CRISES OF REPRESENTATION, OR WHY DON'T FEMINISTS TALK ABOUT MYRA?

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INTRODUCTION

Representations of violent women appear in many feminist discourses, ranging from the legal to the sociological to the philosophical, yet virtually none of these include discussions of figures such as convicted English child murderer Myra Hindley. Instead, she and women like her are subject to a response from most feminist critics which Helen Birch has described as a 'deafening silence'. In this paper I intend to investigate just why this should be the case and what this omission tells us about the construction of the violent woman within feminist theory, especially within feminist legal theory. I will proceed with reference to the two Australian cases of Catherine Birnie and Valmae Beck. These cases are similar to that of Myra Hindley in that they both involve women who, in company with their male partners, raped and murdered other younger women, and likewise suffer from a dearth of feminist representation and interest. I position these cases as 'limit cases' for Feminist legal theory, in particular, because they make evident the exclusions and parameters in feminist constructions of violent female subjects. During both of these cases, feminist legal and cultural theorists remained silent, while mainstream discourses' portrayals of Catherine Birnie and Valmae Beck veered between their condemnation as monsters and their depiction as masochistic victims under the control of their evil partners. This silence, although hardly unusual, as I shall demonstrate shortly, is nevertheless seemingly at odds

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1 Myra Hindley, with her partner, Ian Brady, raped and murdered five children and buried their bodies on the Yorkshire Moors in 1963-64. The two, dubbed the Moors Murderers, have remained in prison since their conviction in 1965. During the 27 years since their sensational trial, Ian Brady has been largely forgotten in the public imagination, spending his time in an asylum for the criminally insane. Myra Hindley, on the other hand, has been the focus of continued opprobrium and is frequently described still as 'the most hated woman in Britain' and as a sexual deviant with extraordinary powers of charismatic influence over others. For further information see Birch Helen 'If looks could kill: Myra Hindley and the iconography of evil' in Birch Helen (ed) Moving Targets: Women, Murder and Representation Virago London 1993 pp 32-61. Numerous popular 'true crime' narratives of the case are also available, for example Johnson P H On Iniquity Macmillan London 1967; Goodman J The Moors Murderers: The Trial of Myra Hindley and Ian Brady David Charles Publications London 1973; and Ritchie J Myra Hindley: Inside the Mind of a Murderess Angus and Robertson London 1988.

2 Birch above note 1 at 34.
with the primary aims of feminist legal theory and analyses of cultural constructions of woman and female gender performance.

**FEMINISM’S ‘LIMIT’ CASES**

Violent women whose cases are of interest to feminist legal theorists at present fall into two main groups: those who can be considered victims themselves, such as battered women who kill their abusive husbands or mothers who commit infanticide; and those who can be presented as having engaged in feminist revenge fantasies, such as the case of lesbian vampire killer, Tracey Wigginton, or of lesbian prostitute serial killer, Aileen Wuornos. The selection of violent women acceptable to and therefore discussed within feminist legal theory thus depends upon the offender’s personal politics and the type of violence committed. Women whose activities betray a more feminist or autonomous perspective find themselves the subjects of further analysis, as do those who have engaged in violent acts perceived as the consequence of previous abuse. The lack of response to others, like Birnie and Beck, whose cases can’t be narrativised in either of these ways, is profound. Patricia Pearson and Alix Kirsta, both authors of recent popular studies of criminal women, have independently noted a particular feminist lack of interest in analysing cases where women have performed crimes of sexual sadism against other women, such as those performed by Birnie and Beck. This omission tells much about the construction of the violent woman within feminist legal theory.

The cases of Birnie and Beck dismantle common sense notions of heterosexual romantic love and stereotypical enactments of femininity. Mainstream law and media responded to the challenge this represented with a strategy of denying the women’s humanity and agency. On the one hand, they relied on vilificatory portrayals excluding Birnie and Beck from ‘decent’ humanity, and on the other, they invoked masochistic victim narratives which denied female agency. The common usage of such techniques makes discussion of cases like those of Birnie and Beck imperative within feminist discourses because these mainstream constructions of femininity have, as Helen Birch states, ‘resonances for all women’.

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5 Cases of other women who have killed and tortured children and young women, such as those of Myra Hindley, Rose West, Karla Homolka, Martha Beck and Patricia Moore, have all suffered from this dearth of research. For instance, I know of no feminist studies of Myra Hindley other than Helen Birch’s (1993) essay in *Meaning Targets* and Cameron D and Fraser E The Lust to Kill New York University Press New York 1987. The sole feminist study of Martha Beck is Sara Knares thorough discussion of the narrativisation of murder with reference to that case *Murder: A Tale of Modern American Life* Duke University Press Durham NC 1998. I have not located any feminist studies of the other cases mentioned despite having researched this field for almost 10 years. Certainly there have been some extremely useful studies of women who commit violence, such as the work done by Allen Hilary Justice Unbalanced: Gender, Psychiatry and Judicial Decisions Open University Press Milton Keynes 1987. My point is only that these studies do not include women who commit crimes of sexual sadism.
6 Birch above note 1 at 34.
depict the horror of femininity perverted and make evident the contradictions in any such constructions of what femininity means. Birch points out that depictions of Myra Hindley, for example, alternated between the feminine and passive stereotype of the innocent dupe and the devious and monstrous image of the evil manipulator. These polarised representations, which are common to cases of female sadism, demonstrate that apparently there is no possibility of a portrayal which might hover somewhere between these two extremes. Representations of femininity in the case of Myra Hindley, as in those of Birnie and Beck, suggest that to be a woman means, on the one hand, to be passive and under another's influence, and on the other, to be manipulative and controlling. As discussions later in this article will make clear, the main impediment to more human portrayals of such women — portrayals which may allow them to be seen as acting with agency — lies in the involvement of their male partners. Killing in league with a man apparently places female murderers even further beyond the pale than their counterparts who kill alone.

THE BEATING FANTASY, SPECTATORSHIP AND FEMAILE SADISM

In this article, I draw upon psychoanalytic theory in an attempt to discover reasons for the particular treatment, or lack thereof, these case studies received from mainstream and feminist legal and media discourses. As one of the major cultural narratives for articulating understandings of the 'self', and of the activities in which that self engages, psychoanalysis seemed most apposite to the study of these cases. Indeed, several of the narrations of the behaviour of both female protagonists echoed Freud's articulation of female masochism, the beating fantasy. However, Birnie's and Beck's unconscious reiteration of the beating fantasy in their own narratives of their behaviour also unwittingly unearthed the suppressed in this fantasy. For this reason, it offers much to help explain feminist discourses' silence regarding these cases as well.

Freud's essay 'A child is being beaten' composes three phase dramas to explain the genesis of two varieties of masochism labelled female and male. The beating fantasy which is of most concern in this paper is the female fantasy which Freud developed during his work with four female patients. The sequence the three phases of this fantasy run as follows.

7 This 'evil manipulator' image presents Hindley as especially wicked because it claims that she seduced Brady into rape, torture and murder. It has a long history of precedents, including perhaps most notably the biblical Eve who encouraged or 'manipulated' Adam into eating the apple so causing their fall from grace.

8 As Nick Mansfield has observed in Subjectivity: Theories of the Self from Freud to Haraway Allen and Unwin Sydney 2000 at 23: 'No 20th century discussion of what the subject is and where it comes from has been untouched by the theories and vocabulary of Freudian psychoanalysis. Similarly, the whole field of 20th century culture — from the shocking disconnections of surrealism to the DIY self-healing manifestations of pop psychology — exhibits the fundamental insights of Sigmund Freud and his followers.'
Phase 1: ‘My father is beating the child (whom I hate).’
Phase 2: ‘I am being beaten by my father.’
Phase 3: ‘A child is being beaten (I am probably looking on).’

