

## On Situated Agency

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The need to revisit our frameworks for understanding men's violence against women and girls is growing. Recent high profile criminal cases have begun to unearth the range and extent of the sexual abuse and exploitation of girls and young women: from the child sexual exploitation gangs of Rochdale and Oxford, to the corridors of the BBC and testimonies of a sexual abuse ring operating in Westminster. An online blog created in 2012 to record experiences of 'everyday sexism' in England quickly went global, spreading to over 15 countries and collecting more than 50,000 entries within just eighteen months. The endemic levels of rape in India gained international attention when in 2012 a young woman was beaten and gang raped on a bus in Delhi, dying several days later due to the injuries she sustained during the assault. The same year the problem of sexual assault and rape in American campus culture was highlighted by the international reporting of the Steubenville rape case where a teenage girl was repeatedly sexually assaulted by members of a fraternity, with photographs and videos of the assault circulating on social media. In South Africa, the filmed criminal trial of Oscar Pistorius, a man who shot dead Reeva Steenkamp, gained global interest, whilst a social media campaign in 2014, led to New Zealand, Australia, Brazil and, most recently, the United Kingdom refusing a visa to Julien Blanc, a man who hosts seminars teaching men how to sexually harass and coerce women.

These are just some of the events that have been said to evidence feminism's fourth wave, a wave unmistakably returning attention to the scope and scale of sexual violence experienced by women and girls worldwide. Such attention signals the existence of an international problem in need of an expanding evidence and theoretical base upon which to develop effective policy. Legal and medical frameworks for understanding the impact of this violence dominate; however they struggle to capture the experiential realities of both victimisation and survival. The renewed attention then on feminist perspectives brings back to light some of the unresolved tensions in the theoretical tool box we use to understand men's violence against women. The fourth wave may have harnessed the power of digital spaces to capture the cacophony of voices that give feminism as a political movement its complexity and reflexivity. However the internet's role in changing how we create, ingest and distribute information has meant that the opportunities for divergent feminist theoretical perspectives to strengthen and expand our thinking are being missed – in particular the ongoing challenges in theorising women's freedom, agency and autonomy. Carelessness here feeds accusations of 'victim feminism' – the charge being that concentrating on violence against women and girls as a context structuring, limiting, *situating* women's freedom undermines women's sexual agency. Such a perspective locks us into an unhelpful binary where the complex, multiple and uneasy ways in which women individually and collectively live our agency and oppressions in the current gender order are lost. This binary appears in a reworked form in the notion of a 'sex-positive' feminism and its often unnamed though obligatory counterpoint of 'sex-negative'. Both positions acknowledge women's sexual freedom as a necessary part of women's freedom, and recognise that women's sexual freedom is restricted in specific ways, though the solutions to increasing women's space for

action (Jeffner, 2000) radically diverge. What remains under-theorised across debates is the concept of freedom itself. If diverse feminisms are speaking to different concepts of freedom then our discussions, no matter how stimulating, will stall. This lack of time in defining and refining our conceptual thinking risks replacing the ability of feminisms to speak to each other with the attempt to speak over one another.

With this in mind I want to return focus to our conceptual thinking, particularly to those concepts underpinning the questions of women's power and freedom that trouble recent feminist thinking. What follows forms part of a broader project towards the development of a phenomenology of violence against women and girls. Here, however, I will sketch the beginnings of a conceptualisation of agency developed from the work of Simone de Beauvoir, which may prove useful for researchers, activists and frontline workers seeking frameworks to help inform policy and legislative action to end men's violence.

### **Situating Beauvoir**

Simone de Beauvoir has largely fallen out of fashion; her work can be dismissed by much of modern feminism as too dated in its representations of the lives of women, and too impenetrable in its language. The new English translation of *The Second Sex* (Beauvoir, 2011) partially answers these criticisms and forms part of a resurgence of Beauvoirian scholarship in the past thirty years seeking to reclaim her unique philosophical contribution, a contribution Beauvoir herself repeatedly denied (Simons, 2010; Le Doeuff, 1989; Kruks, 1990; Heinämaa, 1999; Moi, 1999). Historically, understandings of Beauvoir by English language theorists have been negatively impacted by the severe problems with the original English translation by Howard Parshley, outlined in detail by Margaret A Simons (1983) and Toril Moi (2002). For over fifty years the only published English translation was completed by a zoologist – a man who cut a third of the original work and didn't understand the philosophical histories of Beauvoir's language choice. The revised English translation by Constance Borde and Sheila Malovany-Chevallier goes some of the way towards correcting this, though Toril Moi (2010) argues many problems remain.

