world as well as the home with their male companions. The equality of the sexes was perceived as the ultimate measure of a true democracy.

Unaffected by the new wave of American feminism which was developing an essentialist, separatist and 'nationalist' discourse, recreating a new oppositional sexual dualism, French women dreamed of an easier relationship with the men in their lives: father, husband, boss and all the others.

Only academic feminists had read or heard about the fury of the talented Andrea Dworkin or the battles the legal expert Catharine MacKinnon was waging against sexual harassment and pornography. In the mid-1980s, American feminists were already denouncing every kind of violence against women, and so fostering an ever increasing mistrust of the male sex, while on the other side of the Atlantic it was the double working day and the inexplicable inertia of men that preoccupied women. It is true that French society was less brutal then than it is now, and that the victims of male violence did not often make themselves known. So it was not so much the enforcement of the 1980 legislation against rape, as the success of a humorous and unacrimonious little book, Michèle Fitoussi's *Le ras-le-bol des superwomen* [Superwomen are fed up], that marked a change in sensibilities. Published in 1987, it was a book by a thirty-two year old journalist, a mother of two. It was the first stone thrown into the garden

of 1970s feminism and it landed with a great thud. The title itself became an expression readily used in the press. The *ras-le-bol* became a new way of saying 'we've been had'.

Since a return to the previous state of things could not be envisaged, and there was no question of sacrificing either their family or their professional life, most women felt obliged, whatever the cost, to continue along the path marked out by their mothers. However, the time of cheerful marches towards victory had passed. Instead, a psychological journey remained to be taken, one fusing with a new social sensibility. This included women's disappointment in men. Most men have not played their part in the game of equality. Or anyway, have not played it well enough or fast enough. The comparative timetables of men and women who have children make this clear. Nothing has really changed in the last twenty years: women continue to be responsible for three-quarters of all family and household tasks. It is more than enough to make you bitter . . . And naturally, disappointment turns into resentment. Resentment against feminists who, after having trumpeted unrealizable objectives, then took refuge in either silence or *mea culpa*. Resentment against the state, controlled by men, and which doesn't give a damn about the problems mothers face. Finally, resentment against men, who, not content with resisting their companions with the force of boundless inertia, also engage in hand-to-hand combat to preserve their private domain: the corridors of power.

This sad state of affairs became magnified at the beginning of the 1990s by the rigours of an economic crisis that had been simmering for more than fifteen years. Millions of men, and proportionally even more women, experienced unemployment. The time was no longer favourable to feminist demands. On the contrary, society folded in on itself and many mothers of two children, especially those who were economically the weakest, returned to the home, in exchange for half of the minimum wage.

At the same time as this experience of powerlessness was occurring, a new sensibility gradually emerged in society,

causing a reversal of our hierarchy of values. From the end of the 1980s, and even more so today, the Western world has surrendered with pleasure to what Pascal Bruckner has called the *temptation of innocence*. The new heroic figure is no longer the warrior who lifts mountains, it is the defenceless victim. 'Misfortune is the equivalent of being chosen, it ennobles the one who experiences it, and to claim it means setting oneself apart from common humanity, turning failure into glory [ . . . ] I suffer therefore I am worthy,' concludes Bruckner. Any kind of suffering calls for denunciation and reparation. The general cult of victimhood in society has meant a proliferation of tribunals. There is talk only of penalties and sanctions.

Feminism has not escaped this process. On the contrary, it has been one of its main champions. High-achieving women are less interesting than the victims of male domination. Superwoman has a bad press. At best, she is the exception to the rule, at worst an egoistical privileged person who has broken the pact of solidarity with her suffering sisters. Nothing has been more revealing than the way women's magazines have treated the unprecedented achievement of the yachswoman Ellen MacArthur. The fact that this slip of a woman has won one of the most epic Route du Rhum races, leaving behind the most seasoned sailors, has given rise to only lukewarm enthusiasm. Admittedly *Elle* had as its cover story 'Notre heroine' [Our heroine], but did not deem it necessary to have her appear on the cover, as had been the case with Florence Arthaud a few years earlier. And *Madame Figaro* devoted only a few sentences to Ellen MacArthur as a caption to a photograph, taking care to divide up the compliments between her and one of her unfortunate rivals, who had 'the courage to confess his fear and turned back a few hours after setting off'.

The exploits of sportswomen, especially when they leave behind their male colleagues, are less anecdotal than it would seem. They demonstrate courage and will-power. They break with the image of the powerless woman, the woman who needs protection, so dear to American radicals. High calibre



sportswomen, great journalists, or any other women who forge ahead into male territory disturb the dominant ideology. So it is preferable to ignore them and to concentrate attention on the theme of eternal male oppression.