It is important to distinguish this fantasy from the more commonly analysed male fantasy, the three acts of which follow.

Phase 1: ‘I am being beaten by my father.’
Phase 2: ‘I am loved by my father.’
Phase 3: ‘I am being beaten by my mother.’

In the female fantasy, only phases one and three are deemed conscious and therefore available for psychoanalysis; phase two is repressed and unconscious. The first phase possibly takes the form of a memory which allows the beating fantasy to develop, rather than being part of the fantasy itself. The child might recollect or have desired their father's beating of another child in order to prove that he does not love the beaten child but only the one who watches, the unbeaten: ‘My father does not love this other child; he loves only me.’ In the second act, the child takes on the masochistic role of the beaten child and so does penance for her sadistic and incestuous desires for her father’s love in the first act. However, as the child derives intensely pleasurable feelings from this phase, she continues to evince desire for the father. Repression of this desire is, in Freud's terms, unavoidable, and therefore the content of this phase is entirely suppressed and is not remembered by the subject. The last act is, thus, the primary focus of the conscious bearing fantasy. Now the identity of both beater and beaten is disguised and the child takes on the position of spectator once again, removed from the action. Hence the conscious phases of this beating fantasy are sadistic, while the masochistic segment is hidden, repressed, forgotten. Nevertheless, masochism remains the most important aspect of this fantasy in Freud's conception.

At first glance, Freud's explication of female masochism via the beating fantasy may seem inappropriate. After all, as he himself observes, the form of this fantasy in girls is undeniably sadistic: the girl is apparently gaining pleasure from watching others being beaten in the final conscious phase of the fantasy. However, Freud argues that the satisfaction the girl experiences at this point is masochistically derived as her pleasure in being beaten herself in the repressed second stage means that in the latter stage she derives pleasure only through her identification with the beaten child. He even questions the sadism of the fantasy itself, arguing that as she is not doing the beating herself, her fantasy is not strictly sadistic. Yet, a problem with this interpretation remains in her unquestionable pleasure in the consciously remembered first stage of the fantasy where she enjoyed watching her father beat another child. Freud claims that the

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10 Freud above note 9 at 126-127.
11 Freud above note 9 at 115.
12 Freud above note 9 at 119.
sadism this act betrays is transformed into masochism due to the operation of guilt which enforces repression of the girl’s incestuous love for her father.

This transformation of female sadism to masochism, according to Michelle Massé’s study In the Name of Love: Women, Masochism and the Gothic, is, however, based on flawed logic. She points out that, particularly in his two essays on femininity, Freud observes that women develop a relatively weak superego formation because the threat of castration which serves to produce this sense of conscience in the boy is useless in the case of the girl who is already symbolically castrated. As feelings of guilt and shame stem from the operation of the superego, women thus possess a diminished capacity for these emotions. It is aberrant therefore, claims Massé, for the girl’s sense of guilt to be so effectively evolved in this one instance. This critique effectively leaves the door open for a suggestion that perhaps this transformation from sadism to masochism, upon which Freud is so adamant, is not as complete nor as neatly resolved as he insisted.

The main impediment to any complete transformation of the girl’s sadism to masochism lies in her spectatorship in the final phase of the drama. In order for the girl to be entirely masochistic at this point, the activity in which she engages in watching must be negated. Spectatorship is hardly passive, although it may appear so to those being watched. Instead it can betray a myriad of desires, such as scopophilia and epistemophilia, which position the spectator as a participant hungry for knowledge and visual gratification. In terms of the beating fantasy, the first problematic characteristic of the watching woman in the final phase is that of identification. Although Freud insists the spectator identify masochistically with the beaten, his wording of this act is ambivalent, meaning that, as Massé observes, the spectator may identify with either the beaten or the beater. Furthermore, Massé points out that this ambivalence in identification leads to a risk that the female spectator — the previously beaten — may, in her turn, repeat her own oppression, and beat those she considers more powerless than herself, such as other women and children. Merely watching a beating will not avoid this risk, for spectators are not uninvolved in the spectacles they observe and nor are they lacking in voyeuristic power. Often spectators are complicit in the abuse they watch, siding with the powerful not with the powerless.

Spectatorship is inherently sadistic in the sense that the will to know is, to some extent, a will to power commonly associated with sadism. The spectator is, after all, removed from the action, safe from victimisation. Her special position allows her to see more than either of

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14 Massé above note 13 at 69-70.
15 Massé above note 13 at 61.
16 Massé above note 13 at 61-2.
17 Massé above note 13 at 62.
18 Massé cites Freud’s use of this Nietzschean formula in relation to sadism. For instance, she quotes his conflation of the two in his Introductory Lectures wherein ‘the instinct for mastery ... easily passes over into cruelty’ and also from his essay ‘Disposition’ where he states ‘the instinct for knowledge can actually take the place of sadism. ... It is at bottom a sublimated off-shoot of the instinct for mastery, exalted into something intellectual.’ Massé above note 13 at 78-79.
the participants involved. Her desire to look and to know, her scopophilia and epistemophilia, thus provide her with forbidden knowledge, information even outside the realm of experience of the beater, and this can be a powerful position for such a spectator. For these reasons, looking has long been considered a male preserve, while the female gaze, on the other hand, has a lengthy history of fearsomeness. As Teresa de Lauretis has noted, women must not look, for if they do ‘the spectacle provokes, castration is in the air’; instead she must ‘absorb ... herself on the side of the seen, seeing herself seeing herself’. The woman in Freud’s beating fantasy, however, appropriates the forbidden look.

Freud’s work has been enormously influential in modern Western heteropatriarchy and still grounds mainstream constructions of ‘good’ womanhood. The beating fantasy’s centrality to Freud’s construction of the feminine thus maintains a crucial role in contemporary mainstream constructions of Woman. Freud’s detailing of normative femininity is anchored in his interpretation of this fantasy; his insistence on women’s inherent masochism is founded on his elision of their potential for sadism; his belief in female passivity stems from his decision that this fantasy demonstrates women’s lack of active desire. Perhaps his uncanny ability to describe so accurately the beliefs and desires of male dominant society partially accounts for his work’s tacit popularity within the discourses emanating from its major institutions. However, the ambivalence at the heart of his construction of the female beating fantasy also serves to destabilise the limited and limiting mainstream performatives of female gender which have been based upon it.

The cases of Catherine Birnie and Valmae Beck are interesting to view through the lens of the beating fantasy as the women’s own narratives of their behaviour correspond very closely to Freud’s three act drama: both women claim to have watched their partners rape and murder young women. However, Birnie and Beck also actively participated in the ‘beating’; raping, and in Birnie’s case murdering, themselves. In this way, then, they embody the terrifying potential hidden in the beating fantasy: that women will enact their sadistic desires on the body of someone less powerful than themselves. In unwittingly declaring themselves female sadists, Birnie and Beck ensured their vilification and later reinterpretation at the hands of mainstream discourses. For these discourses followed Freud’s lead and rewrote Birnie’s and Beck’s stories as tales of female masochism, where both women were under the control of their more powerful, sadistic husbands. Feminist discourses, on the other hand, preferred to ignore their existence altogether. Unravelling the threads of these contemporary beating narratives will help elucidate the reasons for this silence.

But first for the ‘facts’ ...