The new version of *The Second Sex* includes an introduction that was absent from the original translation and addresses a third critique often leveled at her work - that her discussions of women's lives is essentialist.

When I use the words 'woman' or 'feminine' I obviously refer to no archetype, to no immutable essence; 'in the present state of education and customs' must be understood to follow most of my affirmations. There is no question of expressing eternal truths here, but of describing the common ground from which all singular feminine existence stems. (Beauvoir, 2011: 289)

This introduction to Book Two, cut for length, makes clear Beauvoir's non-essentialist position. It foregrounds one of her key positions on how we are to understand human existence – as situated - where situated refers to the total context in which and through which we give our life meaning. It is in her unique application and extension of this concept in relation to women's freedom which shows such promise for theorists and researchers working on violence against women and girls.

In line with the numerous misrepresentations Beauvoir made of her own philosophical contributions, she credited Jean-Paul Sartre with originating the idea of situation a misleading claim since both she and Sartre drew upon, and disagreed about, Heidegger's concept of being-in-situation.<sup>1</sup> In *Being and Time* (1996), Heidegger posited *Dasein* as 'delivered over' to the world and that through this human existence has the inescapable characteristic of *geworfenheit* or 'thrownness'. We are thrown without knowledge or choice into a world that was there before us and will remain after us, and in this thrownness we find ourselves in the world always already in a particular situation, again not of our choosing. I was born as a white, able-bodied female in the early 1980s, in a small logging town on the North Island of New Zealand. None of these material conditions, their socio-historical meaning, or indeed my entry into the world itself, are expressions of my freedom, however my freedom depends on their existence. My situation is what makes my freedom possible as well as being the starting point from which I choose my projects. The influence of our situation on our choice of projects is seen in the way that situation acts to expand our possibilities in the world. A change to my birthplace would have changed my possibilities; a change to my body would have altered the starting point for my perspective on the world. From this situation we make choices which in turn we derive our meaning. Our situation does not constitute us, yet it does give us a location within the world through which it becomes meaningful – through which it becomes 'ours'.

For Beauvoir, 'every concrete human being is always uniquely situated' (2011: 4). She developed Heidegger's concept to talk about how this situation that we find ourselves thrown into, a situation including our embodiment and the meanings and possibilities opened out to it given our particular socio-historical location, is both the point from which we make choices, thus the basis of our freedom, at the same time as being the source of its limitations. Her conceptualisation of 'situation' thus refers to the meanings derived from the total context of our living experience, not just the meanings determined by our *facticity*, being the material 'facts' of our embodiment and its values within a particular historically located context. It is here that Beauvoir significantly departs from Sartre, under whose philosophical work Beauvoir's contributions are often subsumed, and where she usefully employs the notion of ambiguity as the basis of human existence springing from the uneasy relationship of our freedom as situated and our existence as embodied.

### **Situation and ambiguity**

For Beauvoir we are both freedom – that is a subject able to choose, act and make meaning of our life through the taking up of projects – and *facticity*, the term used to convey the material 'facts' of our existence, some of which become limiting factors for our freedom. This creates an irresolvable tension, and it is in the explication of this that Beauvoir offers some of her most original phenomenological insights. To unearth the uniqueness of Beauvoir's conceptualisation here, it helps to locate her work in reference to that of two other French theorists whose conceptual frameworks are often adapted by feminists wanting to explore the historically located inscription of social

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<sup>1</sup> See Simons (2010) for an outline of the ways in which Beauvoir derided suggestions of her philosophical import. As highlighted by Simons, Beauvoir's posthumously published war diaries and letters show Sartre and Beauvoir disagreeing on the concept of situation, which Beauvoir supported and Sartre rejected.

processes on the female body – Michel Foucault and Pierre Bourdieu. This is not to offer a précis or critique of their work but rather to highlight the ways in which their concepts have been mobilised to answer particular feminist questions, where revisiting the thinking of Simone de Beauvoir may have held the answers.