Nothing has changed, according to some. Things are now worse, according to others. Never before has male violence been so obviously laid out for dissection. Social violence and sexual violence are one and the same thing. A finger is pointed at the guilty one: it is man in all his guises. Many sociologists and anthropologists keep trotting out the same desperate observation: whether a product of nature or of culture, male supremacy is universal. Without forgetting its corollary: women are always and everywhere in a position of subordination, in other words they are real or potential victims. It is rarely admitted that this unfortunate situation no longer holds true in the domain of reproduction . . . And when it is admitted, not all the consequences are drawn.<sup>1</sup>

This 'victim'<sup>2</sup> perspective is not without its advantages. First of all, you immediately feel you are on the right side of the barricades. Not only because the victim is always right, but because she elicits a sympathy that is proportional to the merciless hatred that is felt towards her tormentor. Penal experts are well aware of this: the public rarely identifies with the criminal in the dock. In addition, the victimization of the female gender allows for the condition of women and feminist discourse to be united under a common banner. Thus the conundrum of cultural, social or economic differences vanishes at the stroke of a magic wand. We can compare without blushing the condition of 'European' and 'Oriental' women and affirm that 'everywhere, women, because they are women, are victims of hatred and violence'.<sup>3</sup> The bourgeois lady of the seventh arrondissement and the young *beurette* [Arab girl]<sup>4</sup> from the suburbs: it's all the same fight.

However, by conflating real and false victims, we risk misunderstanding the urgency of the battles to be waged. To endlessly emphasize the image of woman as defenceless and oppressed in the face of her hereditary oppressor means losing all credibility with the younger generation, which does

not see it this way. In fact, what are they being offered, other than evermore victimhood and penalties? Nothing to get excited about. Nothing that could change their day-to-day life, either. On the contrary, obsessed by putting the male sex on trial, and by identity issues, the feminism of these last few years has left behind the very battles that have been its *raison d'être*. Sexual freedom gives way to the ideal of a domesticated sexuality, while the myth of the maternal instinct reappears without anybody raising an eyebrow. It is true that we have returned to the implicit definition of woman through motherhood in order to justify the inscription of sexual difference in the Constitution, as if having more women in legislative assemblies was worth letting the old stereotypes take pride of place once again.

We have to ask ourselves these questions now: What real progress has been achieved in the last fifteen years? Does the feminist discourse in the media today<sup>5</sup> correctly reflect the preoccupations of the majority of women? What paradigms of masculinity and femininity does it try to promote? What models of sexuality does it seek to impose? So many questions that sometimes call for a detour via the United States. Not because we have bought the Americans' merchandise wholesale. But because, with some delay, as usual, we have taken some of their ideas and mixed them up with ours. The results remain to be judged.

# 1

## The New Discourse on Method

The Cartesian criteria of truth have long lost their currency. In place of 'clear and distinct' ideas we prefer analogy and generalization. In short, we prefer the amalgam which consists in 'combining diverse elements that hardly go together'.<sup>1</sup> The amalgam is less the instrument of the scholar than of the politician. In fact, the philosophy that founds the current victim feminism is difficult to pin down. It concerns different vague conceptualizations where culturalism rubs shoulders with naturalism and an essentialism that never speaks its name. It often gives the impression that principles do not rule actions but rather that actions produce justifications after the fact. What is at stake is not so much a theory of the relationship between the sexes as the trial of the other sex and of a system of oppression. It is a new logic, but an old philosophy. Whether it likes it or not, this feminism has given birth to a representation of woman that either runs the risk of turning back the clock considerably, or else of taking us where we do not want to go.

### The logic of amalgamation

This logic of amalgamation is applied above all to the domain of sexuality and proceeds by generalizations and analogies.

We no longer distinguish between the objective and the subjective, the minor and the major, the normal and the pathological, the physical and the psychical, the conscious and the unconscious. In the name of a particular conception of sexuality and of the relationship between the sexes, everything is levelled out.

### *The continuum of violence*

For the last thirty years, American radical feminism has patiently woven together the threads of a continuum of sex crimes that tries to demonstrate a long female martyrdom. In the space of a few years three books came out of this current, all putting to the fore the theme of the sexual oppression of women. The first addressed rape, the second, sexual harassment, and the last one, pornography. Their authors, Susan Brownmiller,<sup>2</sup> Catharine MacKinnon<sup>3</sup> and Andrea Dworkin,<sup>4</sup> derived a considerable celebrity status out of them. Afterwards, Dworkin and MacKinnon continued to work together, since they agreed on the essential: women are an oppressed class, and sexuality is the very root of that oppression. Male domination rests on the power that enables men to treat women as sexual objects. This power is seen as going back to the origins of the species, and is supposed to have been inaugurated by rape. Above all, in their eyes, rape, sexual harassment, pornography, and assault and battery make up a whole that reflects the same kind of violence against women.<sup>5</sup> And let us not forget prostitution, striptease and everything that touches on sexuality from near or afar. The verdict is without appeal: men must be forced to change their sexuality. And the means: modifying the law and using the tribunals.