**WOMEN WHO RAPE ... AND ENJOY IT**

Catherine Birnie, with her partner David Birnie, was convicted of the abduction, rape and murder of four young women, and of the abduction and rape of a fifth, during a five week...
spree between 6 October and 9 November in Perth WA in 1986. The Birnies abducted their first victim when she came to their house to purchase car tyres, and chained her to a bed. After raping her repeatedly, she was strangled, stabbed and buried in a remote national park. The rest of the murders took place in similar fashion, with the victims being abducted from suburban highways and kept prisoner in the Birnies' house, sometimes for up to three days, before their inevitable murders. David and Catherine were legally deemed equally responsible for all four murders. However, Catherine was considered directly responsible for the strangulation of the first two victims, and to have insisted upon the death of the third woman, with whom David had formed an attachment.22

Valmae Fay Beck, with her partner Barrie Watts, abducted, raped and murdered a 12 year old girl in Noosa, Queensland, in 1987. Apparently, 34 year old Watts had become fascinated with the idea of raping a virgin 'for the first and last time' some 18 months before Sian Kingi happened along their path on November 27. Beck agreed to assist Watts in the rape because he insisted this was the only way for her to save their marriage. However she claimed she did not realise he also meant to murder the girl.22

These brief narrations of the 'facts' of each case depict Catherine Birnie and Valmae Beck as spectators, at the very least, of their male partners' rapes and murders of young female strangers. However, throughout their own accounts both women also made their active and sadistic participation overt in their repeated insinuations that they enjoyed what they did.

In her record of interview with her arresting police officers,23 Valmae Beck depicts herself as playing a crucial role in Sian Kingi's abduction and rape. The girl was initially distracted from riding home because Beck asked for her help in locating a French poodle, which she claimed had run into the nearby park. Her action allowed Watts the opportunity to sneak up behind the victim and force her into their car where she was bound and gagged. When they reached the state forest, Beck undid Sian's dress so that Watts could see her breasts and replaced the tape around her mouth. She then tied up Sian's ankles so she couldn't run away and removed Sian's dress and pants entirely. After rubbing Watts' penis to make it erect, Beck gave instructions to Sian to suck it and later assisted him in penetrating the girl. When Watts began strangling their victim, Beck removed their dog who had begun growling and barking and returned to watch the killing. Then she helped Watts dispose of evidence, drove home with him and washed their clothes. Far from merely watching from afar, then, Beck's narrative demonstrates her vital participation. Without her help, so she implies, Watts could never have fulfilled his dream of 'raping a virgin'.

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21 The information cited here was undisputed at both trials. It was obtained from trial transcript notes: R v David Birnie WA SC Wallace J (10 February 1987); R v Catherine Birnie WA SC Wallace J (3 March 1987) R v Catherine Birnie WA SC Wallace J (3 March 1987).

22 Once again, these are only the 'facts' undisputed at the trials. The information was taken from trial transcript notes: R v Valmae Beck Qld SC Kelly SPJ (10 October 1988); R v Barrie Watts Qld SC Kelly SPJ (29 January 1990); and R v Valmae Beck 43 A Crim R 135, Qld SCCA 1989, and from Beck and Watts transcript of unauthorised police recording Noosa Police Station 14 December 1987. Media coverage of both these cases is represented by articles from dominant mainstream newspapers.

23 Cited in 1988 as above.
The suggestion that Valmae Beck enjoyed her activities, rather than endured or was sickened by them, is found in the transcript of a secretly taped conversation between herself and Watts in the Noosa police cells prior to their arraignment. Her comments show her to have been a willing participant in the rape of a schoolgirl, although not happy about her murder, as she states: ‘[G]oing out and raping somebody is one thing but to kill somebody in cold blood and not have any compassion at all. That worried me. It’s been worrying me for weeks ...’.

The possibility of Beck’s enjoyment was again raised in her testimony in Watts’ trial. In its unusually intense preoccupation with the minutiae of her involvement, her account of the abduction, rape and murder of Sian Kingi reads like pornography. Beginning with her statement that Watts asked her to help with the rape, but did not physically threaten or coerce her to participate, Beck’s evidence continues for page after page of court transcript with intimate descriptions of Watts’ rapes, Sian Kingi’s reactions and expressions, Watts’ words both to herself and the child, as well as her own aid in these crimes. Nor was this the first time she had provided such a comprehensive account. Her police confession was similar in length and detail. Indeed, so careful was she in her narration that Watts said to her in the cell interview, ‘Why didn’t you just say that I just raped her? ... Why did you have to tell them everything?’

The police, too, were reportedly surprised by her extensive record of events which eventually ran to 29 pages exclusively on the hour the two spent raping and murdering Sian Kingi. The extraordinary amount of detail Beck provided is evident in this excerpt from her testimony in Watts’ trial when she describes his first rape of the girl:

He asked her again if she was a virgin and she said yes, and he said, ‘Well, you damn well better be.’ Then she went and laid on the blanket, and he went and laid down beside her, and he started to kiss her on the lips and on the breasts, and he told her at that stage that he was going to rape her. ... I think he said that he was going to fuck her now. ... I think she [the girl] said, ‘Please, don’t hurt me.’ I think he told her to shut up, that he would do what he liked. My memory has gone blank. ... He laid her — she was laying [sic] on her back, and he wanted to have sex with — or to fuck her, and he was having trouble because he couldn’t get it in. His penis went soft, and he told her to play with it, to make it hard, and she did this. He also told her that she had to suck it because it still wouldn’t go in, so he laid down on his back and she was sort of half sitting, and she sucked his penis to make it hard again.

24 Beck and Watts transcript above note 22.
25 Beck and Watts transcript above note 22.
26 McGregor Adrian ‘How they hunted down the beasts of Noosa’ Sunday Mail (Brisbane) 11 February 1990 at 21.
27 Barrie Watts above note 22. Beck was not being extensively questioned during this response; she was replying to a single question: ‘Describe what events took place between yourself, Watts and Sian Kingi.’
Arguably, her apparent desire to communicate this narrative of rape and murder with such exhaustive pedantry reveals more than her desire merely to do as she was bid. Her shockingly unabridged reminiscences may suggest her own obsessive pleasures even as they are used to incriminate Watts. For Beck describes both her scopophilic desire to watch the rape and murder and her sadistic enjoyment in aiding their commission.

Enjoyment may also have been a partial catalyst for Catherine Birnie’s participation in four murders. She has never claimed that David Birnie forced her to commit their mutual crimes. Indeed, according to a young woman offered a lift by the Birnies during their murder spree, Catherine was the most active party in the abductions, doing all the talking and opening the car door, while David Birnie looked at the floor.24 Catherine Birnie’s trial judge felt she was complicit and co-operative as well, stating: ‘You willingly joined in the selection of your unfortunate victims, carried them off at knifepoint and held them in captivity for the sole purpose of the sexual gratification of your partner in crime and then murdered them, lest you be identified, and then finally mutilated them.”29

Furthermore, Catherine Birnie and Valmae Beck were both convicted of the sexual abuse of their victims.30 Although Birnie’s exact role in the rapes and abuse is still largely unknown, she was sentenced to 20 years for the ‘unlawful sexual penetration’ (or rape) of the last abductee. Evidence was also presented at her trial that she had probably sexually molested the second victim as well, as both she and David were in bed with the child at one point during her captivity.31 Valmae Beck’s very thorough report of events is likewise silent upon her own sexual abuse of Sian Kingi. However, she too was convicted of rape and there is some suggestion that she committed it. For instance, she is recorded as having said to Watts during her conversation in the police cells, ‘The only thing I didn’t put in the statement was what happened between her and me... I just couldn’t tell them that.”32 Watts’ reply is also instructive. He stated, ‘That’s quite understandable. ... I’m glad you didn’t [tell them].”33 These statements would seem to provide evidence, then, that Birnie and Beck went beyond the voyeurism of the final stage of the beating fantasy and became sadists themselves. Their evolution suggests most powerfully therefore that the female beating fantasy is not entirely about masochism; their pleasure in causing pain makes overt the beaten’s potential transformation into the beater.34