Foucault offers possibilities to feminist theorists keen to reconceptualise power as not being something possessed by one group over another but rather as a relational network consisting of practices, institutions and technologies. Similarly, his genealogy of the political economy of body could provide a useful tool through which to examine the operations of the continuum of sexual violence as a disciplinary practice. However there are unresolved, perhaps irresolvable, tensions in mobilising Foucault in feminist work on men's violence – most notably the risk of losing the multiple ways women find different levels of access to agency in and through the current gender order.<sup>2</sup>

Increasingly critical of Foucault himself, Pierre Bourdieu developed the concept of *habitus* through building on the phenomenological insights of Husserl. Habitus represents how social structures are embedded in our embodied selves, giving a conceptual tool for describing how social conditions and contexts set what we define as 'reasonable' actions, perceptions and thought processes within them. We can see here a resonance of situation in its Beauvoirian sense. The concept of habitus has been productively employed by feminist researchers working on men's violence. Maddy Coy (2009) for example, innovatively employs the concept of habitus to enable a nuanced exploration of how women's experiences of the local authority care system are inscribed on the body in a way conducive to selling sexual access to the body. Despite her skilful application of his concepts however, we're still left with questions as to the possibilities Bourdieu sees for freedom and individual difference in the face of the totalising force of habitus.

What remains to be seen across feminist adaptations of Foucault and Bourdieu is how we can hold their illuminations of the complexities of power without collapsing the ambiguous nature of power as lived and inadvertently rewriting what we experience as freedom into solely an effect of social processes. As such, frameworks building on the disciplinary practices of power and habitus struggle to capture different women's living experience of agency within a gender order generated by and generating men's domination. What is needed is a theory of the embodied self and embodied practices that is able to account for the different meanings given to, and created by, the individual through our living experience. A theory that can hold the ambiguity of the self as both a collection of social prescriptions and processes, and at the same time an agent with differing levels of access to freedom. The Beauvoirian concept of situation provides such a theoretical tool, enabling exploration of the ambiguous position of 'victim/survivor'<sup>3</sup> as an expression of both how women are both acted on by, and choose to act within, a patriarchal gender order. Beauvoir heralds such ambiguity as embedded in human existence and, importantly, as fundamental to women's situation as the inessential Other.

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<sup>2</sup> Nancy Hartsock claims for example that 'Foucault's is a world in which things move, rather than people, a world in which subjects become obliterated or, rather, recreated as passive objects, a world in which passivity or refusal represent the only possible choices' (1989: 167).

<sup>3</sup> See Kelly, Burton and Regan (1996) for a detailed discussion of the victim/survivor dichotomy.

‘(W)hat singularly defines the situation of woman is that being, like all humans, an autonomous freedom, she discovers and chooses herself in a world where men force her to assume herself as Other... Woman’s drama lies in this conflict between the fundamental claim of every subject, which always posits itself as essential, and the demands of a situation that constitutes her as inessential (Beauvoir, 2011: 17).

For Beauvoir, the situation of women under unequal gender orders expresses the ontological ambiguity of human beings more concretely than that of men. Beauvoir does not try to resolve the ambiguity, making us either a freely choosing subject or solely constructed through external forces. Instead, she believes existence is characterised by this conflict of being both, a continual struggle between our capacity for freedom and the alienating processes of socialisation.