Liberal feminists vehemently protested against such an approach that called for censorship, trampled on sexual freedom and sounded like a declaration of war against the male gender.<sup>6</sup> Doubling her provocations, Andrea Dworkin was left to her excesses and served as a foil for this new feminism. Her victim philosophy did, however, become quite influential. She did not hesitate to compare women to the

survivors of concentration camps, and afterwards many other hands penned the word *survivor*. It is her accomplice MacKinnon, a brilliant lawyer and a law professor at prestigious universities, who led the legal battle with the success that we know. Not only was she instrumental in sexual harassment becoming recognized as a form of sexual discrimination by the United States Supreme Court in 1986, but allied to the most conservative lobbies and with the unfailing support of the Republican Party, she succeeded in having the ordinance that became known as the 'MacKinnon-Dworkin' ordinance against pornography voted through twice, in 1983 and in 1984, in the cities of Minneapolis and Indianapolis. Pornography having become a violation of civil rights, the ordinance could be applied indiscriminately to films, books or newspapers. From the moment that a woman said she felt in a 'state of subordination', she could undertake to have the cause of her humiliation prohibited. Entire sections of classical literature and cinema were in danger of getting the chop. This time feminists of all persuasions (from Betty Friedan to Kate Millett, via Adrienne Rich) were vocal in their opposition to this delirium of censorship. After a heated battle, the First Amendment on free speech was invoked against the ordinance. But MacKinnon's prestige expanded massively, and with it her audience. Even to the point that in 1992 the Canadian Supreme Court adopted a good part of her theories on pornography.

Strangely, neither Dworkin or MacKinnon had their books translated into French. Perhaps they were judged to be incompatible with the state of mind of French women. Even more strangely, their names rarely appear in feminist writings. It is as if their open extremism let off an overly sulphurous smell. However, a number of their ideas have crossed the Atlantic, via our friends from Quebec, European institutions and the many academics who frequent the American campuses where these ideas are preached the most.

In France, it all started with a healthy awakening. In 1978 an exemplary trial of three rapists in Aix-en-Provence was enlightening for the whole society. The trial was conducted

masterfully by the prosecutor Gisèle Halimi, the representative of the two victims and the president of the association Choisir la Cause des Femmes [Choose the cause of women].<sup>7</sup> It turned into a trial of rape itself, all too often assimilated to simple indecent assault; a trial of the police and of a justice system that discourages women from pressing charges by adding humiliation to suspicion; a trial, finally, of a society that does not recognize the seriousness of sex crimes, because a 'world of male values has, in fact, justified rape by invoking the "natural aggressive virility of men" and "the masochistic passivity of women"'.<sup>8</sup> It is thanks to this exemplary trial that it began to be said that psychological wounds took more time to heal than physical ones. Hidden or unrecognized suffering is irreversible. The Aix victims spoke of destruction, loss of identity and death. As G. Vigarello correctly points out, 'the reference to inner trauma [. . .] became one of the main reference points in assessing the severity of the crime.'<sup>9</sup>

Following the Aix trial, rape was redefined and requalified. The law of 23 December 1980 stipulates: 'Any act of sexual penetration, whatever its nature, committed against another person by violence, constraint, threat or surprise is rape.'<sup>10</sup> The penalties that can be incurred range from five to twenty years in prison, depending on the circumstances of the crime. Despite much resistance to taking legal action, rape charges continued to increase: 892 in 1992; 1,238 in 1996.<sup>11</sup> The most striking aspect is the increase in the sentences in the ten to twenty years range: these rose from 283 in 1992 to 514 in 1996.<sup>12</sup> Apart from rape, other sexual offences would also come to be redefined and requalified. The new penal code of 1992 no longer speaks of 'offences against public decency' but of 'sexual aggression': 'sexual aggression is any sexual *assault* committed with violence, constraint, threat or surprise.'<sup>13</sup> The notion of sexual assault is enlarged and 'a whole new era of ostracized actions is introduced',<sup>14</sup> including moral and psychological violence.

8 In 1992, following the American example, the new offence of 'sexual harassment' was created, complementing the older charge of abuse of power. Thanks to the wisdom of

Parliament and of Véronique Neiertz, Minister for Women's Rights at that time, the text that was adopted limited penalties to cases involving hierarchical relations. In answer to Americans who were surprised by such a limitation, our minister apparently replied that she would advise women who felt harassed by their work colleagues to respond by giving them 'a good slap in the face'.<sup>15</sup> This demonstration of common sense was soon forgotten. Ten years later, the law of 17 January 2002 introduced the new offence of moral harassment which eliminated the element of authority.<sup>16</sup> Sexual or moral harassment by sleazy bosses is a phenomenon that is well known in the workplace, and it was right to penalize it. But for the rest, would it not have been better to encourage women (and men) to defend themselves, rather than to consider them to be defenceless beings?