30 Valmae Beck received gaol sentences of three years for deprivation of liberty, 10 years for rape and life for murder. Her partner Barrie Watts received three years for deprivation of liberty, 15 years for rape, and life for murder. See Valmae Beck above note 22; Barrie Watts above note 22. The Birnies were both sentenced to strict life imprisonment for the four murders and to 10 years imprisonment for the deprivation of liberty of their last victim and 20 years for her rape. See David Birnie, Catherine Birnie above note 21.
31 Catherine Birnie as above.
32 Beck and Watts transcript above note 22.
33 Beck and Watts transcript above note 22.
34 Michelle Mauce notes that although the literature on beating fantasies insists that there is no correlation between the fantasy and the desire for actual abuse, some studies have found a correlation between sadistic fantasy and a desire to actually abuse. See above note 13 at 64.

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MAINSTREAM STORIES

Mainstream media and legal discourses responded to innuendoes of Catherine Birnie's and Valmae Beck's possible sadism in a typically hysterical manner. On the one hand, they vilified the women, considering them inhumanly evil and more wicked than their male partners. On the other, they hurriedly scrambled to rewrite their tales as ones of loving self-sacrifice — or in other words, to recast the two as masochists.

The intense vilification which followed the arrests of Catherine Birnie and Valmae Beck makes evident the severity of their sins against heteropatriarchal society. The crimes these two had committed were shown to far outweigh their partners' rapes, abductions and murders, for they included offences against motherhood, 'good' womanhood and wifehood. Even their very femininity was problematic. For example, Catherine Birnie was condemned for her housekeeping skills; depictions of her house branded it the 'untidiest in the street', sporting an 'unkept garden overflowing with weeds' and a 'filthy' interior. Valmae Beck, on the other hand, was castigated for her looks, portrayed as 'frumpy', 'plain', 'plumpish', and 'pug-faced', and for her personality, described as 'violent', 'tough', 'cunning', 'mean', 'insanely jealous' and 'unaffected [by court proceedings]'. Her preternatural calm, which persisted from the moment of her arrest, upset one policeman greatly:

'I'll never forget this as long as I live,' said [Detective] Bob Atkinson. 'She [Beck] came in and sat on his [Watts'] lap and held his ashtray while he smoked a cigarette. These two people who had just done this terrible thing, just as calm as you like.'

Both women were portrayed as poor mothers who had left young children and 'run off' to indulge in 'lives of crime' with their new lovers. Catherine Birnie's family complained that in the two years since her unexpected departure from the family home to live with David Birnie, she had not once contacted her husband or their six children. Likevisw, Valmae Beck was separated from her six children, most of whom were fully grown. In her case, however, the fact of her motherhood made her participation in the rape and murder of Sian Kingi all the more incomprehensible and condemnable. Her trial judge, for example, after describing her as a 'callous, depraved woman', could not refrain from remarking that: 'No decent person could not feel revulsion at what you did — and you, a woman with children of your own.' Beck's motherhood is hereby put on trial: her own mothering must by definition be suspect if she could indulge in the rape and murder of a child of a similar age to her own offspring. The enigma which Valmae Beck apparently represented for the mainstream law and media is best exemplified

35 'Mystery of girl's letters' Daily News (Perth) 12 November 1986; Berryman Nancy 'Sex confessions shock police'
38 Valmae Beck above note 22.
in the column ‘Kavanagh on Saturday’ which appeared the day after Watts’ sentencing:

Before this case, could anyone have believed that a middle-aged mother would be party to such a crime as the Kingi murder? ... what I would like to know is this: If such a plain, ordinary looking housewife and mother as this one can become physically involved in such a terrifying crime, then how many more ordinary men and women are out there waiting to come under the influence, as she said she was, of an evil swine like her partner in rape, torture and murder? Surely any mother would have enough compassion to be repulsed and in quick succession sickeningly enlightened when her husband said he wanted to rape a 12 year old schoolgirl? By emphasising the wife, I have no intention of diminishing the responsibility of this weed, this germ of a husband. But with him, a male, with apologies to the rest of us, well, we’ve come to expect that sort of crime in recent years where such heroes lay in wait in car parks and shopping centres for lone, random women to walk innocently into their territory.39

Kavanagh’s denunciation of Beck and Watts is also representative of the mainstream media’s divergent responses to the male and female protagonists of these cases. Unlike the incomprehension and horror which greeted Valmae Beck and Catherine Birnie, Barrie Watts and David Birnie were instead subject to belittlement and ridicule. Watts’ description in this column as a ‘weed’ and a ‘germ’ echoes, indeed even repeats, that of David Birnie as ‘weedy, hollow chested and shaking’.40 Nevertheless, the two are still men, even if lacking in masculine size and fortitude. Kavanagh, for instance, in his suggestion of the sheer frequency of assaults such as that performed by Watts, places men’s commission of rape, violence and murder on the continuum of male behaviour, albeit at the end comprising its worst excesses. This assimilation of these acts is not unusual in representations of male crime. David Birnie and Barrie Watts, like male criminals before and after them, are thus still understood as human in such depictions, even if they exist at the far end of the spectrum of violent male behaviour, remaining ‘weedy’ rather than evil, cowardly instead of monstrous, and pathetic as opposed to vicious.

Mainstream legal and media portrayals of David Birnie and Barrie Watts served to naturalise their crimes; their violent acts were seen to form part of a spectrum of male behaviour, ranging from gentleness to occasional outbursts of violence and sadism. Violent female criminals, on the other hand, are not only considered more ferocious and fearsome than their male counterparts, but are also guilty of the sin of hubris in their assumption of the traditionally male preserve of action, especially murderous action. Indeed, the constructions of the male and female protagonists in these cases are interdependent, with the men becoming more ‘weedy’ and ineffectual as the women grow ever more sadistic and dangerous.41

39 Kavanagh on Saturday ‘Compassion? It’s time for real justice’ Courier-Mail (Brisbane) 10 February 1990 at 28.
41 Knox provides a fascinating discussion of this phenomenon with regard to the Honeymoon Killers, Martha Beck and Raymond Fernandez. See Knox above note 5.
Ultimately, mainstream legal and media discourses recuperated Catherine Birnie’s and Valmae Beck’s troublesome narratives of sadism and cruelty through unconscious recourse to Freud. Following the stock story of Freud’s interpretation of the female beating fantasy, these discourses ‘simply’ rewrote both dramas as tragedies of masochism.