### **Situation and freedom**

Recognising the material details of our embodiment as the basis from which our freedom both exists and is limited, ‘situation’, for Beauvoir, is also the ways in which these details ‘appear in light of the projects a person has.’ (Young, 2005: 16) The term ‘project’ has a particular meaning within existential-phenomenology, a meaning Beauvoir drew on. Our existence as embodied being-in-the-world was seen by both Beauvoir and Jean-Paul Sartre as an act of self-creation, the permanent realisation of our possibilities. We are nothing outside of the undertakings made in light of our broader chosen projects; our existence is ‘nothing else but a series of enterprises’ (Sartre, 1973: 57). This position is also found in one of Beauvoir’s most famous, and most misinterpreted, statements from *The Second Sex*, that ‘(o)ne is not born, but rather becomes, woman’ (Beauvoir, 2011: 293). The two differ, however, in their understandings of the freedom underlying our projects. Beauvoir recognises the embodied self as both free and constrained, claiming that ‘the idea of freedom is not incompatible with the existence of certain constraints’ (Beauvoir, 2011: 57). Human ‘being’ is such that we have the ability to act on the world and make it our own through the taking up of projects we find meaningful. At the same time our situation is constituted by forces that are not of our making, forces that may act to limit the projects we choose and the meanings they have for us. Her use of ‘becoming’ is thus substantially different from that of Sartre who upheld an absolute ontological freedom whereby even under material constraints, we are always free to choose the meaning we give our situation (Sartre, 2007). Beauvoir had already begun to conceptualise freedom as situated and crucially interdependent in her early ethical essays *Pyrrhus and Cineas* (2004) and *The Ethics of Ambiguity* (1976). In her early autobiography, *In the Prime of Life* (1962), she reveals that her break with Sartre’s ontological freedom was grounded in the living experience of gender inequality.

I maintained that, from the point of view of freedom, as Sartre defined it... not every situation is equal: what transcendence is possible for a woman locked up in a harem? Even such a cloistered existence could be lived in several different ways, Sartre said. I clung to my opinion for a long time and then made only a token submission. Basically I was right. But to have been able to defend my position, I would have had to abandon the terrain of individualist, thus idealist, morality, where we stood (Beauvoir, 1962: 346).

That Beauvoir remained relatively quiet on the ways in which her theory of freedom significantly broke with that of Sartre has had particular consequences for Beauvoir’s legacy. Judith Butler has both notably developed and critiqued Beauvoir’s concept of

the self in putting forward her performative theory of gender (Butler, 1985; 1986). For Butler, Beauvoir's statement on becoming a woman is an assertion of 'the non-coincidence of natural and gendered identity' (Butler, 1985: 505). Following this, Butler was able to claim that 'Simone de Beauvoir's formulation distinguishes sex from gender and suggests that gender is an aspect of identity gradually acquired' (Butler, 1986: 35).

For Simone de Beauvoir, it seems, the verb "become" contains a consequential ambiguity. Gender is not only a cultural construction imposed upon identity, but in some sense gender is a process of constructing ourselves. To *become* a woman is a purposive and appropriate set of acts, the acquisition of a skill, a 'project' to use Sartrean terms, to assume a certain corporal style and significance. When 'become' is taken to mean 'purposefully assume or embody', it seems that Simone de Beauvoir is appealing to a voluntaristic account of gender (Butler, 1986: 36).

There is a subtle misstep here in collapsing together the Beauvoirian and Sartrean concepts of freedom which underwrite our ability to choose a project, understandable given the hushed tones with which Beauvoir herself spoke of her divergence and that Butler was writing here before the 'scholarly renaissance' (Simons, 2010: 910) that has taken place since Beauvoir's death in 1986. Beauvoir's nuanced theory of the freedom of the embodied self as situated, in fact marked a critical departure from Sartre in its assertion that not everyone has the same capacity to freely choose their project from a range of possibilities. Basing theory in lived experiences means a necessary acknowledgment of the impact of our situation in both limiting and expanding our possibilities and our freedom to choose amongst them. Butler's claim that 'Simone de Beauvoir's view of gender as an incessant project, a daily act of reconstitution and interpretation, draws upon Sartre's doctrine of pre-reflective choice' (Butler, 1985: 508), hides the ways in which Beauvoir's writing signalled a departure from, not an exercise in, a Sartrean vision of existential choice. Beauvoir does not assert freedom as an ontological category of being where all expressions of agency are equal. Freedom, for Beauvoir, exists in situation, an ambiguous foundation of both expression and constraint.