On 17 April 2002, Mme Anna Diamantopoulou, Commissioner in charge of employment and social affairs, announced that the European Parliament had just adopted a legislation against sexual harassment, defined in the following way: 'An unwelcome form of verbal, non-verbal or physical behaviour of a sexual nature that undermines the dignity of a person, by creating an intimidating, hostile, degrading, humiliating or offensive situation.'<sup>17</sup> Not only could a harasser be a colleague or a subordinate, but the terms in use are so imprecise and so subjective that anything can qualify as harassment. Contrary to the current French legislation, this definition does not even include the notion of 'repeated acts'. It leaves the door open to ideas such as *visual harassment* (an overly insistent gaze) or other such nonsense. How then do we distinguish between the objective and the subjective, the real and the imaginary? Not to speak of the line that separates violence from sexual intent. As an undisputable example of violence, Mme Diamantopoulou cites the displaying of pornographic photographs on walls, hinting at her next target. Without a doubt, we are witnessing an American type of slippery slope. We are not far from the moment when sexual harassment will be defined, as at Princeton, as 'any undesired sexual attention that engenders a feeling of malaise



or that causes problems at school, at work or in social relations'.

Extending the concept of violence to verbal aggression and psychological pressure, as the recent survey *Nommer et Compter les Violences envers les Femmes en France* – Naming and counting acts of violence in relation to women in France (the Enveff study) – argues should be done,<sup>18</sup> leaves the door open to all kinds of possible interpretations. How does one measure in a closed questionnaire an 'attack on a person's psychic integrity'? Where does an insult in a public place begin and where does it end? One woman might experience it as such, but another might not. It is left to their personal judgement. The same is true for what might constitute psychological pressure in a relationship. Of the nine questions that are supposed to measure this type of violence (see box), there are some that leave one puzzled. This one, for instance: 'During the last 12 months, did your spouse or partner: Criticize, ridicule what you were doing? Make unpleasant remarks concerning your physical appearance? Impose certain clothes, hairstyles, or public behaviour? Not take your opinions into account, express contempt or try to tell you what to think?'<sup>19</sup> The sense of unease increases on finding that these psychological pressures – which receive the greatest number of affirmative answers – figure in the list of global indicators of domestic violence right next to 'verbal insults and threats' and 'emotional blackmail' and on the same level as 'physical aggression' and 'rape and other forced sexual acts' (see table 1 on p. 14). The global indicator for domestic violence calculated in such a way thus comes out as affecting 10 per cent of French women, taking account of the fact that 37 per cent of them complain of psychological pressure, 2.5 per cent of physical aggression and 0.9 per cent of rape or other forced sexual acts.

Puzzlement reigns supreme. Is it possible to add physical acts to psychological feelings as if both were the same kind of thing? Is it legitimate to speak in the same breath of rape and of an unpleasant or wounding remark? It could be said that pain is experienced in both cases. But would it not be more



**Excerpt from the questionnaire: Psychological pressure  
in the person's relationship with her partner**

**During the last 12 months, did your spouse or partner:  
never/rarely/sometimes/often/regularly**

- 1 prevent you from meeting or talking to friends or family members?
- 2 prevent you from talking to other men?
- 3 criticize, ridicule what you were doing?
- 4 make unpleasant remarks concerning your physical appearance?
- 5 impose certain clothes, hairstyles, or public behaviour?
- 6 not take your opinion into account, express contempt or try to tell you what to think (a) at home (b) in public?
- 7 insist on knowing where and with whom you were?
- 8 refuse to speak to you, refuse point-blank to discuss anything?
- 9 refuse access to household funds for daily expenses?

Source: ENVEFF survey 2000; *Population et sociétés*, no. 364 (Jan. 2001), p. 4.

rigorous to distinguish between objective and subjective pain, between violence, abuse of power and rudeness? The term violence is linked to such an extent in our minds to physical violence that we run the risk of creating a regrettable confusion and the impression that 10 per cent of French women suffer physical attacks from their partner.<sup>20</sup>

Adding up heterogeneous forms of violence in such a way while relying on the simple testimony of people contacted by telephone allows subjectivity to take centre stage. Without the partner being confronted and without in-depth interviews, how can results obtained in such a way be taken at face value?

The logic of amalgamation does not end there. Perhaps due to the common root of words such as *viol* (rape) and *violence* (violence), any form of sexual aggression – and we have seen