In the Birnie case, Catherine was presented as having been utterly obsessed with David since she was 12. Her family claimed he was an evil influence on her life, responsible for her desertion of her husband and children and her involvement in criminal activities. Catherine, according to those who knew her, was happy in her marriage and only the daily drudgery of looking after her children, her elderly relatives, and her unemployed husband caused her to leave her peaceful, settled life. The Daily News was concise in its estimation of her reasons for departure with its headline ‘Poverty led her to killer’s bed’. Her relationship with David was considered the sole reason for her participation in the rapes and murders. The Daily News cited Catherine’s nephew’s explanation that she was ‘very easily led ... very passive’; the Sydney Morning Herald claimed her family ‘loathed’ David Birnie and reprinted her mother-in-law’s insistence that he had ‘cast some spell’ over Catherine which meant she was not responsible for her actions; the West Australian and Australian quoted her trial judge’s comments that she was ‘totally emotionally dependent’ upon Birnie and utterly submissive to him, prepared, indeed, ‘to follow him to the end of the earth and see that his desires were satisfied’. In these depictions of the Birnies’ relationship, David was the charismatic sadist while Catherine was the victimised masochist, a disciple totally under his control.

This portrayal of David Birnie’s sadism balanced with Catherine’s masochism extended to include his sexual obsessions and perversions which were deemed causal factors in the murders. Even the prosecutor at David’s trial claimed that his motivation for the killings was ‘solely his own sexual desires and sexual pleasure’. Catherine, on the other hand, was fuelled by ‘her need to satisfy his sexual desires and her need to serve him for almost any purpose that he required’. Catherine’s defence counsel used her alleged behaviour towards the third victim as evidence that she acted as she did only because she was terrified of losing her partner. David Birnie, according to Catherine, had become fond of this woman and had no desire to kill her. Only Catherine’s jealousy forced him to strangle her as she held a knife to her breast and proclaimed ‘it’s her or me’.

Ironically, however, Catherine’s behaviour at this time also makes overt the power the

42 Williams G ‘Poverty led her to killer’s bed’ Daily News (Perth) 3 March 1987; Ayris C ‘Journey to graves ends killing spree’ The West Australian (Perth) 4 March 1987; Dennis above note 29.
43 Williams as above.
44 Taylor above note 37.
45 Dennis above note 29.
47 David Birnie above note 21.
48 Catherine Birnie above note 21.
49 Catherine Birnie above note 21.
masochist wields in sadomasochistic relationships, suggesting perhaps that she was more selfishly involved than this victim portrayal would have the consuming public believe. For although evincing her desire to have David for herself, her response to their third victim nevertheless manipulated him to kill for love of her. Certainly the trial judge’s appraisal — that she lacked remorse and willingly aided David Birnie in procuring victims — caused a hiccup in media declarations of her utter subservience to her sadistic partner. However, these doubts were ultimately buried under a tide of media assurances that she was, indeed, David Birnie’s susceptible dupe who ‘killed for love’ and who had nothing to gain whatsoever from her participation other than his trust.\[50\] Even her legendary hatred of her own sex, evidenced in her statement that she had helped kill the first victim because ‘She was a female. Females hurt and destroy males’;\[51\] her apparently sadistic rationale for her murder of the second, ‘I wanted to see how strong I was within my inner self. I didn’t feel a thing. It was like I expected’;\[52\] and her contempt for the third victim upon whose grave she spat\[53\] were reinterpreted by the prosecutor, no less, as stemming from the ‘weird mental command’\[54\] David Birnie retained over her.\[55\] According to these readings of her behaviour, it seems Catherine was destined to be David’s disciple regardless of her admitted sadism and her deepseated antipathy to other women, either or both of which could equally have served to explain her actions.

Valmae Beck’s sadistic beating fantasy narrative was likewise reinterpreted in mainstream legal and media discourses as a tale of masochistic devotion. Her story was compared with Catherine Birnie’s in the first report after Beck’s arrest\[56\] and further parallels between the two became seemingly unavoidable once it was revealed they had possibly had contact when both were living in Perth.\[57\] Accordingly, Beck’s defence counsel insisted she had ‘an abiding love of and loyalty to her husband’ which allowed him to make her do ‘something against her principles and from which she derived no pleasure’.\[58\] Although ‘unfortunate to have been married to Watts’, her defence counsel begged that the jury ‘not heap vilification

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\[50\] As above; Williams G ‘Horror deaths: woman’s part’ Daily News (Perth) 3 March 1987; Lang above note 46; ‘Killer “should never be freed”’ above note 46.

\[51\] Catherine Birnie above note 21; Williams above note 50; Lang above note 46; ‘Killer “should never be freed”’ above note 46.

\[52\] Catherine Birnie above note 21.

\[53\] Catherine Birnie above note 21; Dennis A ‘Vicious spire of rape and murder brings life term’ Sydney Morning Herald 11 February 1987.

\[54\] Dennis above note 29.

\[55\] Catherine Birnie above note 21; Williams above note 50; Lang above note 46; ‘Killer “should never be freed”’ above note 46.

\[56\] ‘Police quiz couple over Sian murder hunt’ Sunday Mail (Brisbane) 13 December 1987.


upon [Beck] and say because she is married she is equally as responsible as him.59 According to the press, reasons for Beck's involvement in the rape and murder of Sian Kingi lay not in her own sadistic desires, but rather in her insecurity and increasing age. The Sunday Mail summed up this argument concisely, declaring that 'Beck's age and frumpish looks made Watts dominant in the relationship. Over the years her will had gradually sunk, waterlogged, into his until eventually she had wholly submitted. She was terrified of losing him, would do anything for him.'60 Watts, according to the papers and Beck's defence, had thus gained 'total control' of her.61 Yet masochism, paradoxically, is also viewed as powerful, as is demonstrated in the Sunday Mail piece which concluded that '[Beck's] acquiescence emboldened [Watts].'62 Without a submissive woman, so this argument runs, a sadistic man would never act, but together the two may become a 'lethal pair'. This conclusion goes some way towards revealing the complexity of such relationships, rather than merely reasserting the simple frame through which they are generally seen. Michelle Massé argues, for instance, that sadistic and masochistic behaviour is not as polarised as many accounts of sadomasochistic partnerships suggest. Instead, she claims the two inhabit a 'mutual and deeply problematic' relationship through which 'both sadist and masochist define self and other'.63 In her terms, readings which reiterate the sadist's dominance over the masochist, as often occurs in explanations of the cases of Birnie and Beck, and assessments which insist on the masochist's responsibility for soliciting her own debasement, are too simplistic. Rather, the relationship of sadist and masochist blurs the boundaries of activity and passivity, of agent and victim64 — for both are vital to the continued existence of the other, and function together in mutual desire.

Catherine Birnie's and Valmae Beck's narrativisation as masochists omitted various important elements of their stories. To start with, any suggestion of the women's enjoyment in their crimes was buried in most media reports and trial proceedings under an avalanche of protestations regarding their devotion to their male partners and their extreme emotional dependence upon them. David Birnie's and Barrie Watts' delight in their perverse obsessions, on the other hand, created no such crises in representation. It is one thing, however, to fail to mention a possibility, and quite another to gloss over or remain silent regarding a conviction. Yet most of the reports on these cases failed to mention Catherine Birnie's and Valmae Beck's convictions for rape. This omission is interesting in the first instance because such convictions are relatively rare for women which, given the media's propensity for the unusual, should have ensured their inclusion in the narratives. In the second instance, these convictions unequivocally attest to the juries' belief that Birnie and Beck were active in the sexual abuse of their victims. The media, however, stolidly adhered to their

59 Valmae Beck as above; 'Time for justice for Sian, Crown tells death jury' Courier Mail (Brisbane) 19 October 1988.
60 McGregor above note 26.
61 Budd J and Rowen L 'The slaughter of innocence' Courier Mail 8 February 1990.
63 Massé above note 13 at 44.
64 Massé above note 13 at 43-44.
particular narrative frame, choosing rarely and briefly to note, but never to discuss, such inconvenient developments. This stance was not merely a result of 'pack journalism'; rather, the presentation of the two female protagonists in these cases reflects hegemonic heteropatriarchal conceptions of femininity. For reports downplaying the importance of Catherine Birnie's and Valmae Beck's convictions for rape render overt the banality of male violence towards women while hiding female abusiveness. Apparently, so these news stories say, men rape and murder, women watch and help with the clean up.