### **Situated agency**

Drawing on this conceptualisation of freedom, we start to see the possibilities Beauvoir presents for current feminist theorising seeking to conceptualise the ambiguous balance of women's agency, specifically though not solely sexual agency, as it is lived in an unequal gender order (see Coy & Garner, 2012; Gill, 2007; 2008). Across feminist perspectives there is what has been described as a 'chronic need' to theorise women's agency (Stavro, 2000: 133), in particular women's embodied agency. Such a need is particularly pronounced in modern feminist debates on issues such as prostitution or pornography, where a focus on the contexts in which women are making choices is held by others the negation of women's ability to choose. Most recently, the decision by Amnesty International to decriminalise the prostitution system – a decision promoted as supporting women's freedom – can be seen as demonstrating the need to find an accessible conceptualisation of women's agency to inform policy change, that can also hold the multifaceted and complex ways in which structural oppression impacts, conflicts, points to and limits choice and action. This need is also evident in responses to critiques of feminist self-defence work, where such a practice is seen as sitting in tension with notions of victim-blame (Seith &

Kelly, 2003). A conceptualisation of women's embodied agency is required that is able to maintain the complex and multiple ways in which the continuum of sexual violence (Kelly, 1988) operates as a context situating women's freedom (and our female embodiments), without figuring women as passive objects of representation rather than subjects acting on, in and through the body. Simone de Beauvoir's development of the self as a situated body-subject provides a framework for balancing this tension. Her account of the situated self enables recognition of our autonomy alongside the acknowledgement of how that core expression of our autonomy, our agency, is rooted in real, often restrictive, contexts.

The terminology of 'situated agency' exists within welfare economics (Peter, 2003), and is also employed by Barbara Herman (1991) in her discussion of Kantian ethics in the context of understanding the difference between agency and autonomy.

Autonomy is the condition of the will that makes agency possible... But *agency* is not completely described by identifying a will as rational. As human agents we are not distinct from our contingent ends, our culture, our history, or our actual (and possible) relations to others. Agency is situated (Herman, 1991: 795).

Seen in this way, autonomy is expressed through our situated agency, with acknowledgement of the limits of particular situations not therefore resulting in a denial of autonomy. The concept of situated agency can be developed to explore women's agency under an unequal gender order, drawing on the ambiguity of human existence to avoid binaries of freedom or constraint, subject or object, actor or victim. It serves a similar conceptual purpose Evan Stark's theorisation of the constraints imposed on women by controlling partners as limiting their opportunities to 'enact their life projects, not on their capacity to do so' (Stark, 2009: 1514). Stark claims that in reconceptualising domestic violence from an assault based model to one of experienced reality, 'no challenge was more formidable than conveying the extent of women's resiliency, resistance, capacity and courage in the face of coercive control without minimizing the comprehensiveness of the strategy' (Stark, 2009: 1514). Such a claim connects to Beauvoir's situation, where situation refers to the total context in which and through which we give our life meaning through our choice of projects. For Stark, as for Beauvoir, freedom and agency are situated. A space is thus opened for feminists wanting to talk about Liz Kelly's (1988) concept of the continuum of sexual violence as a constraining context for women, without forfeiting women's autonomy and our acts of resistance and resilience. Our choices, actions, even desires are not free-floating – they spring from our material bodies, located in ways that open and close particular possibilities to us. All agency is situated.

### **Intermission**

This marks a pause, an intermission not conclusion. There is the beginnings of a wider project here, a project that will develop in conversation. Revisiting Beauvoir's work can be used to expand our conceptual thinking on men's violence against women. It can help build theory that speaks to the commonality of men's violence in women's lives without losing the variation in how we experience this violence based on social and personal histories. It provides us with a theory of embodied selfhood that also accounts for the different meanings given to the individual and generated by the individual through their socio-historical location; including the multiple and uneasy ways in which women live their agency and oppression in the current gender

order. Such a theory can be usefully employed by frontline agencies working with women who have experienced men's violence, embedding support practice in a respect for women's responses as well as an understanding of the contexts founding them. Recognising agency as situated helps to heed the warning of Bina Agarwal (1997) that emphasising the restrictions on women's agency risks undermining the multitude of ways women act within these restrictions, alongside refusing to promote the individualist notion of all actions as equal regardless of structural inequalities experienced between actors. It does justice to the call by Kathy Miriam for discussions of agency to hold forefront how the term is 'defined as a capacity to negotiate with a situation that is itself taken for granted as inevitable' (2005: 14). Crucially it rises to the challenge posed by Lois McNay (2004) of rethinking an idea of agency around a non-reductive notion of experience, where 'experience,' conceptualised through Beauvoir's situation, is an ambiguous blend of the structural and the material. However the challenge remains of how to harness the power of feminism's fourth wave in translating these possibilities into the language of law and policy: a challenge we can only address in speaking across rather than over our differences.

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