Nevertheless, the cases of Birnie and Beck persistently overstepped the media's masochistic narrative frame. To begin with, their own maternity lent their crimes an intensely menacing aspect. For as Kavanagh's comments on Valmae Beck attest,65 mothers who commit rapes and murders are seen to embody the 'monstrous maternal' in all her fearsomeness: metaphorically and literally Birnie and Beck were mothers who turned against their own. However, due to the frisson of female enjoyment in these sex crimes, these two cases constituted an additional abomination to their obvious contravention of the stereotypes of good woman and mother. Their evocation of lesbianism aligns them with sexual deviancy in dominant heteropatriarchal discourses. The persistence of the stigma associated with lesbianism is made clear in a short article in the Sydney Morning Herald discussing the lesbian tendencies of Myra Hindley and Rose West which concluded 'Both are ... considered to be sexual deviants who enjoy sadism and lesbian affairs'.66 Rather than taking the opportunity to engage in some familiar derogation of lesbians however, in the cases of Birnie and Beck, the media sidestepped the issue altogether. The sheer pervasiveness of lesbianism's traditional association with violence makes this neglect worthy of comment. Why were neither Birnie nor Beck presented as 'demonic corrupters'68 when both were convicted of rape?

The answer to this puzzle lies in Birnie and Beck's perceived heterosexuality. As both were inscribed in the heteropatriarchal system via their relationships with men, their desire, in any sense of the word, was rendered invisible, subsumed under that of their male partners. This erasure of female desire is not merely a result of Birnie's and Beck's portrayal as obsessively fulfilling the needs of their men. Rather, as Lynda Hart reminds us, this is the way the economy of desire operates, focused around male desire, either heterosexual or homosexual.69 As was noted previously in the section on the beating fantasy, Freud insisted that boys alone developed active desires such as scopophilia and epistemophilia while girls relinquished these in favour of exhibitionism and narcissism. Hence, boys were granted the gaze while girls fulfilled the function of the 'to be looked at', the object of the gaze. Boys, thus, learned to desire the other according to Freud's analysis, while girls learned only to desire themselves as objects for male eyes, submerging their own active desire in order to become the passive desired. Hart cites

65 Kavanagh above note 39.
66 Evans Louise 'West and Hindley, a link made in hell' Sydney Morning Herald 25 November 1995 at 15.
69 Hart above note 67 at x.
Teresa de Lauretis' neat summing up of this situation: 'One may be born a woman or a man, but one can only desire as a man.' Male desire, however, as Luce Irigaray has observed, is ultimately self-directed as well leading only to 'the blind spot of that old dream of symmetry'. In other words, male narcissism creates a desire for the self same that involves an inevitably violent incorporation of the desired other. Woman, as desired other, becomes only a symptom in this masculine economy of desire, for as Jacques Lacan notes 'when one is a man, one sees in one's partner what can serve, narcissistically, to act as one's own support'. Male desire for the other comes down, thus, to a narcissistic fantasy of what Hart denotes woman. Although woman forms the site of male desire, this desire has nothing to do with active epistemophilia, a desire to know the otherness of woman, but remains locked in narcissism and desire for a male fantasy of woman who is naught but a reflection of man himself. Women as desiring subjects are therefore erased in this economy which is premised only on male desire for the same.

Lesbianism, in placing itself outside this economy, unsettles its terms by bespeaking the possibility of female desire. Historically, this threat has been resolved through insisting that lesbians are 'not women': if desire is intrinsically masculine, so the argument goes, then lesbians are merely desiring males in female bodies or invert, as early sexologists dubbed them. Desire between women, then, was not only 'repressed, but foreclosed'; deemed impossible. Yet, as Hart acknowledges, that which is outlawed does not simply disappear; the 'return of the repressed', to borrow Freud's famous phrase, is ever likely. Lesbianism continues to destabilise the heteropatriarchal system, which has been built on demands for female passivity and objectification, through its constant attestation to the existence of an active female desire; to the moment when the 'looked at' finally looks back.

Catherine Birnie's and Valmae Beck's sexual abuse of their young female victims conflicted dramatically with their representation as obsessively male-identified women and was thus ignored in mainstream media depictions. This rigorous suppression of their cruelty to and hatred for other women functions primarily to negate female violence and female desire while reinforcing the autonomy of male desire and the prosaic nature of male violence. Even the temptation of an ever popular portrayal of the 'evil lesbian' was not sufficient to tempt the press from their established narrative frame of masochistic passivity. For denials of active desire deny agency. Portrayals of Birnie and Beck which cast them as having killed 'for love', to please their male partners, explicitly insisted upon their lack of responsibility for their crimes. Like many of

70 Hart above note 67 at x
72 Hart above note 67 at 18.
73 Hart above note 67 at 20.
74 Hart above note 67 at 21.
75 Hart above note 67 at 21.
76 Hart above note 67 at 15.
77 Hart above note 67 at 15.
the women in Hilary Allen's study of female offenders, they were depicted as never having engaged in an intentional act in their lives. The only desire they were presented as possessing was that of attending to the needs of men, any more active desire fulfilling their own wants was disallowed them. Once again, then, the mass media audience was prevented and protected from having to countenance the possibility, indeed the reality, of female violence and female sadism.

**Feminist Silences**

The main impediment to a feminist consideration of the cases of Catherine Birnie and Valmae Beck proceeds, as does the malestream vilification, from the unpalatable suggestion that the two may have enjoyed their crimes. The distaste, however, springs from different sources. Transgressions of the stereotypes of good wife and mother are rarely problematic in feminist legal or cultural studies theory. However, Birnie's and Beck's invocation of the monstrous maternal, particularly when aligned with the suggestion of enjoyment, constitutes a very real barrier to feminist consideration. Although feminist theorists have reclaimed the myth of the malevolent mother, represented by figures such as Kali and Medea, it seems that 'real life' examples of the monstrous maternal are not celebrated in the same way. Catherine Birnie's and Valmae Beck's own narratives of their crimes make overt the slippage from masochism to sadism ever present within the beating fantasy. This slippage is not only denied within mainstream discourses but also within feminist ones, as earlier discussion of feminist silence regarding female sadism showed. Women who desire to do more than merely watch 'a child being beaten' are not just castigated it seems, but repressed out of conscious existence. In feminist theory, this suppression has a lot to do with the original aims of the movement and the constraining/enabling power of identity politics.

The necessity to claim an identity on which to found feminist politics produced particular feminist constructions of 'woman'. The two most important and enduring of these are the victimised woman and the nurturing woman. These two constructs worked so effectively because they suited the aims of the general movement and, indeed, in many ways they still do. The victimised woman embodied the damage patriarchal oppression had inflicted upon women, and the nurturing woman demonstrated that women possessed knowledges and modes of behaviour which, although developed as a response to oppression, nevertheless differed markedly from, and were considered preferable to, those privileged under patriarchy. Crucially, however, neither of these constructions of woman acknowledge feminine potential for violence or sadism, which is not the result of coercion or domination. This means, then, that the actions of women like Birnie and Beck are effectively excluded from feminist representation. Politically, it is relatively easy to determine the reasons for feminist legal and cultural studies theorists' silence regarding the cases of Catherine Birnie and Valmae Beck, as neither of these cases would seem very useful in advancing the cause of female equality or equivalence. Nevertheless,

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representations of women like these have much to tell about mainstream law and media’s
genuntion of female desire, violence and agency.

Further reasons for the persistent exclusion of cases like those of Catherine Birnie and
Valmae Beck from a feminist construction of violent female subjectivity lie in their unsettling of
pretheorised notions of femininity. Catherine Birnie and Valmae Beck failed to perform their
gender correctly. Gender performatives are, in a sense, the scripts which delimit the specific
corporeal acts constitutive of gender as a corporeal style.79 In other words, then, Birnie and
Beck’s actions did not reiterate feminine norms as they are articulated within traditional legal
and media discourses or within feminist legal discourses. Moreover, their transgression
rendered overt the constructedness of the expectations and assumptions constituting these very
different performatives of femininity. Birnie and Beck’s subversion of mainstream performatives
of femininity was made evident early in their cases, even before their arrests. The dominant
media assumed that the search for the killer of the four women in Perth and of Sian Kingi in
Noosa would end with the capture of a man. Sian Kingi’s killer was likewise referred to as ‘he’
in reports immediately after her body was located, with her father and other Noosa residents
opining that ‘the man responsible for Sian’s death should be bashed to death’ as ‘he’s an
animal’.80

Once Catherine Birnie and Valmae Beck were arrested, however, their subversion of
media and legal performatives of femininity was made explicit as not only were they merely
witness to such ‘masculine’ crimes, but they were also found to be willing participants and
punished accordingly. These two cases then revolved around mainstream legal and media
discourses’ efforts to contain representation of the transgressive women at their centre within
the stereotypes of willing slave and masochistic victim. Catherine Birnie’s and Valmae Beck’s
confessed participation, however, continually subverted and challenged their probable
enactment of these more understandable gender performatives. For when the ‘script’ called for
complete submission to the demands of their male partners, Birnie and Beck provided evidence
of their own desire; when only their spectatorship was required, they gave allegations of their
own abusiveness; when remorse was expected, they instead despised their victims; and finally,
when their partners’ sadism, autonomy and sole responsibility for the crimes was demanded,
they insisted the rapes and murders would and could never have taken place without them.

Feminist performatives of femininity were challenged not by Catherine Birnie’s and
Valmae Beck’s professions of agency and desire but by the identity of their victims and their
attitudes to them. Female autonomy, independence, solidarity with other women and protection
of children are valued in feminist female gender performatives, and women’s oppression and
victimisation by men are given sympathy and understanding. Women who act as Beck and
Birnie did, and who claim devotion to their male partners and hatred of other women, clearly
do not demonstrate many of these characteristics. Their autonomy is suspect as they acted in

80 Franklin M ‘Reward should be offered for Sian’s killer, says Gunn’ Courier Mail (Brisbane) 5 December 1987;
Hansen P ‘Police home in on sex offenders in killer hunt’ Sunday Mail (Brisbane) 6 December 1987; McDonald L
‘Family and friends remember Sian — a radiant, special girl’ Courier Mail (Brisbane) 9 December 1987.
concert with, and perhaps under the jurisdiction of, men; their independence is also debatable as they constantly professed their need to retain their partners' love; their solidarity with other women and their protection of children is evidently nonexistent; and their victimisation and oppression by men is also doubtful as they both insisted on their lack of coercion to participate in the crimes. The lack of fit of Catherine Birnie's and Valmae Beck's actions' within feminist female gender performatives is seemingly too encompassing to produce anything other than the silence which they have so far received from this quarter.

This is not to suggest that feminist legal theorists' understandings and constructions of female subjectivities are not nuanced and complex. Indeed, feminist jurisprudence, in particular, has developed concepts of identity and subjectivity which owe much to postmodern revaluations of these ideas, and which therefore go well beyond the perhaps more modernist narratives of female subjects presented here so far. However, although female violence is now more on the agenda than it has ever been, many texts in feminist legal theory and criminology still fail to acknowledge women who commit crimes of sexual sadism. Many feminist texts, ostensibly on the subject of women and violence, still primarily consider male violence towards women, with only fleeting or marginalised references to the violence women are capable of inflicting on men, other women and children.

The transgressive character of Birnie's and Beck's femininity in both feminist and mainstream legal and media discourses is largely a symptom of a discursive clash. For although many aspects of their personal narratives are apparently unrepresentable in these discourses, the women's performance of femininity as willing slave and older dominatrix of younger women is


82 It is impossible to enumerate all such texts here. Some of the more recent which fail to acknowledge women's crimes of sexual sadism are Cook S and Bessant J (eds) Women's Encounters with Violence: Australian Experiences Sage Thousand Oaks CA 1997, Graycar R and Morgan J The Hidden Gender of Law The Federation Press Sydney 1990, Roach Anleu S L Deviance, Conformity and Control Longman Cheshire Melbourne 1992, Daly K Gender, Crime and Punishment Yale University Press New Haven 1994, Kelly L 'Journeying in reverse: possibilities and problems in feminist research on sexual violence' in Gelshorpe L and Morris A (eds) Feminist Perspectives in Criminology Open University Press Milton Keynes (1990) pp 107-114, and Kirkby D (ed) Sex, Power and Justice: Historical Perspectives on Law in Australia Oxford University Press Melbourne 1995. Although Cook and Bessant do include an article by Lee Fitter on mother-daughter rape, the collection still fails to acknowledge crimes like those performed by Birnie and Beck which are not crimes of incest and which end with the torture and murder of the victims.
quite well established within the fictional discourse of pornography. The problem lies, however, in Birnie’s and Beck’s insertion of their ‘real’ activities into this already extant fictional role. In acting out such pornographic fantasies (or nightmares), Birnie and Beck force into the open the real ramifications of this kind of imagining. They demonstrate the availability of such a role for women and the ease with which women in ‘real life’ situations can assume it. Nor are they the only women to so do. Indeed this role is particularly popular with women who kill and sexually assault in partnership with men. Myra Hindley, for instance, also inserted herself into this role, and so did Martha Beck, one of the couple referred to by the name the ‘Yuppie Killers,’ Karla Homolka, part of the couple called the ‘Yuppie Killers,’ and Rose West. Nor did their usage of pornographic discourses end with these self-representations, most of these couples also chose to produce some actual pornography of their own. Brady and Hindley made audio tapes and pornographic photographs of some of their victims; Karla Homolka and Paul Bernardo produced video tapes; the Wests took photos, video and audiotapes; and the Birnies kept photographs. Through her confession and evidence, Valmae Beck can likewise be considered a producer of pornography.

Although pornography is thus clearly implicated in the activities of these kinds of murderers, this does not mean that it was directly responsible for them. Rather, pornographic discourses provided convenient scripts in which these couples situated and articulated their desires. In other words, then, Birnie and Beck enacted gender performatives emanating from pornography, eschewing the more acceptable and defensible scripts promulgated within either

83 The term ‘pornography’ is used here in its general sense as the explicit depiction of sexual activity, but also implies a more specific usage relating to ‘hard core’ pornography, or images of violent sexual intercourse. Most particularly, the emphasis in this usage lies in representation. ‘Pornography’ does not imply a specific form of sexuality, but relates to representations of sex and to common stock stories or scenarios used to narrate sexual encounters, and in this usage, especially violent sexual encounters. ‘Pornography’ functions as a discourse, then, or as several discourses, which provide particular representations or stock narratives of subjectivity and agency; see Kappeler S, The Pornography of Representation Policy Press Cambridge UK 1986 and Lowthien A, ‘Lace, Pornography for Women?’ in Gamman L and Marshment M (eds) The Female Gaze The Women’s Press London 1988 pp 86-101.

The roles of willing slave and dominatrix are common throughout the history of pornographic writing. Early examples, such as de Sade’s Justine (de Sade D-A-F Justine; Philosophy in the Bedroom; Eugénie de Feral, and Other Writings trans Seaver R and Wainhouse A) Grove Press New York 1966, written in the 18th century, include examples of both these roles. Sacher-Masoch I, Venus in Furs in Deleuze G. Masochism: An Interpretation of Coldness and Cruelty Zone Books New York 1989 pp 143-271 includes a female sadist, while the later classic Réage P The Story of O Corgi Books London 1972 concentrates primarily on the exploits of its passive female protagonist. Innumerable contemporary films and popular books also invoke women performing both roles. Interestingly, these roles also appear in some lesbian pornography. See Califia P At Molting Point Alyson Publications Boston 1993; Califia P at Doing It For Daddy Alyson Publications Boston 1994; and some of the stories in Newman L The Femme Mystique Alyson Publications Boston 1995 for only a few examples.
mainstream or feminist legal and media discourses. This is not to suggest that they shuffled consciously between discourses as fully formed selves to find the performative best suited to their activities. Gender performatives are not roles "which ... express or disguise an interior "self" so much as acts "which construct the social fiction of (their) own psychological interiority". In enacting these pornographic gender performatives, then, Birnie and Beck constituted themselves as female sadists; they learnt to 'feel' and to 'be' willing slaves and dominatrices by learning to act as them. The particular corporeal acts required by particular gender performatives thus reproduce the script while allowing for individual interpretations of any enactment. So, to use Butler's terms, their acts were expressive of and conformed to a particular gender identity while contesting the expectations of other gender identities.

Feminist incorporation of Catherine Birnie's and Valmae Beck's enactment of the pornographic performatives of willing slave and dominatrix is problematic for reasons further to these scripts' conflict with acceptable feminist performatives. For the discourse of pornography itself has often been considered antithetical to feminism's general aims and values. The feminist critique of pornography instituted in the early 1980s by theorists like Andrea Dworkin, Susan Griffin and Catherine MacKinnon, although subject to challenge in more recent feminist theory, is nevertheless still cited in contemporary and popular debates. In brief, this position holds that pornographic representations objectify women and women's experiences of objectification are the true core of their oppression. Furthermore, these theorists argue that there is a direct relationship between the existence and consumption of pornography and male violence towards women because pornography is used by men to celebrate and inculcate male power. Later feminist theorists have criticised these arguments on several grounds. However, Dworkin et al's theorisation of pornography remains influential, as in popular debates, at least, the notion that pornography somehow 'causes' violent crime against

84 Although it can be argued that the mainstream discourses' depiction of them as having killed 'for love' bears a marked similarity with the pornographic portrayal of 'willing slave'. Furthermore, as pornography is central to Western heteropatriarchal culture, Birnie and Beck's enactment of performatives from this discourse can be considered mainstream representations. Nevertheless, I wish to draw a distinction between mainstream legal and media discourses and pornography, even though in these cases they show their aptitude for symbiosis. For further discussion of the centrality of pornography to Western heteropatriarchy see Caputi J The Age of Sex Crime Women's Press London 1988 especially at 161-169.

85 Butler above note 79 at 279.

86 Butler above note 79 at 278.

87 Jessica Benjamin, for instance, has criticised these arguments for their collapse of fantasy with reality. Benjamin contends that pornographic fantasy is very different from the violent, nonconsensual practice which Dworkin A et al insist is pornography's only definition. The fantasy of erotic domination, for instance, is common to both men and women which means, she avers, that not all pornography is rooted in patriarchal oppression of women. See Benjamin Jessica 'Master and slave: the fantasy of erotic domination' in Snaith A Stansell C and Thompson S (eds) Desire: The Politics of Sexuality Virgo London 1984 pp 292-311; Dworkin Andrea Pornography Women's Press London 1981. Ann Barr Snaith has proposed an alternative understanding of pornography which broadens its
women is very powerful and still widely accepted.  
Catherine Birnie and Valmae Beck's narratives of sexual sadism are thus allowable within the discourses of pornography and unacceptable within feminist theory. For even the most broadminded feminist analyses of pornography rarely consider the slip from masochist to sadist, inherent in the beating fantasy, which is narrated so well in Beck's and Birnie's tales. While some feminists have undertaken work on sadomasochism, and in particular female sadism, such studies remain relatively rare in the annals of feminist theory. Pat Califia has written a great deal about the politics of S/M sex and her self-professed sadism, yet the sadism she speaks of remains strictly within the confines of consensual S/M scenes. Nevertheless, she describes her ostracism from 'mainstream' feminism throughout the decades of second wave feminism during the 1960s, 70s and 80s and her continuing battles in the 90s with those whom she terms the 'sex police'.  
Angela Carter's work The Sadeian Woman is one of the classic studies of the Marquis de Sade's oeuvre, and of pornographic fiction in general. Her study of de Sade's Juliette is particularly interesting in the context of this paper, however it necessarily remains an analysis of fictional sadism rather than a consideration of actual sadism such as that performed by Beck and Birnie. Gayle Rubin has also discussed S/M, particularly lesbian S/M, but as in the case of Califia, she analyses it as a consensual sexual practice. Jessica Benjamin has considered 'erotic domination' only in terms of the masochistic fantasy, The Story of O, in her work on the subject. Women who act as sadists in the manner of Birnie and Beck are thus not part of any of these sorts of analyses. Instead, women who make violent pornography using nonconsenting participants are left to inhabit the unliveable body, or perhaps the unthinkable body, of feminist legal and cultural theory. Feminist legal theory's construction of the violent female subject is therefore as partial and delimited as those produced by mainstream legal and media discourses, and as incapable of encompassing women who exhibit certain desires and perversities.

The complexities of desire and agency operating in the cases of Catherine Birnie and Valmae Beck need means of feminist expression. The non-agentic recuperations of these women parameters beyond the misogynist scenarios envisaged by Dworkin. She suggests that there are many types of pornography, ranging from the instructive to the pleasurable, from heterosexual to homosexual, and that context tends to dictate the meanings any pornographic representation acquires. See Snitow Ann Bartz 'Mass market romance: pornography for women is different' in Snitow A, Stansell C and Thompson S (eds) Desire: The Politics of Sexuality Virago London 1984 pp 258-275.

88 Witness, for example, the continuing debate over the consequences of children's viewing of sex and violence on television, culminating in the introduction of the 'V' chip to allow parents to screen out all sexually explicit and violent material from the programs received.

89 See for instance several of her essays in Califia Pat Public Sex Pittsburgh Cis Press 1994.


produced in the malestream law and media can no longer remain unchallenged. Certainly analytic difficulties are raised due to the moral repugnancy of the crimes, but to ignore such cases is to allow their protagonists the refuge of the myth of female passivity. Birnie and Beck are important cases because through their own narratives of their crimes, they embody the slip from masochism to sadism inherent in Freud's female beating fantasy. They make clear the false neutrality of spectatorship, in particular exposing the floating identification of the watcher from beater to beaten, revealing the sadistic pleasures the one who watches enjoys when they too finally begin to beat. Most significantly, they show that women possess the potential for sadism, even though this has been repressed, denied, submerged under an avalanche of protestations regarding the innateness of female masochism.